



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (5)**

Meeting Date: **Thursday 17 March 2022**

Time: **10.00 am**

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

Members: **Councillors:**

Murad Gassanly (Chairman)
Jacqui Wilkinson
Aziz Toki

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.00am.

If you have a disability and require any special assistance, please contact the Committee Officer (details listed below) in advance of the meeting.

If you require further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Co-ordinator.

Email: scraddock@westminster.gov.uk **Tel:** 07790980186
Corporate Website: www.westminster.gov.uk

Note for Members: Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. CHOTTO MATTE, 26 PADDINGTON STREET, W1U 5QY

(Pages 1 - 36)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Marylebone High Street * None ** None	Chotto Matte 26 Paddington Street W1U 5QY	Premises Licence Variation	21/14438/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

2. BROWNS, PORTLAND HOUSE, BRESSENDEN PLACE, SW1E 5BH

(Pages 37 - 142)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
St James's * None ** Victoria	Browns Portland House Bressenden Place SW1E 5BH	New Premises Licence	21/12684/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

3. WHYTE AND BROWN, GROUND FLOOR, UNIT 2 AND 1.4 TO 1.6

(Pages 143 - 182)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Whyte and Brown Ground Floor Unit 2 and 1.4 to 1.6 Kingly Court W1B 5PW	Premises Licence Variation	21/10287/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love
Chief Executive
9 March 2022**

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 January 2021.

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

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

Note: The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

1. Casinos

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

2. Cinemas, Cultural Venues and Live Sporting Premises

Monday to Sunday: 09:00 hours to 24:00 hours

3. Hotels

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

Sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours

4. Off licences

Monday to Saturday: 08:00 hours to 23:00 hours

Sunday: 09:00 hours to 22:30 hours

5. Outdoor Spaces

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

6. Pubs and bars, Fast Food and Music and Dance venues

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

Friday and Saturday: 10:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 hours

7. Qualifying Clubs

Monday to Thursday: 09:00 hours to 24:00 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

8. Restaurants

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

9. Sexual Entertainment Venues and Sex Cinemas

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

17 March 2022

Licensing Ref No:

21/14438/LIPV - Premises Licence Variation

Title of Report:

Chotto Matte
26 Paddington Street
London
W1U 5QY

Report of:

Director of Public Protection and Licensing

Wards involved:

Marylebone High Street

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Kevin Jackaman
Senior Licensing Officer

Contact details

Telephone: 0207 641 6500
Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	15 December 2021		
Applicant:	NZR Limited		
Premises:	Chotto Matte		
Premises address:	26 Paddington Street London W1U 5QY	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises trade as a Japanese restaurant, grill and sushi bar		
Variation description:	<p>The applicant is seeking the following variations:</p> <ol style="list-style-type: none"> Vary the layout in accordance with the appended plans. The changes include- <ul style="list-style-type: none"> -New entrance doors/lobby & cloakroom -New enlarged bar counter & hatched lounge -Reconfiguration of fixed seating throughout - Removal of PDR licensed area from basement The changes shall be subject to the existing works condition. Inclusion of off sales of alcohol, subject to the additional conditions:- <ul style="list-style-type: none"> - Except for any authorised external seating areas, all sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises. - There shall be no sales of alcohol for consumption off the premises after 23.00 hours. Amend condition 9 to increase the number of persons permitted within the hatched bar area to 35 persons. 		
Premises licence history:	<p>The premises have had the benefit of a premises licence since April 2016. The current premises licence reference is 20/07564/LIPCH, a copy of which is attached as Appendix 2 of this report.</p> <p>Please see Appendix 4 of the report for a full licence history</p>		
Applicant submissions:	None		
Applicant amendments:	None		

1-B	Current and proposed licensable activities, areas and hours					
Regulated Entertainment						
Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:00	No change		Basement and ground floor	No change
Tuesday	23:00	00:00				
Wednesday	23:00	00:00				
Thursday	23:00	00:00				
Friday	23:00	01:00				
Saturday	23:00	01:00				
Sunday	23:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		From 23:00 on New Year's Eve until 05:00 on New Year's Day			No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		On and off	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change		Basement and ground floor	No change
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		From the start time on New Year's Eve until the finish time on New Year's Day			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:30	00:30	No change		Basement and ground floor	No change
Tuesday	07:30	00:30				
Wednesday	07:30	00:30				
Thursday	07:30	00:30				
Friday	07:30	01:30				
Saturday	07:30	01:30				
Sunday	07:30	00:30				
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No change	

1-C	Layout alteration
<p>The applicant is seeking a change of layout in accordance with the proposed plans. The changes are:-</p> <ul style="list-style-type: none"> -New entrance doors/lobby & cloakroom -New enlarged bar counter & hatched lounge -Reconfiguration of fixed seating throughout - Removal of PDR licensed area from basement <p>The changes shall be subject to the existing works condition.</p>	

1-D	Conditions being varied
Condition	Proposed variation
9: The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal. Notwithstanding this condition, alcohol may be supplied and consumed prior to their meal in the ground floor bar area hatched on the plan by up to a maximum of 30 persons at any one time dining at the premises.	9. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal. Notwithstanding this condition, alcohol may be supplied and consumed prior to their meal in the ground floor bar area hatched on the plan by up to a maximum of 35 persons at any one time dining at the premises.

