



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday, 12th November 2020**

Time: **10.00 am**

Venue: **This will be a virtual meeting.**

Members: **Councillors:**  
Karen Scarborough (Chairman)  
Rita Begum

**Email:** [cmaclean@westminster.gov.uk](mailto:cmaclean@westminster.gov.uk)  
**Tel:** 07814 998037  
**Corporate Website:** [www.westminster.gov.uk](http://www.westminster.gov.uk)

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting.

Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. Should Members and/or officers have any questions regarding Declarations of Interests, they should contact the Director of Law before the meeting.

## 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.

#### 3. LICENSING APPLICATIONS FOR DETERMINATION

##### a) Licensing Sub Committee: Lina Stores, 18 Brewer St, London W1F 0SH

(Pages 1 - 4)

(Pages 5 - 46)

Ward CIA*	Site Name & Address	Application Type	Licensing Reference No.
West End West End	Lina Stores 18 Brewer St London W1F 0SH	Premises Licence – Variation	20/08359/LIPV
*Cumulative Impact Area			

##### b) Licensing Sub Committee: 42 Crawford St, London W1H 1JW

(Pages 47 - 74)

Ward CIA*	Site Name & Address	Application Type	Licensing Reference No.
Bryanston & Dorset Square N/A	42 Crawford St London W1H 1JW	New Premises Licence	20/07199/LIPN
*Cumulative Impact Area			

**Stuart Love**  
**Chief Executive**  
**4 November 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 7<sup>th</sup> January 2016.

### **GUIDANCE CONSIDERATIONS**

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

### **CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES**

(As set out in the Council's Statement of Licensing Policy 2016)

- For premises for the supply of alcohol for consumption on the premises:
  - Friday and Saturday: 10:00 to midnight
  - Sundays immediately prior to Bank Holidays: Midday to midnight
  - Other Sundays: Midday to 22:30
  - Monday to Thursday: 10:00 to 23:30.
- For premises for the supply of alcohol for consumption off the premises:
  - Monday to Saturday: 08:00 to 23:00
  - Sundays: 10:00 to 22:30.
- For premises for the provision of other licensable activities:
  - Friday and Saturday: 09.00 to midnight
  - Sundays immediately prior to Bank Holidays: 09.00 to midnight
  - Other Sundays: 09.00 to 22.30
  - Monday to Thursday: 09.00 to 23.30.

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## **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](mailto: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](mailto: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:	12 November 2020
Licensing Ref No:	20/08359/LIPV - Premises Licence Variation
Title of Report:	Lina Stores 18 Brewer Street London W1F 0SH
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:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	16 September 2020		
<b>Applicant:</b>	Lina Stores Ltd		
<b>Premises:</b>	Lina Stores		
<b>Premises address:</b>	18 Brewer Street London W1F 0SH	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operates as an Italian delicatessen.		
<b>Variation description:</b>	<p>This application seeks the following:</p> <ul style="list-style-type: none"> <li>To remove the conditions listed at Annex 2 of the existing licence.</li> <li>To add the conditions provided at <b>Appendix 5</b> to Annex 2.</li> <li>To make alterations to the premises, as shown on the attached plans at <b>Appendix 1</b>. Changes include the following: <ul style="list-style-type: none"> <li>Re-organisation of seating in Basement</li> <li>Re-organisation of seating in Ground Floor</li> </ul> </li> </ul>		
<b>Premises licence history:</b>	The premises have had the benefit of a licence, Licence number 19/14239/LIPV from 2010. A copy of the licence can be found at <b>Appendix 4</b> .		
<b>Applicant submissions:</b>	The applicant has provided a document detailing the differences between the conditions at annex 2 of the existing licence and the proposed conditions which can be found at <b>Appendix 2</b> .		

1-B Current and proposed licensable activities, areas and hours						
<b>Late night refreshment</b>						
<b>Indoors, outdoors or both</b>		<b>Current :</b>			<b>Proposed:</b>	
		Both			No variation sought	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	23:00	23:30	No variation sought		Basement and Ground Floor	No variation sought
<b>Tuesday</b>	23:00	23:30				
<b>Wednesday</b>	23:00	23:30				
<b>Thursday</b>	23:00	23:30				
<b>Friday</b>	23:00	00:00				
<b>Saturday</b>	23:00	00:00				
<b>Sunday</b>	N/A	N/A				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> Sundays (immediately prior to Bank Holidays) 23:00 to 00:00				<b>Proposed:</b> No variation sought	

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	11:00	23:00	No variation sought		Basement and Ground Floor	
Tuesday	11:00	23:00				
Wednesday	11:00	23:00				
Thursday	11:00	23:00				
Friday	11:00	00:00				
Saturday	11:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:		Current: Sundays (immediately prior to Bank Holidays) 12:00 to 00:00			Proposed: No variation sought	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Off sales			No variation sought
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No variation sought		Basement and Ground Floor	
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				
Seasonal variations/ Non-standard timings:		Current: N/A			Proposed: N/A	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	00:00	23:59	Basement and Ground Floor	
Tuesday	00:00	00:00	00:00	23:59		
Wednesday	00:00	00:00	00:00	23:59		
Thursday	00:00	00:00	00:00	23:59		
Friday	00:00	00:00	00:00	23:59		
Saturday	00:00	00:00	00:00	23:59		
Sunday	00:00	00:00	00:00	23:59		
Seasonal variations/ Non-standard timings:		Current: N/A			Proposed: N/A	

## 1-C Layout alteration

The applicant seeks to make alterations to the premises, as shown on the attached plans at **Appendix 1**. Changes include the following:

- Re-organisation of seating in Basement
- Re-organisation of seating in Ground Floor

## 2. Representations

### 2-A Responsible Authorities

<b>Responsible Authority:</b>	Licensing Authority
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<b>Representative:</b>	Michelle Steward
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<b>Received:</b>	08 October 2020
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Dear Sir/Madam

I write in relation to the application submitted for a new premises licence for Lina Stores, 18 Brewer Street, London, W1F 0SH.

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:

1. To remove the conditions listed in Annex 2.
2. To include in Annex 2 the conditions in the attached operating schedule.
3. To make alterations to the premises, as shown on the attached plan. Changes include the following:
  - a) Re-organisation of seating in Basement
  - b) Re-organisation of seating in Ground Floor

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

It is noted that the applicant is seeking to remove the following conditions from the Operating Schedule:

*24. All outside tables and chairs shall be rendered unusable by 2100 hours each day.*

*25. All tables and chairs shall be removed from the outside area by 2130 hours each day.*

To be replaced by the following conditions:

*15. All outside tables and chairs shall be rendered unusable by 2300 hours each day.*

*16. All tables and chairs shall be removed from the outside area by 2330 hours each day.*

It is noted that the applicant is seeking the removal of the SIA condition and the outside area increasing the capacity from 12 to 16 patrons with an additional 16 patrons in the ground floor restaurant.