1-D	Conditions being added	
<ul style="list-style-type: none"> • Except for any authorised external seating areas, all sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises. • There shall be no sales of alcohol for consumption off the premises after 23.00 hours. 		
Adult entertainment:	Current position: None	Proposed position: No change

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Environmental Health
Representative:	Anil Drayan
Received:	13 January 2022
Environmental Health makes representations on the Public Nuisance and Public Safety issues as the changes in layout will need to be assessed for the impact on these licensing objectives.	

2-B	Other Persons
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	11 January 2022

We are greatly concerned for this planning, mainly noise created by playing of loud music in accordance to their restaurant theme.

Our home is located [REDACTED] and have historically experienced unauthorised playing of loud music/bass until early hours of the morning. This has been previously logged with management and local authority. We understand the proposed restaurant is a high-end Soho bar/dining theme with very late operating hours (7 days a week).

We kindly urge the below to be considered (if permission is granted).

1. Good sound proofing for airborne and impact as the existing ceiling sound insulation are very poor and not to standards and no speakers to be installed on ceiling level.
2. Strict restrictions on the sound decibels not to be compromised by staff on duty as previously experienced.
3. Restrictions on operating hours to be adequate of residential neighbourly hours.
4. people queuing and waiting in front of building entrance, and under our bedroom windows to enter creating disruption and being loud.
5. causing a nuisance when leaving the restaurant in early hours of the morning and being disorderly.
6. The restaurant entrance in Paddington Street is located below both of our [REDACTED] [REDACTED] height from the restaurant entrance door.

Historically, we have experienced ongoing issues with people coming out of the restaurant to smoke and socialise at all hours of the day and night (traffic management), queuing whilst waiting to enter and upon leaving the premises talking loudly whilst waiting for transportation at times in early hours of the morning. If revolving doors are permitted, we are concerned this will only encourage the further nuisance.

We are Concerned this will impact our entitlement of quiet- enjoyment, affecting our well-being and property value.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	11 January 2022

We are greatly concerned for this planning, We understand the proposed restaurant is a high-end Soho bar/dining theme with very late operating hours (7 days a week).

We kindly urge the below to be considered (if permission is granted).

1. Restrictions on operating hours to be adequate of residential neighbourly hours.
2. people queuing and waiting around building entrance, whilst waiting to enter causing disruption (traffic management)
3. causing a nuisance when leaving the restaurant in early hours of the morning whilst waiting for transport and socialising and smoking.

If revolving doors are permitted, we are concerned this will only encourage the further nuisance when leaving premises. We are Concerned this will impact our entitlement of quiet- enjoyment, affecting our well-being and also property value.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	11 January 2022

We are greatly concerned for this planning, mainly noise created by playing of loud music as our property is located [REDACTED] and have historically experienced unauthorised playing of loud music/bass until early hours of the morning. This has been previously logged with management and local authority.

We understand the proposed restaurant is a high-end Soho bar/dining theme with very late operating hours (7 days a week).

We kindly urge the below to be considered (if permission is granted).

1. Good sound proofing for airborne and impact as the existing ceiling sound insulation are very poor and not to standards and no speakers to be installed on ceiling level.
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4. people queuing and waiting around building entrance, whilst waiting to enter causing disruption (traffic management)
5. causing a nuisance when leaving the restaurant in early hours of the morning whilst waiting for transport and socialising and smoking.

If revolving doors are permitted, we are concerned this will only encourage the further nuisance when leaving premises. We are Concerned this will impact our entitlement of quiet- enjoyment, affecting our well-being and also property value.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	11 January 2022

We are greatly concerned for this planning. We understand the proposed restaurant is a high-end Soho bar/dining theme with very late operating hours (7 days a week). We kindly urge the below to be considered (if permission is granted).

1. Strict restrictions on the sound decibels not to be compromised by staff on duty as previously experienced.
2. Restrictions on operating hours to be adequate of residential neighbourly hours.
3. people queuing and waiting around building entrance, whilst waiting to enter restaurant causing disruption (traffic management)
4. causing a nuisance when leaving the restaurant in early hours of the morning whilst waiting for transport and socialising and smoking.

If revolving doors are permitted, we are concerned this will only encourage the further nuisance when leaving premises. We are Concerned this will impact our entitlement of quiet- enjoyment, affecting our well-being and also property value.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	11 January 2022

We are greatly concerned for this planning, mainly is noise created by playing of loud music in accordance to their restaurant theme. Our property is located [REDACTED]. As we understand the proposed restaurant is a high-end Soho bar/dining theme with very late operating hours (7 days a week).

We kindly urge the below to be considered (if permission is granted).

1. Restrictions on operating hours to be adequate of residential neighbourly hours.
2. people queuing and waiting in front of our entrance to the building to enter creating disruption and being loud.
3. creating a nuisance when leaving the restaurant in early hours of the morning and being disorderly.
4. Our bedrooms are located [REDACTED]

[REDACTED] from the restaurant entrance door. Historically, we have experienced ongoing issues with people coming out of the restaurant to smoke and socialise at all hours of the day and night (lack of security and traffic management), queuing whilst waiting to enter and upon leaving the premises talking loudly whilst waiting for transportation at times in early hours of the morning.

If revolving doors are permitted, we are concerned this will only encourage the further nuisance. We are also Concerned this will impact our entitlement of quiet- enjoyment, affecting our well-being and property value.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	11 January 2022

We are greatly concerned for this planning, We understand the proposed restaurant is a high-end Soho bar/dining theme with very late operating hours (7 days a week).

We kindly urge the below to be considered (if permission is granted).

1. Restrictions on operating hours to be adequate of residential neighbourly hours.
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3. causing a nuisance when leaving the restaurant in early hours of the morning whilst waiting for transport and socialising and smoking.

If revolving doors are permitted, we are concerned this will only encourage the further nuisance when leaving premises. We are Concerned this will impact our entitlement of quiet- enjoyment, affecting our well-being and also property value.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	11 January 2022

We are greatly concerned for this planning, mainly is noise created by playing of loud music in accordance to their restaurant theme. Our property is located [REDACTED]
As we understand the proposed restaurant is a high-end Soho bar/dining theme with very late operating hours (7 days a week).

We kindly urge the below to be considered (if permission is granted).

1. Restrictions on operating hours to be adequate of residential neighbourly hours.
2. people queuing and waiting in front of our entrance to the building to enter creating disruption and being loud.
3. creating a nuisance when leaving the restaurant in early hours of the morning and being disorderly.
4. Our bedrooms are located [REDACTED]

[REDACTED]. Historically, we have experienced ongoing issues with people coming out of the restaurant to smoke and socialise at all hours of the day and night (lack of security and traffic management), queuing whilst waiting to enter and upon leaving the premises talking loudly whilst waiting for transportation at times in early hours of the morning.

If revolving doors are permitted, we are concerned this will only encourage the further nuisance. We are also Concerned this will impact our entitlement of quiet- enjoyment, affecting our well-being and property value

3.	Policy & Guidance
The following policies within the City Of Westminster Statement of Licensing Policy apply:	

Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.
Policy RNT(A) applies	A. Applications outside the West End Cumulative Impact Zone will

	<p>generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.
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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.

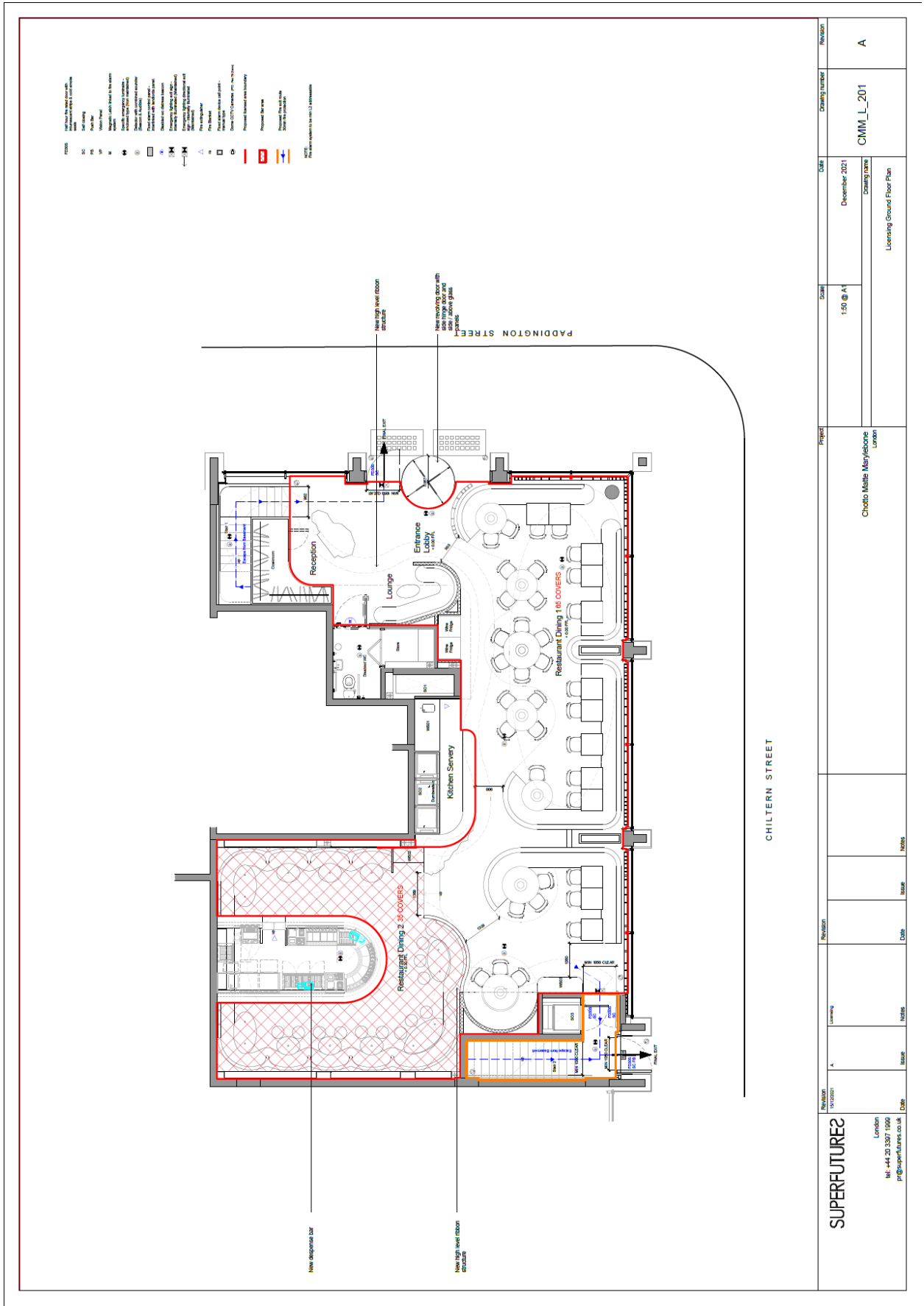
5.	Appendices
Appendix 1	Premises plans
Appendix 2	Premises Licence 20/07564/LIPCH
Appendix 3	Applicant supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