The Licensing Authority raises concerns with the increase of hours and the additional capacity for both the outside space and the additional capacity for the ground floor encourages the applicant to provide further information as to how the outside area will be managed and controlled; and how this increase in hours and capacity will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1 and HRS1.

Please confirm that the basement floor will always operate as a restaurant when the premises is open for licensable activities and would ask the applicant to consider the following condition being added to the operating schedule:

- *The basement will operate as a restaurant at all times when the premises is open for licensable activities.*

With the addition of this condition, this will ensure that the premises does not fall under the Policy PB2 thus ensuring that the premises will not operate as a bar.

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

Please accept this as a formal representation.

<b>Responsible Authority:</b>	Environmental Health Service ( <b>Withdrawn 03 November 2020</b> )
<b>Representative:</b>	Sally Fabbricatore
<b>Received:</b>	13 October 2020

I refer to the variation application for the above premises. The premises benefits from a premises licence 19/14239/LIPV.

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

This representation is based on the Operating Schedule and the submitted plans, for the ground floor and basement (drawing number 005-800) dated 09/09/20.

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

1. To amend the conditions in Annex 2.
2. To vary the layout of the basement and ground floor.

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

1. The amendments to conditions may cause an increase in Public Nuisance in the cumulative impact area, it may also impact on Public Safety.
2. The change to the layout may cause an increase in Public Nuisance in the cumulative impact area and it may impact on Public Safety.

The applicant has proposed conditions in the Operating Schedule, which are being considered.

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

Should you wish to discuss the matter further please do not hesitate to contact me.

**Following agreement of conditions, the Environmental Health Service representation was withdrawn on 03 November 2020.**

<b>Responsible Authority:</b>	Metropolitan Police Service ( <i>Withdrawn 03 November 2020</i> )
<b>Representative:</b>	PC Reaz Guerra
<b>Received:</b>	14 October 2020

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

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

There is insufficient detail within the operating schedule to promote the Licensing Objectives.

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.

It is for these reasons that we are objecting to the application.

**Following additional discussion with the applicant, the Metropolitan Police Service representation was withdrawn on 03 November 2020.**

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<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>
<b>Policy HRS1 applies</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><b>For premises for the supply of alcohol for consumption on the premises:</b>  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><b>For premises for the supply of alcohol for consumption off the premises:</b>  Monday to Saturday: 08:00 to 23:00  Sundays: 10:00 to 22:30</p> <p><b>For premises for the provision of other licensable activities:</b>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>
<b>Policy RNT2 applies</b>	<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

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Correspondence between the applicant and Environmental Health
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	07 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Licensing Authority representation	08 October 2020
<b>5</b>	Environmental Health Service representation <i>(Withdrawn 03 November 2020)</i>	13 October 2020
<b>6</b>	Metropolitan Police Service representation <i>(Withdrawn 03 November 2020)</i>	14 October 2020



**Lina Stores – Differences in Conditions**

**Alterations:**

By numerical reference to the proposed conditions:

8. The supply of alcohol for consumption **on the premises** shall be by waiter or waitress only.
10. The furniture layout within the premises may change from time to time to allow for **the use of the ground floor as a restaurant after 18:00**, ~~events such as supper evenings. All such events will be risk assessed by the licence holder.~~
11. The supply of alcohol for consumption on the ground floor after **18:00** ~~20:00~~ shall only be to a person seated **and** taking a table meal there and for consumption by such a person as ancillary to their meal.
12. The supply of alcohol for consumption off the premises (to the outside tables and chairs) after **18:00** ~~20:00~~ shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
15. All outside tables and chairs shall be rendered unusable by **2300** ~~2400~~ hours each day.
16. All tables and chairs shall be removed from the outside area by **2300** ~~2430~~ hours each day.
17. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the **16** ~~42~~ customers seated in the outside area.
18. The licensable activities on the ground floor authorised by this licence and provided at the premises **until 1800 hours each day** shall be ancillary to the main function of the delicatessen.
19. The supply of alcohol for consumption on the premises shall be restricted ~~(save when an event is taking place)~~ to:
  - i. a maximum of 4 patrons seated at the breakfast bar at the shop window
  - ii. **16** ~~42~~ customers seated at tables and chairs outside as shown on the licence plan
  - iii. 29 people in the basement restaurant
  - iv. 16 people after 18:00 in the ground floor restaurant**
20. Prior to **18:00** ~~20:00~~ hours the supply of alcohol for consumption on the ground floor and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
21. The variation of the premises licence 15/09155/LIPV to include the use of the **premises basement** as a restaurant detailed in the plan dated 22/10/2019 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
22. The **premises basement** shall only operate as a restaurant (i) in which customers are shown to their table (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any

take away service of food or drink after 23:00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal. **This condition shall not apply to the ground floor of the premises before 18:00 hours when it will be used as a delicatessen.**

Omissions:

By numerical reference to the existing conditions:

**22.** At least one SIA licensed door supervisor shall be on duty at the entrance of the premises whilst it is open for business after 2100.

**27.** The number of persons (excluding staff) permitted to attend an event on the ground floor shall not exceed 20 persons.

**31.** On the ground floor the supply of alcohol for consumption on the premises after 20.000 shall only be to a person attending a pre booked organised event.

**From:** Robert Botkai  
**To:** Fabbricatore, Sally: WCC  
**Cc:** Andrew Sanders; Steward, Michelle: WCC; Donovan, Jessica: WCC; Guerra, Reaz: WCC; Pring, Mary: WCC  
**Subject:** RE: 20/08359/LIPV - Lina Stores, 18 Brewer St  
**Date:** 03 November 2020 16:18:51  
**Attachments:** [image001.png](#)

Hi Sally

Thanks for this.

There are 12 seats to the side of the premises and 4 seats at the front. All 16 seats are shown on the plan.

The removal of the WC condition is agreed.  
The amendment to the works condition is agreed.

Many thanks for confirmation that your representation is withdrawn.

Many thanks  
Robert

**From:** Fabbricatore, Sally: WCC [mailto:[sfabbricatore@westminster.gov.uk](mailto:sfabbricatore@westminster.gov.uk)]  
**Sent:** 03 November 2020 16:11  
**To:** Robert Botkai  
**Cc:** Andrew Sanders; Steward, Michelle: WCC; Donovan, Jessica: WCC; Guerra, Reaz: WCC; Pring, Mary: WCC  
**Subject:** RE: 20/08359/LIPV - Lina Stores, 18 Brewer St

Hi Robert

Thank you for this email, I'm sorry for the delay in getting back to you.

Can you confirm where the extra external table with 4 chairs is located, as it is not labelled. Can the plan also be updated.

I can confirm this condition is no longer necessary as there is an expectation that the both WCs will be available:

*At least one WC shall be made available for public use.*

Ian did visit on Friday however the works have not been carried out in the basement, the works condition should be reworded to (the wrong licence number was used before) and it needs to reference the basement as the ground floor would not be able to be used:

*The variation of the premises licence 19/14239/LIPV to include the use of the basement as a restaurant detailed in the plan dated 22/10/2019 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.*

Based on the changes, there being no resident representations and there not being any recent adverse nuisance history I withdraw my representation.