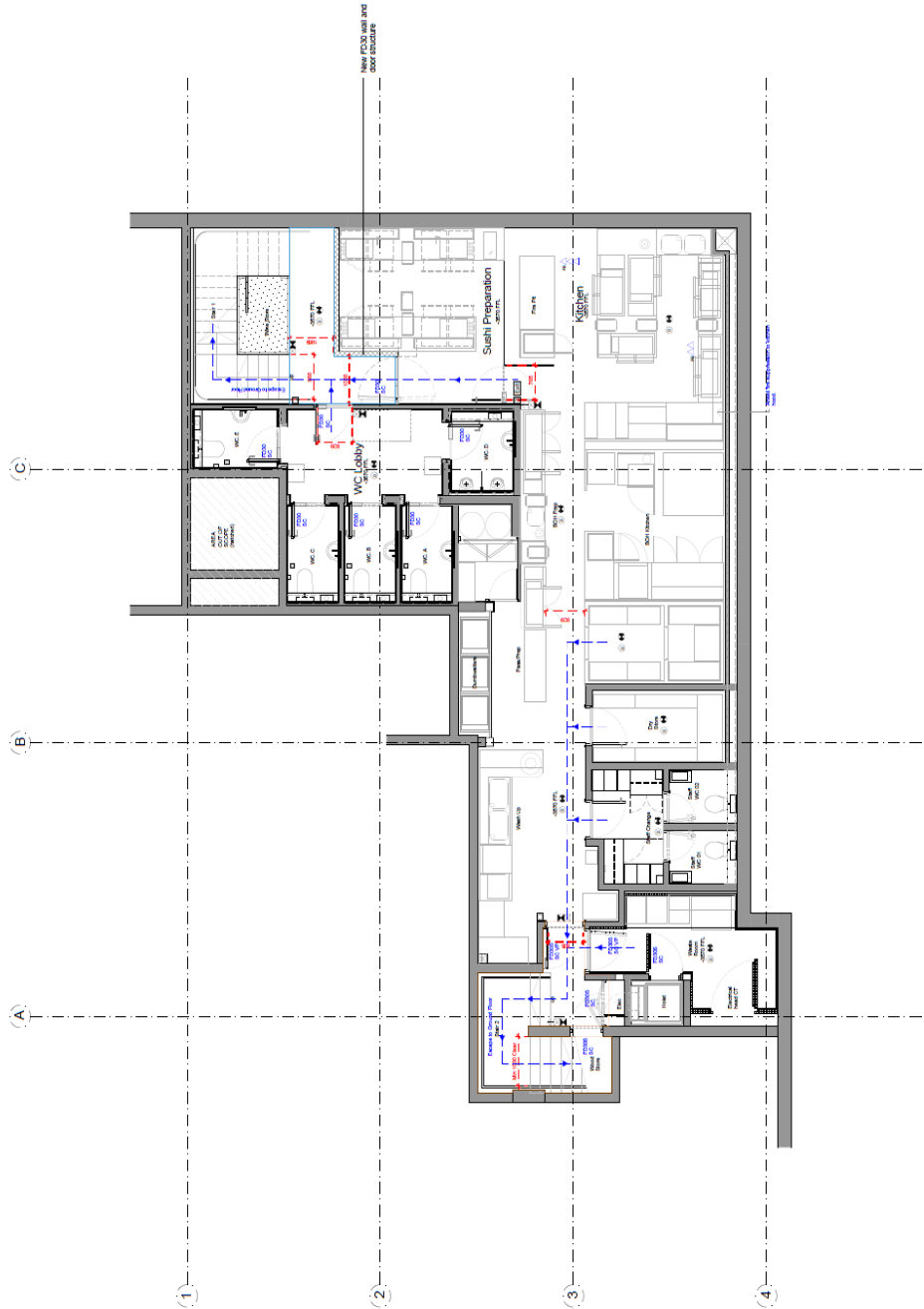
Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health representation	13 January 2022
5	Interested Party representation (1)	11 January 2022
6	Interested Party representation (2)	11 January 2022
7	Interested Party representation (3)	11 January 2022
8	Interested Party representation (4)	11 January 2022
9	Interested Party representation (5)	11 January 2022
10	Interested Party representation (6)	11 January 2022
11	Interested Party representation (7)	11 January 2022