Kind regards  
Sally

**From:** Robert Botkai <rbotkai@wslaw.co.uk>  
**Sent:** 21 October 2020 14:46  
**To:** Fabbricatore, Sally: WCC <sfabbricatore@westminster.gov.uk>  
**Cc:** Andrew Sanders <asanders@wslaw.co.uk>; Steward, Michelle: WCC <msteward1@westminster.gov.uk>  
**Subject:** 20/08359/LIPV - Lina Stores, 18 Brewer St

Hi Sally

It was good to speak to you last week.

I attach:

1. Word version of the revised operating schedule
2. A word document which shows the amendments from the existing licence.

I note that you would like condition 24 in the revised schedule removed (WC condition). This is agreed.

The store manager Phillio will meet you at the store when visit between midday and 2pm on Wednesday 28 October.

Many thanks  
Robert



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

Schedule 12  
Part A

WARD: West End  
UPRN: 100023470041

Premises licence

Regulation 33, 34

Premises licence  
number:

19/14239/LIPV

Original Reference:

10/07200/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Lina Stores  
18 Brewer Street  
London  
W1F 0SH

**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  
Sundays (immediately prior to Bank Holidays) 12:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Thursday: 11:00 to 23:00 (On sales)  
Friday to Saturday: 11:00 to 00:00 (On sales)  
Sunday: 12:00 to 22:30 (On sales)  
Sundays (immediately prior to Bank Holidays) 12:00 to 00:00 (On sales)

Monday to Saturday: 08:00 to 23:00 (Off sales)  
Sunday: 10:00 to 22:30 (Off sales)

**The opening hours of the premises:**

Monday to Friday:	00:00 to 00:00
Saturday:	00:00 to 00:00
Sunday:	00:00 to 00:00

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

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

**Part 2**

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

Lina Stores Ltd  
29/45 High Street  
Edgware  
Middlesex  
HA8 7LH

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

01339516 (VAT 24233201)

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

**Name:** Green Edward

*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:** Pending  
**Licensing Authority:** London Borough Of Barnet

**Date:** 18 March 2020

**This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

## Annex 2 – Conditions consistent with the Operating Schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. 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 are 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.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
13. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
14. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
15. There shall be no self-service of spirits on the premises save for spirit mixtures less than 5.5% ABV.
16. The supply of alcohol shall be by waiter or waitress service only.
17. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
18. The furniture layout within the premises may change from time to time to allow for events such as supper evenings. All such events will be risk assessed by the licence holder.
19. The supply of alcohol for consumption on ground floor after 20:00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

20. The supply of alcohol for consumption off the premises (to the outside tables and chairs) after 20.00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. At least one SIA licensed door supervisor shall be on duty at the entrance of the premises whilst it is open for business after 2100.
23. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
24. All outside tables and chairs shall be rendered unusable by 2100 hours each day.
25. All tables and chairs shall be removed from the outside area by 2130 hours each day.
26. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the 12 customers seated in the outside area.
27. The number of persons (excluding staff) permitted to attend an event on the ground floor shall not exceed 20 persons.
28. The licensable activities on the ground floor authorised by this licence and provided at the premises shall be ancillary to the main function of the delicatessen.
29. The supply of alcohol for consumption on the premises shall be restricted (save when an event is taking place) to:
  - i.a maximum of 4 patrons seated at the breakfast bar at the shop window
  - ii.12 customers seated at tables and chairs outside as shown on the licence plan
  - iii.29 people in the basement restaurant
30. Prior to 20:00 hours the supply of alcohol for consumption on the ground floor and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
31. On the ground floor the supply of alcohol for consumption on the premises after 20.00 shall only be to a person attending a pre booked organised event.
32. The variation of the premises licence 15/09155/LIPV to include the use of the basement as a restaurant detailed in the plan dated 22/10/2019 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
33. The basement shall only operate as a restaurant (i) in which customers are shown to their table (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23:00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such

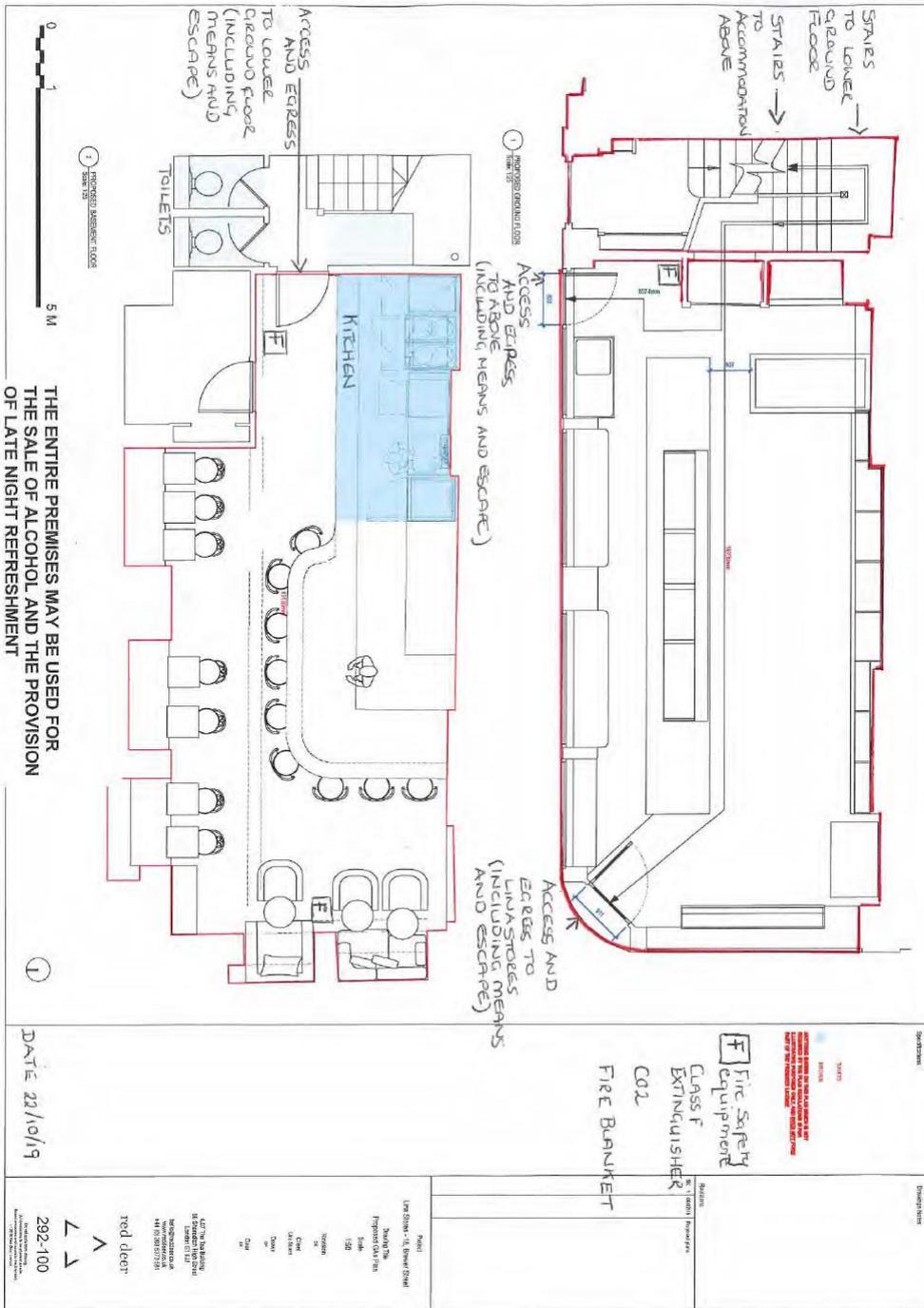
meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal

34. There shall be no sale of draught beer
35. At least one WC shall be made available for public use
36. 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 3 – Conditions attached after a hearing by the licensing authority**

None

Annex 4 – Plans





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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023470041

Premises licence  
summary

Regulation 33, 34

Premises licence  
number:

19/14239/LIPV

Part 1 – Premises details

Postal address of premises:

Lina Stores  
18 Brewer Street  
London  
W1F 0SH

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  
Sundays (immediately prior to Bank Holidays) 12:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Thursday: 11:00 to 23:00 (On sales)  
Friday to Saturday: 11:00 to 00:00 (On sales)  
Sunday: 12:00 to 22:30 (On sales)  
Sundays (immediately prior to Bank Holidays) 12:00 to 00:00 (On sales)

Monday to Saturday: 08:00 to 23:00 (Off sales)  
Sunday: 10:00 to 22:30 (Off sales)

**The opening hours of the premises:**

Monday to Friday:	00:00 to 00:00
Saturday:	00:00 to 00:00
Sunday:	00:00 to 00:00

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

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

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

Lina Stores Ltd  
29/45 High Street  
Edgware  
Middlesex  
HA8 7LH

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

01339516 (VAT 24233201)

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

**Name:** Green Edward

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

Restricted

**Date:** 18 March 2020

**This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.**

### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
10/07200/LIPN	New premises application	18.11.2010	Granted by Licensing Sub-Committee
15/09155/LIPV	Variation application	14.12.2015	Granted under delegated authority
19/14239/LIPV	Variation application	13.01.2020	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

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. 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 are 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.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
13. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
14. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
15. There shall be no self-service of spirits on the premises save for spirit mixtures less than 5.5% ABV.
16. The supply of alcohol shall be by waiter or waitress service only.
17. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
18. The furniture layout within the premises may change from time to time to allow for events such as supper evenings. All such events will be risk assessed by the licence holder.
19. The supply of alcohol for consumption on ground floor after 20:00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

20. The supply of alcohol for consumption off the premises (to the outside tables and chairs) after 20.00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. At least one SIA licensed door supervisor shall be on duty at the entrance of the premises whilst it is open for business after 2100.
23. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
24. All outside tables and chairs shall be rendered unusable by 2100 hours each day.
25. All tables and chairs shall be removed from the outside area by 2130 hours each day.
26. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the 12 customers seated in the outside area.
27. The number of persons (excluding staff) permitted to attend an event on the ground floor shall not exceed 20 persons.
28. The licensable activities on the ground floor authorised by this licence and provided at the premises shall be ancillary to the main function of the delicatessen.
29. The supply of alcohol for consumption on the premises shall be restricted (save when an event is taking place) to:
  - i.a maximum of 4 patrons seated at the breakfast bar at the shop window
  - ii.12 customers seated at tables and chairs outside as shown on the licence plan
  - iii.29 people in the basement restaurant
30. Prior to 20:00 hours the supply of alcohol for consumption on the ground floor and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
31. On the ground floor the supply of alcohol for consumption on the premises after 20.00 shall only be to a person attending a pre booked organised event.
32. The variation of the premises licence 15/09155/LIPV to include the use of the basement as a restaurant detailed in the plan dated 22/10/2019 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
33. The basement shall only operate as a restaurant (i) in which customers are shown to their table (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23:00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such

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

34. There shall be no sale of draught beer
35. At least one WC shall be made available for public use
36. 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.

**The applicant proposes to remove all of the conditions at Annex 2 as part of this variation.**

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

None

**The applicant proposes to replace the conditions above at Annex 2 with the following conditions:**

37. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
38. 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 are 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.
39. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
40. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
41. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

42. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol. This condition shall only apply to the ground floor of the premises and before 18:00 hours.
43. There shall be no self-service of spirits on the premises save for spirit mixtures less than 5.5% ABV.
44. The supply of alcohol for consumption on the premises shall be by waiter or waitress service only.
45. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
46. The furniture layout within the premises may change from time to time to allow for use of the ground floor as a restaurant after 18:00.
47. The supply of alcohol for consumption on the ground floor after 18:00 shall only be to a person seated and taking a table meal there and for consumption by such a person as ancillary to their meal.
48. The supply of alcohol for consumption off the premises (to the outside tables and chairs) after 18.00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
49. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
50. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
51. All outside tables and chairs shall be rendered unusable by 2300 hours each day.
52. All tables and chairs shall be removed from the outside area by 2330 hours each day.
53. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the 16 customers seated in the outside area.
54. The licensable activities on the ground floor authorised by this licence and provided at the premises until 1800 hours each day shall be ancillary to the main function of the delicatessen.
55. The supply of alcohol for consumption on the premises shall be restricted to:
  - i) a maximum of 4 patrons seated at the breakfast bar at the shop window before 18:00
  - ii) 16 customers seated at tables and chairs outside as shown on the licence plan
  - iii) 29 people in the basement restaurant
  - iv) 16 people after 18:00 in the ground floor restaurant
56. Prior to 18:00 hours the supply of alcohol for consumption on the ground floor and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
57. The variation of the premises licence 15/09155/LIPV to include the use of the premises as a restaurant detailed in the plan dated [ ] will have no effect until the premises have

been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.

**The Environmental Health Service proposes an alternative wording to condition 57 which is agreed with the applicant so as to form part of the operating schedule:**

The variation of the premises licence 20/08359/LIPV to include the use of the basement as a restaurant detailed in the plan dated 16/09/20 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.

58. The premises shall only operate as a restaurant (i) in which customers are shown to their table (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23:00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal. This condition shall not apply to the ground floor of the premises before 18:00 hours when it will be used as a delicatessen.
59. There shall be no sale of draught beer.
60. 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**

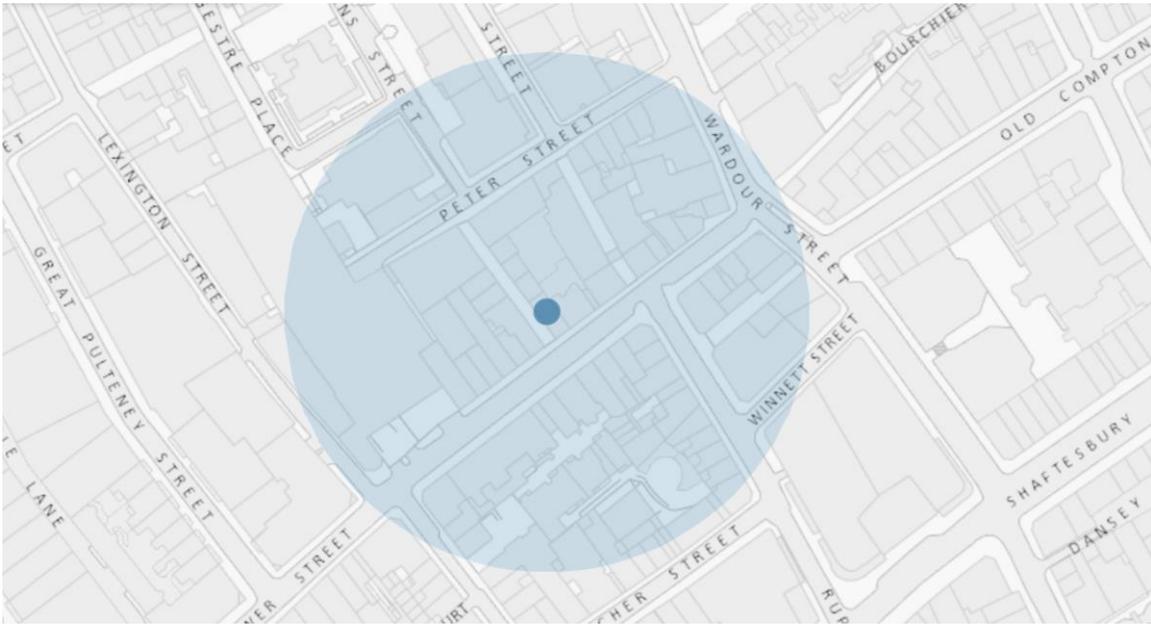
61. The basement will operate as a restaurant at all times when the premises is open for licensable activities.

**The applicant has proposed an alternative to condition 61 as follows:**

The basement will operate as a restaurant at all times when this part of the premises is open for licensable activities.

**Conditions proposed by the Metropolitan Police Service**

None



**Resident Count: 370**

Licensed premises within 75 Metres of 18 Brewer Street, London, W1F 0SH				
Licence Number	Trading Name	Address	Premises Type	Time Period
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
18/03699/LIPDPS	Randall & Aubin	16 Brewer Street London W1F 0SQ	Cafe	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
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
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
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
14/06422/LIPT	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Cinema	Monday to Sunday; 09:00 - 01:00
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
19/16648/LIPVM	Chilango	24 Brewer Street London W1F 0SN	Restaurant	Monday to Friday; 10:00 - 23:00

				Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30
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
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
14/09062/LIDPSR	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 01:00   Sundays before Bank Holidays; 12:00 - 03:30
14/09057/LIDPSR	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 01:00   Sundays before Bank Holidays; 12:00 - 03:30
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
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; 09:00 - 03:30   Friday; 09:00 - 03:30   Saturday;

				09:00 - 03:30   Sunday; 12:00 - 23:00
19/00157/LIPCH	Adanami	30 Brewer Street London W1F 0SS	Recording Studio	Monday to Sunday; 00:00 - 00:00
19/08540/LIPN	Not Recorded	30 Brewer Street London W1F 0SS	Recording Studio	Monday to Sunday; 09:00 - 00:00
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
20/05587/LIPT	Spuntino	61 Rupert Street London W1D 7PW	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00
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
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   Friday to Saturday; 10:00 - 00:00   Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00
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
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
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
20/06824/LIPN	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Monday to Saturday; 09:00 - 03:00   Sunday; 09:00 - 23:00
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
06/06238/WCCMAP	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Shop	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30
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
19/03053/LIPN	Co-op	104 - 105 Berwick Street London W1F 0QS	Not Recorded	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30
20/05608/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
18/02747/LIPN	Not Recorded	52 Rupert Street London	Restaurant	Monday to Thursday;

		W1D 6DS		10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
18/06880/LIPDPS	Rupert Street Bar	50 Rupert Street London W1D 6DR	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:50   Sundays before Bank Holidays; 12:00 - 00:00
16/07079/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
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   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
20/08988/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
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   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
18/15162/LIPVM	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Monday to Friday; 09:00 - 03:30   Sunday; 09:00 - 00:00
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Shop	Friday to Saturday; 09:00 - 01:00   Sunday to Thursday; 09:00 - 00:00
15/02567/LIPVM	Blacklock	25 Great Windmill Street London W1D 7LH	Restaurant	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 22:30
19/11488/LIPCH	Byron	99 Wardour Street London W1F 0UF	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
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
18/06896/LIPN	Kirazu	3 Winnett Street London W1D 6JY	Restaurant	Monday to Saturday; 17:00 - 23:30   Sunday; 17:00 - 22:30
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
17/05525/LIPDPS	Duke Of Wellington	77 Wardour Street London W1D 6QA	Public house or pub restaurant	Monday to Saturday; 10:00 - 00:30

				Sunday; 12:00 - 00:00
16/01124/LIPDPS	Wagamama	10A Lexington Street London W1F 0LD	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00

Item No:	
Date:	12 November 2020
Licensing Ref No:	20/07199/LIPN - New Premises Licence
Title of Report:	42 Crawford Street London W1H 1JW
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Angela Seaward Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: aseaward@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	19 August 2020		
<b>Applicant:</b>	Twist Connubio Ltd		
<b>Premises address:</b>	42 Crawford Street London W1H 1JW	<b>Ward:</b>	Bryanston And Dorset Square
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	<p>According to the application form, the premises intends to operate as a two-floor restaurant in a residential area of Marylebone. The restaurant can potentially serve up to 60 covers at any one time, there is no outside seating area. There is an open plan kitchen and seating area both upstairs and downstairs.</p> <p>There is a bar in the basement area where drinks are served, this will close at the same time as the restaurant.</p> <p>The proposed licensable activities and opening hours are            Sale by retail of Alcohol;            Monday to Saturday 12:00 to 23:30            Sunday 12:00 to 22:30</p> <p>Opening Hours;            Monday to Sunday 18:00 to 23:00</p>		
<b>Premises licence history:</b>	<p>The premises previous benefited from a premises licence number (reference number 14/06978/LIPDPS) which permitted the following licensable activities and opening hours;            Performance of Dance Monday to Sunday 09:00 to 00:00.            Playing of Recorded Music Monday to Sunday 09:00 to 00:00.            Anything of a similar description Monday to Sunday 09:00 to 00:00.            Sale by retail of Alcohol Monday to Sunday 10:00 to 00:00</p> <p>The opening hours were;            Monday to Saturday 09:00 to 00:30            Sunday 09:00 to 00:00</p> <p>This premises licence lapsed on 24 June 2020 due to the licence holder going into insolvency and no interim authority notice or transfer application was received within the statutory timescale.</p> <p>A copy of this licence can be seen at <b>Appendix 4</b></p>		
<b>Applicant submissions:</b>	There have been no further submissions from the applicant		

**1-B Proposed licensable activities and hours**

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	12:00	12:00	12:00	12:00	12:00	12:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	23:30	23:30	22:30
<b>Seasonal variations/ Non-standard timings:</b>		New Year's Eve until 01:00					

**Hours premises are open to the public**

<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	18:00	18:00	18:00	18:00	18:00	18:00	18:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>Seasonal variations/ Non-standard timings:</b>		New Years Eve until 01:00					
<b>Adult Entertainment:</b>		none					

**2. Representations****2-A Responsible Authorities**

<b>Responsible Authority:</b>	Metropolitan Police ( <b>withdrawn</b> )
<b>Representative:</b>	PC Adam Dweltz
<b>Received:</b>	6 <sup>th</sup> September 2020

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

It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

There are no conditions contained within the operating schedule and I was wondering whether I could attend the venue so we can discuss the application further.