SUPERFUTURE2		Revision		Date		Drawing number		Revision	
London		A		December 2021		CMM_L_201		A	
Tel: +44 20 3307 1000		Project		Scale		Drawing name		Revision	
pr@superfuture.co.uk		Chotto Malle Marylebone London		1:50 @ A1		Landing Ground Floor Plan		Revision	
Date		Revision		Date		Revision		Date	

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SUPERFUTURE2 London Tel: +44 20 3307 1000 pr@superfuture2.co.uk	Project Chotto Matte Marylebone London	Scale 1:50 @ A1	Date December 2021	Drawing number CMM_L_200	Revision A
				Drawing name Licensing Basement Plan	



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

**WARD: Marylebone High
Street
UPRN: 010033632491**

Premises licence

Regulation 33, 34

Premises licence number:

20/07564/LIPCH

Original Reference:

16/01529/LIPN

Part 1 – Premises details

Postal address of premises:

Fucina
26 Paddington Street
London
W1U 5QY

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

Sunday to Thursday: 23:00 to 00:00
Friday to Saturday: 23:00 to 01:00

Non-standard Timings: From 23:00 on New Year's Eve until 05:00 on New Year's Day

Sale by Retail of Alcohol

Sunday to Thursday: 10:00 to 00:00
Friday to Saturday: 10:00 to 01:00

Non-standard Timings: From the start time on New Year's Eve until the finish time on New Year's Day

The opening hours of the premises:

Sunday to Thursday: 07:30 to 00:30
Friday to Saturday: 07:30 to 01:30

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

NZR Limited
Suite A, 1st Floor
Block B
5th Avenue Plaza
Team Valley
Gateshead
Tyne & Wear
NE11 0BL

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

07054060

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

Name: John Darling

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: 545/2270
Licensing Authority: Tunbridge Wells Borough Council

Date: 28 August 2020

This licence has been authorised by Kevin Jackaman 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 supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal. Notwithstanding this condition, alcohol may be supplied and consumed prior to their meal in the ground floor bar area hatched on the plan by up to a maximum of 30 persons at any one time dining at the premises.
10. The supply of alcohol shall be by waiter/waitress or bar service only.
11. 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.
12. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 130 persons.
13. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. 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.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. 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.
18. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
19. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment

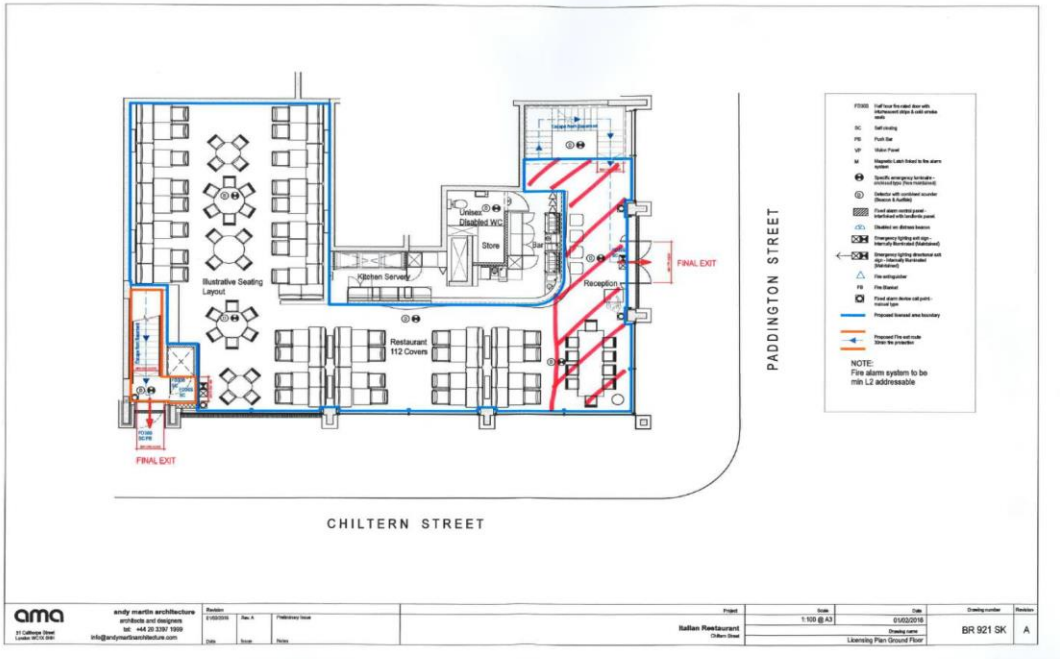
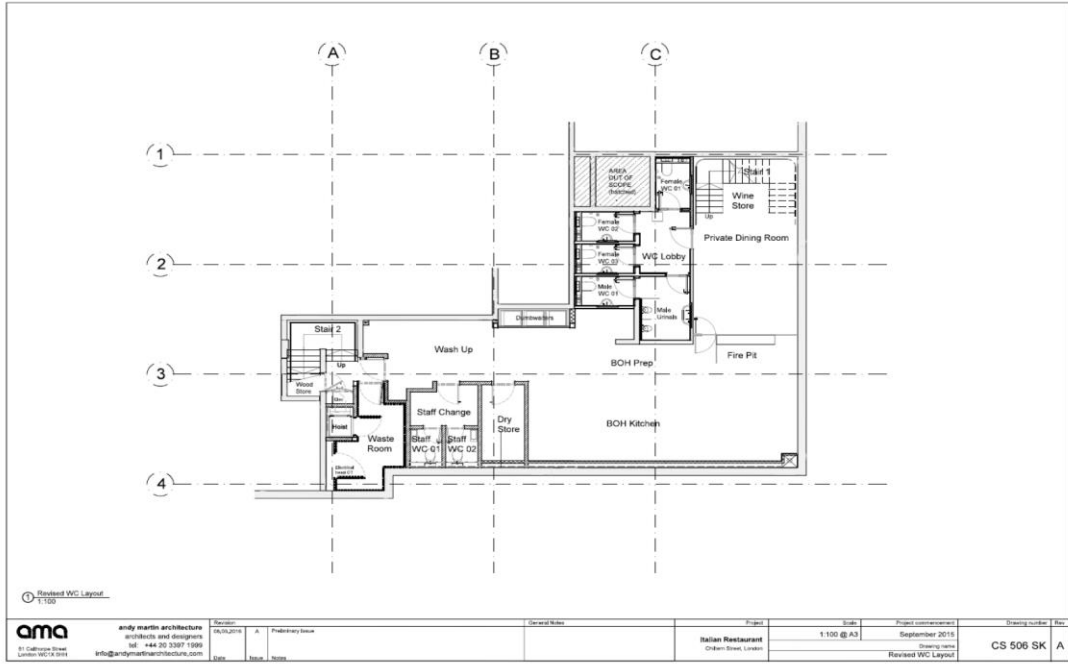
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

21. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
22. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
23. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
24. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
25. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
26. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
27. No deliveries to the premises shall take place between 23.00 hours and 08.00 hours on the following day.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
29. No licensable activities shall take place at the premises until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
30. The customer toilet facilities at 26 Paddington Street shall be available at all times to customers from Panetteria at 22 Paddington Street

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: Marylebone High
Street
UPRN: 010033632491

Premises licence
summary

Regulation 33, 34

Premises licence number:

20/07564/LIPCH

Part 1 – Premises details

Postal address of premises:

Fucina
26 Paddington Street
London

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

Sunday to Thursday: 23:00 to 00:00
Friday to Saturday: 23:00 to 01:00

Non-standard Timings: From 23:00 on New Year's Eve until 05:00 on New Year's Day

Sale by Retail of Alcohol

Sunday to Thursday: 10:00 to 00:00
Friday to Saturday: 10:00 to 01:00

Non-standard Timings: From the start time on New Year's Eve until the finish time on New Year's Day

The opening hours of the premises:

Sunday to Thursday: 07:30 to 00:30
Friday to Saturday: 07:30 to 01:30

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

Alcohol is supplied for consumption on the Premises.

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

NZR Limited
Suite A, 1st Floor
Block B
5th Avenue Plaza
Team Valley
Gateshead
Tyne & Wear
NE11 0BL

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

07054060

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

Name: John Darling

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

Restricted

Date: 28 August 2020

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

None

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
16/01529/LIPN	New premises licence	25.04.2016	Granted under delegated authority
17/01340/LIPVM	Minor variation – add conditions	27.02.2017	Granted under delegated authority
19/05229/LIPDPS	Variation of DPS	06.06.2019	Granted under delegated authority
20/02063/LIPDPS	Variation of DPS	18.03.2020	Granted under delegated authority
20/07564/LIPCH	Change of details – registered office	28.08.2020	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 supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal. Notwithstanding this condition, alcohol may be supplied and consumed prior to their meal in the ground floor bar area hatched on the plan by up to a maximum of 30 persons at any one time dining at the premises.