Do you have any availability on either Wednesday 9<sup>th</sup> or Thursday 10<sup>th</sup> September?

I look forward to hearing from you.

**Following mediation conditions have been proposed and agreed by the applicant which can be found at Appendix 5**

<b>Responsible Authority:</b>	Environmental Health ( <b>withdrawn</b> )
<b>Representative:</b>	Dave Nevitt
<b>Received:</b>	21 <sup>st</sup> September 2020
<p>On the basis that the applicant has agreed to the following:</p> <ul style="list-style-type: none"> <li>• amend the Sunday hours to 'Core Hours',</li> <li>• withdraw Regulated Entertainment</li> <li>• all EH &amp; Police Conditions</li> </ul> <p>I make no EH Representation</p>	

<b>2-B Other Persons</b>			
<b>Name:</b>	Mr John Barham ( <b>withdrawn</b> )		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	4 <sup>th</sup> September 2020		
<p>On occasions the window at the front of the restaurant has been opened and we then heard more noise from inside the restaurant. So playing either recorded or live music could increase the noise coming from the restaurant.</p> <p>2.) Who is to determine when the music exceeds "soft" and becomes loud?</p> <p>3.) About 9 years ago an application was made for a restaurant with music to be opened in the basement of 43 Crawford Street. At the time of that application residents from both sides of Crawford Street objected to this application, one of the reasons being the risk of increased noise.</p> <p>The application was refused.</p> <p>Conclusion: The objection to the present application is, therefore, that residents of flats on both sides of Crawford Street would be at risk of being disturbed by the noise of music coming from the restaurant at number 42 Crawford Street.</p> <p>This application should be rejected.</p>			
<b>Name:</b>	Mr Tony Frazer-Price ( <b>withdrawn</b> )		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	16 <sup>th</sup> September 2020		
<p>I have no objection against Twist as such-it is a good restaurant-but as a near neighbour I do object to a Music Licence being granted.</p> <p>Crawford St is essentially residential with some business premises. However, we are already suffering from the noise of customers exiting Twist at night. To add music with possibly an open</p>			

window will only add to the disquiet and could well lead to added din if singing also takes voice. All things being equal I would respectively ask, on behalf of residents in this part of Crawford St, that the application be rejected.

<b>Name:</b>	Gwendoline Murray		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	22 <sup>nd</sup> September 2020		

I strongly object to the issue of a licence permitting music at the above premises. There is already a major issue with noise from this restaurant. Only 2 weeks ago they were asked to close their large window at 22:00hrs mid-week because the noise from customers talking inside was so loud. Invariably their customers are standing out in the street smoking and talking loudly and generally making a nuisance of themselves - particularly late at night while waiting for Uber taxis. I note that their window has been changed to open up fully - I'm not sure how long this has been in place, but this has definitely been changed. This is a problem - it opens up virtually the full length of the restaurant and the noise coming from inside can be heard across the street!

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy RNT1 applies</b>	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.
<b>Policy HRS1 applies</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies. 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 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</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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 5. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Previous Premises Licence
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

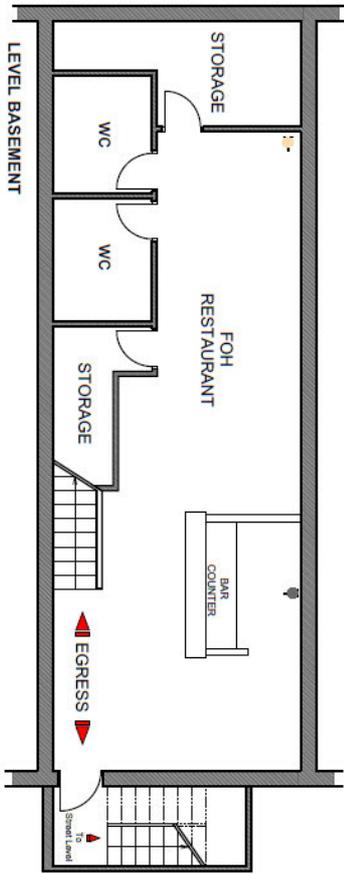
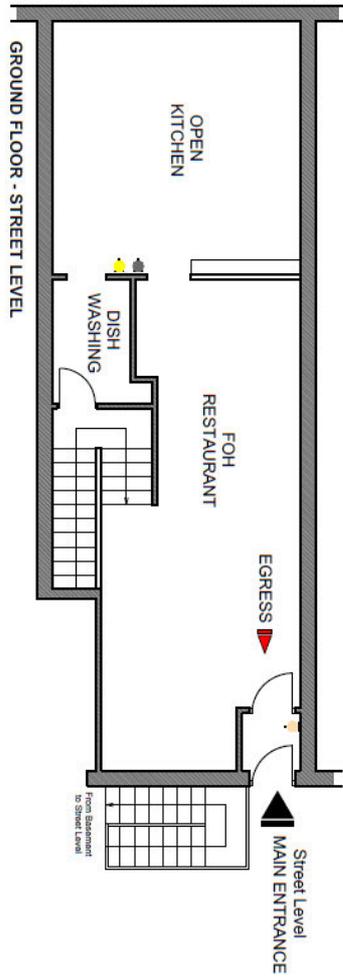
<b>Report author:</b>	Angela Seaward Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: aseaward@westminster.gov.uk

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

#### **Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Representation ( <b>withdrawn</b> )	6 <sup>th</sup> September 2020
<b>5</b>	Environmental Health Representation ( <b>withdrawn</b> )	21 <sup>st</sup> September 2020
<b>6</b>	Public Representation 1 ( <b>withdrawn</b> )	4 <sup>th</sup> September 2020
<b>7</b>	Public Representation 2 ( <b>withdrawn</b> )	16 <sup>h</sup> September 2020
<b>8</b>	Public Representation 3	22 <sup>nd</sup> September 2020

**TWIST CONNUBIO**  
42 Crawford St, Marylebone, London W1H 1JW



SCALE 1:100 @A4

- Water Extinguisher
- CO<sub>2</sub> Extinguisher
- Foam Extinguisher
- Wet-Chem Extinguisher