The applicant is proposing the following amended condition

The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal. Notwithstanding this condition, alcohol may be supplied and consumed prior to their meal in the ground floor bar area hatched on the plan by up to a maximum of 35 persons at any one time dining at the premises.

10. The supply of alcohol shall be by waiter/waitress or bar service only.
11. 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.
12. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 130 persons.
13. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. 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.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. 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.
18. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
19. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

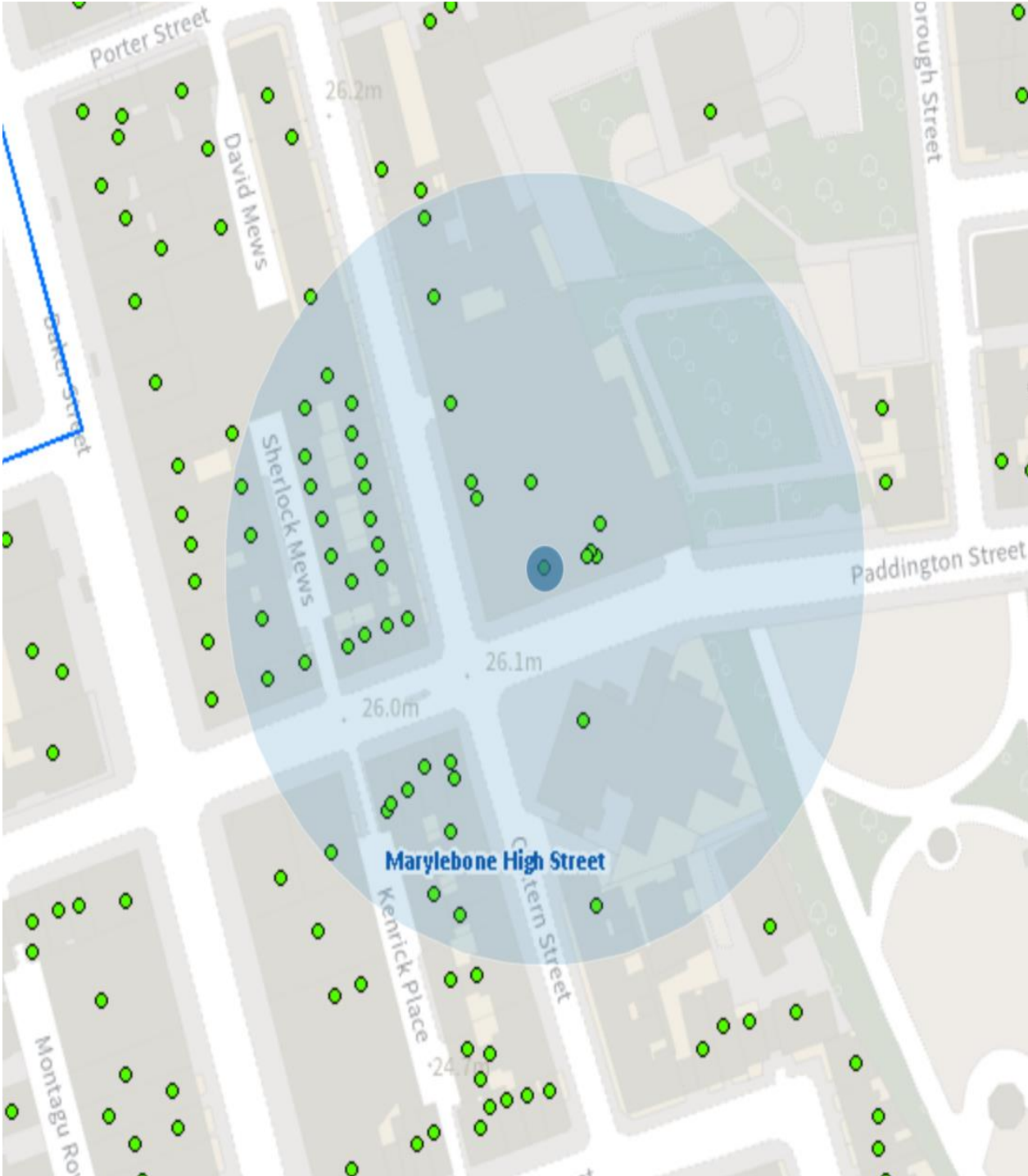
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
21. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
22. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
23. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
24. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
25. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
26. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
27. No deliveries to the premises shall take place between 23.00 hours and 08.00 hours on the following day.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
29. No licensable activities shall take place at the premises until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
30. The customer toilet facilities at 26 Paddington Street shall be available at all times to customers from Panetteria at 22 Paddington Street

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

None

Conditions proposed by the applicant to be added to the operating schedule

31. Except for any authorised external seating areas, all sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
32. There shall be no sales of alcohol for consumption off the premises after 23.00 hours