25th August 2020

None

**Licensing Act 2003 history – premises licence**

<b><u>Application reference</u></b>	<b><u>Application summary</u></b>	<b><u>Decision</u></b>	<b><u>Date of Decision</u></b>
05/02146/LIPC	This was an application for a new premises licence to permit Performance of Dance Monday to Sunday 09:00 to 00:00. Playing of Recorded Music Monday to Sunday 09:00 to 00:00. Anything of a similar description Monday to Sunday 09:00 to 00:00. Sale by retail of Alcohol Monday to Sunday 10:00 to 00:00.	Granted under Delegated Authority	15.5.2005
11/03757/LIPT	This application was to vary to transfer the premises licence from Mr Ake Emanuel Lindholm to Sakda Sunthornsarathun	Granted under Delegated Authority	3.5.2011
11/05483/LIPDPS	This application was to vary the Designated supervisor from Ake Emanuel Lindholm to Sakda Sunthornsarathun	Granted under Delegated Authority	15.6.2011
14/06977/LIPT	This was an application to transfer the premises licence from Sakda Sunthornsarathun to Twist At London Limited	Granted under Delegated Authority	8.9.2014
14/06978/LIPDPS	This application was to vary the Designated supervisor from Sakda Sunthornsarathun to Eduardo Tuccillo	Granted under Delegated Authority	8.9.2014

**Licensing Act 2003 history – review applications**

None

**Licensing Act 2003 history – Temporary event notices**

20/07224/LITENP	This application was to licence Sale by Retail of Alcohol from 27.8.2020 to 29.8.2020	Granted under Delegated Authority	26 <sup>th</sup> August 2020
20/07228/LITENP	This application was to licence Sale by Retail of Alcohol from 31.8.2020 to 5.9.2020	Granted under Delegated Authority	26 <sup>th</sup> August 2020
20/07256/LITENP	This application was to licence Sale by Retail of Alcohol from 7.9.2020 to 12.9.2020	Granted under Delegated Authority	28 <sup>th</sup> August 2020
20/07257/LITENP	This application was to licence Sale by Retail of Alcohol from 14.9.2020 to 19.9.2020	Granted under Delegated Authority	28 <sup>th</sup> August 2020



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

Schedule 12  
Part A

WARD: Bryanston And  
Dorset Square  
UPRN: 010033572235

Premises licence

Regulation 33, 34

Premises licence number:

14/06978/LIPDPS

Original Reference:

05/02146/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

(Restaurant)  
Basement And Ground  
42 Crawford Street  
London  
W1H 1JX

Telephone Number: 0207 262 6582

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

<b>Performance of Dance</b>	
Monday to Sunday:	09:00 to 00:00 (Basement only)
<b>Performance of Live Music</b>	
Monday to Sunday:	09:00 to 00:00 (Basement only)
<b>Playing of Recorded Music</b>	Unrestricted (All areas)
<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>	
Monday to Sunday:	09:00 to 00:00 (Basement only)
<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 00:30 (All areas)
Sunday:	23:00 to 00:00 (All areas)

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

**Sale by Retail of Alcohol**  
Monday to Saturday: 10:00 to 00:00 (All areas)  
Sunday: 12:00 to 23:30 (All areas)

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

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 00:30  
Sunday: 09:00 to 00:00

**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:**

Twist Kitchen Limited  
4th Floor  
7/10 Chandos Street  
London  
W1G 9DQ  
*Electronic Mail : paolo.cristiani@gmail.com*  
*Mobile Phone Number : 07710 099 070*

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

09035387

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

**Name:** Eduardo Tuccillo

*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:** 3273  
**Licensing Authority:** London Borough of Ealing

**Date:** 5<sup>th</sup> October 2015

This licence has been authorised by Mrs Sumeet Anand-Patel 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
    - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (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;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
8. The responsible person shall 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; and
  - (b) customers are made aware of the availability of these measures.

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.

9. (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 9(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 9(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 9(iv)(2) below applies where the permitted price given by Paragraph 9(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

**Conditions Applicable to the Provision of Regulated Entertainment in the Basement**

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm midnight every day of the week.
13. The number of persons accommodated at any one time in the basement (excluding staff) shall not exceed 50.

**Conditions Applicable to the Sale of Alcohol (All areas)**

14. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
15. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as an ancillary to meals served in the licensed premises.

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

16. Alcohol may be sold or supplied:
- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10.00 to 00.00
  - (b) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12.00 to 23:30
  - (c) On Christmas Day: 12.00 to 22.30
  - (d) On New Year's Eve, except on a Sunday, 11.00 to 23.00
  - (e) On New Year's Eve on a Sunday, 12.00 to 22.30
  - (f) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

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

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

17. Alcohol shall not be sold or supplied unless the premises have been structurally and bona fide used, or intended to be used, for the purposes of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises;
18. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or

other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,

(b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and

(c) to take all other reasonable precautions for the safety of the children.

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

**Annex 2 – Conditions consistent with the operating Schedule**

None

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

None

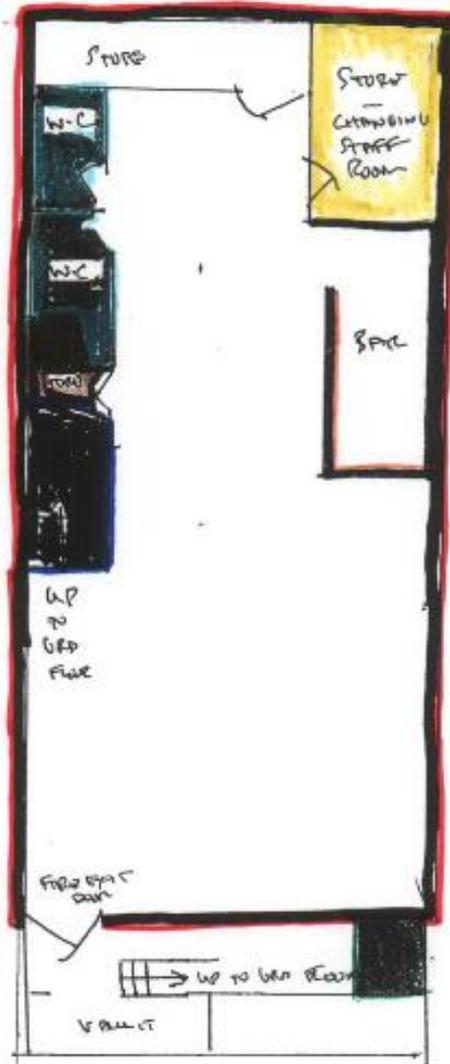
**Annex 4 – Plans**

Attached

# CARBO'S.

NU 42

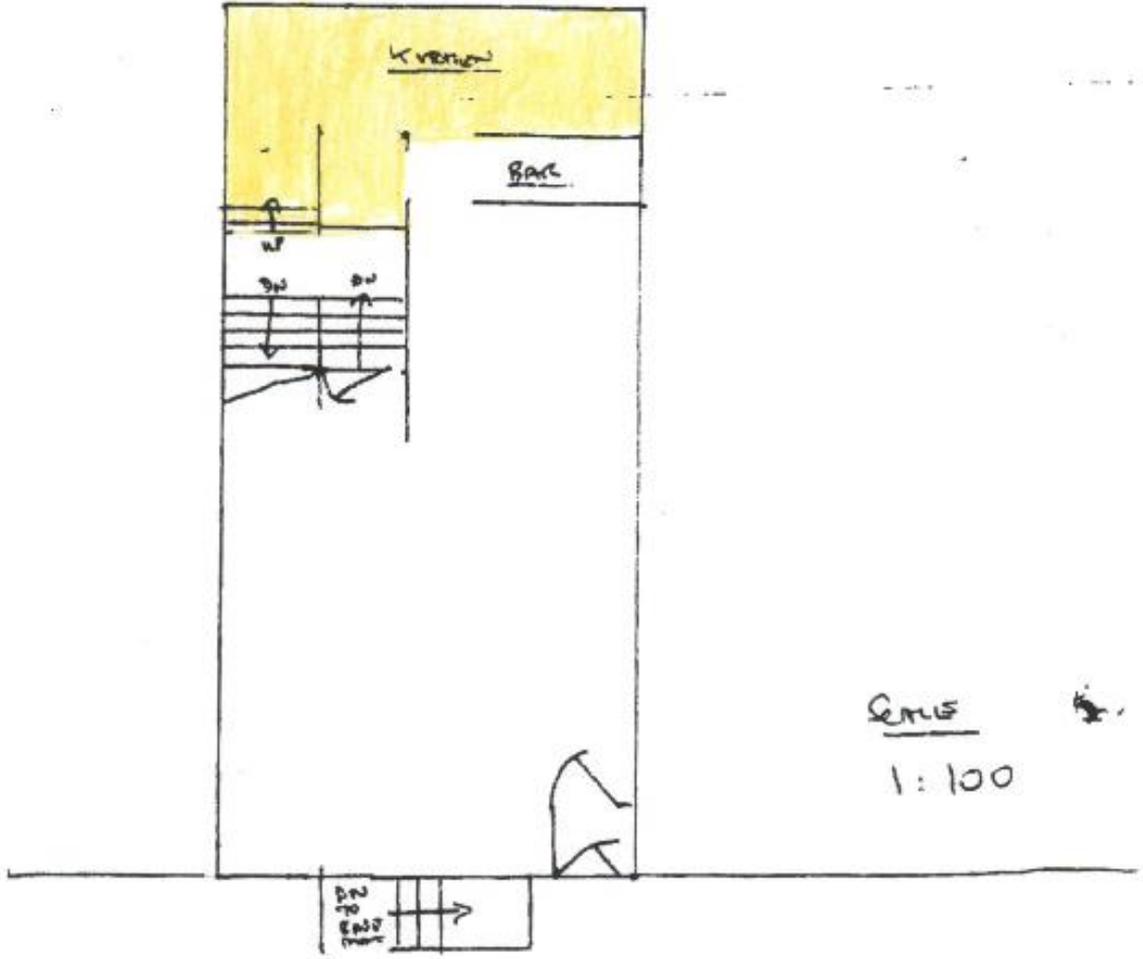
BASAMENT



Scale 1:100

No. 42

GROUND FLOOR



Scale  
1:100

CRAWFORD FRONT  
W1



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

Schedule 12  
Part B

WARD: Bryanston And  
Dorset Square  
UPRN: 010033572235

Premises licence  
summary

Regulation 33, 34

Premises licence number:

14/06978/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

(Restaurant)  
Basement And Ground  
42 Crawford Street  
London  
W1H 1JX

**Telephone Number:** 0207 262 6582

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

<b>Performance of Dance</b>	
Monday to Sunday:	09:00 to 00:00 (Basement only)
<b>Performance of Live Music</b>	
Monday to Sunday:	09:00 to 00:00 (Basement only)
<b>Playing of Recorded Music</b>	Unrestricted (All areas)
<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>	
Monday to Sunday:	09:00 to 00:00 (Basement only)
<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 00:30 (All areas)
Sunday:	23:00 to 00:00 (All areas)

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

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 00:00 (All areas)  
Sunday: 12:00 to 23:30 (All areas)

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

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 00:30  
Sunday: 09:00 to 00:00

**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:**

Twist Kitchen Limited  
4th Floor  
7/10 Chandos Street  
London  
W1G 9DQ

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

09035387

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

Eduardo Tuccillo

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

Restricted

Date: 5<sup>th</sup> October 2015

This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Director - Public Protection and Licensing.

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

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

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

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

**Mandatory Conditions**

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

9. 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.
10. 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.
11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. 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
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
15. All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. The supply of alcohol shall only be by waiter or waitress service and for consumption by patrons who are seated.
18. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
19. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
20. 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.



Resident Count = 311

**Licensed premises within 75 metres of 42 Crawford Place**

Licence Number	Trading Name	Address	Premises Type	Time Period
18/02008/LIPDPS	Basilico	Basement And Ground Floor 45 Crawford Street London W1H 1JX	Restaurant	Friday to Saturday; 10:00 - 00:30   Sunday to Thursday; 10:00 - 00:00
19/00637/LIPDPS	Boxcar Butchers Limited	7A Wyndham Place London W1H 1PN	Cafe	Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00   Sunday; 09:00 - 22:30
19/17042/LIPN	Duke Of Wellington	94A Crawford Street London W1H 2HQ	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:50
18/04281/LIPN	Not Recorded	92 York Street London W1H 1QX	Not Recorded	Monday to Sunday; 09:00 - 21:00
19/07390/LIPN	Not Recorded	92 York Street London W1H 1QX	Not Recorded	Monday to Saturday; 11:00 - 19:00   Sunday; 12:00 - 16:00
18/09893/LIPT	Royal Oak	74-76 York Street London W1H 1QN	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:00   Monday to Sunday; 10:00 - 00:30   Sunday; 12:00 - 22:30
18/02008/LIPDPS	Basilico	Basement And Ground Floor 45 Crawford Street London W1H 1JX	Restaurant	Friday to Saturday; 10:00 - 00:30   Sunday to Thursday; 10:00 - 00:00

19/00637/LIPDPS	Boxcar Butchers Limited	7A Wyndham Place London W1H 1PN	Cafe	Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00   Sunday; 09:00 - 22:30
19/17042/LIPN	Duke Of Wellington	94A Crawford Street London W1H 2HQ	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:50
18/04281/LIPN	Not Recorded	92 York Street London W1H 1QX	Not Recorded	Monday to Sunday; 09:00 - 21:00
19/07390/LIPN	Not Recorded	92 York Street London W1H 1QX	Not Recorded	Monday to Saturday; 11:00 - 19:00   Sunday; 12:00 - 16:00
18/09893/LIPT	Royal Oak	74-76 York Street London W1H 1QN	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:00   Monday to Sunday; 10:00 - 00:30   Sunday; 12:00 - 22:30