Resident count: 124

Licensed premises within 75m of 26 Paddington Street, London, W1U 5QY				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/07334/LIPDPS	Wulf & Lamb	66 Chiltern Street London W1U 4EJ	Restaurant	Sunday; 08:00 - 23:00 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00
17/02929/LIPDPS	AD Food Wine	Basement And Ground Floor 29 Paddington Street London W1U 4HA	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
20/03181/LIPCH	Arro Coffee	Basement And Ground Floor 67 Chiltern Street London W1U 6NQ	Cafe	Sunday; 08:00 - 22:00 Monday to Saturday; 07:00 - 22:00
09/06785/LIPV	Fabels	67 Chiltern Street London W1U 6NJ	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 00:00
21/05302/LIPCH	Honest Burgers	31 Paddington Street London W1U 4HD	Restaurant	Sunday; 10:00 - 23:00 Monday to Saturday; 10:00 - 23:30 Sundays before Bank Holidays; 10:00 - 23:30
19/10859/LIPV	Blandfords Café/restaurant	65 Chiltern Street London W1U 6NH	Cafe	Sunday; 07:30 - 22:30 Monday to Saturday; 07:30 - 23:30
09/09022/LIPD	Casa Becci	Ground Floor 32 Paddington Street London W1U 4HE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30

14/10659/LIPDPS	Ohisama	Basement And Ground Floor 39 Paddington Street London W1U 4HH	Restaurant	Sunday; 10:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sundays before Bank Holidays; 10:00 - 00:30
21/13141/LIPDPS	Zizzi	35-38 Paddington Street London W1U 4HQ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	17 March 2022
Licensing Ref No:	21/12684/LIPN - New Premises Licence
Title of Report:	Browns Portland House Bressenden Place London SW1E 5BH
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	8 November 2021		
Applicant:	Mitchells & Butlers Leisure Retail Ltd		
Premises:	Browns		
Premises address:	Portland House Bressenden Place London SW1E 5BH	Ward:	St James's
		Cumulative Impact Area:	None
		Special Consideration Zone:	Victoria
Premises description:	The premises currently operates as a Brasserie and Bar.		
Premises licence history:	<p>This premises currently has the benefit of two premises licence (21/06743/LIPDPS & 14/00192/LIPVM) which permits the same licensable activities and operating hours as this application.</p> <p>Premises Licence 21/06743/LIPDPS permits the following licensable activities and operating hours.</p> <p>Performance of Dance Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30</p> <p>Exhibition of a Film Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30</p> <p>Performance of Live Music Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30</p> <p>Playing of Recorded Music Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30</p> <p>Anything of a similar description to Live Music, Recorded Music or Performance of Dance Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30</p> <p>Late Night Refreshment Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00</p>		

Sale by Retail of Alcohol

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30

The opening hours of the premises:

Monday to Sunday: 08:00 to 00:30

Premises licence 21/06743/LIPDPS is attached as appendix 3.

Premises Licence **14/00192/LIPVM** permits the following licensable activities and operating hours.

Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Exhibition of a Film

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Performance of Live Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Playing of Recorded Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

	<p>Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day</p> <p>Late Night Refreshment Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Sundays before Bank Holidays: 23:00 to 00:00</p> <p>Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day</p> <p>Sale by Retail of Alcohol Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30 Sundays before Bank Holidays: 09:30 to 00:00</p> <p>Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day</p> <p>The opening hours of the premises: Monday to Sunday: 08:00 to 00:30 From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day</p> <p>Premises licence 14/00192/LIPVM is attached as appendix 4.</p> <p>The premises also had the benefit of Temporary Event Notices, and the history can be found at Appendix 5.</p>
Applicant submissions:	The applicant has provided a letter to resident which explains the purpose in applying for this licence. This can be found at Appendix 2.
Applicant amendments:	None

1-B Proposed licensable activities and hours							
Films:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:30	09:30	09:30	09:30	09:30	09:30	09:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Sundays before bank holidays 09:30 to 00:00 From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day					

Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:30	09:30	09:30	09:30	09:30	09:30	09:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Sundays before bank holidays 09:30 to 00:00 From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day					

Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:30	09:30	09:30	09:30	09:30	09:30	09:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Sundays before bank holidays 09:30 to 00:00 From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day					

Performance of Dance:				Indoors, outdoors or both			Indoors
Start:	09:30	09:30	09:30	09:30	09:30	09:30	09:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Sundays before bank holidays 09:30 to 00:00 From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day					

Anything of a similar description to that falling within (e), (f) or (g):				Indoors, outdoors or both			Indoors
Start:	09:30	09:30	09:30	09:30	09:30	09:30	09:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Sundays before bank holidays 09:30 to 00:00 From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day					

Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		Sundays before bank holidays 23:00 to 00:00 From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:30	09:30	09:30	09:30	09:30	09:30	09:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-		Sundays before bank holidays 09:30 to 00:00					

standard timings:	From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day
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Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	00:30	00:30	00:30	00:30	00:30	00:30	00:30
Seasonal variations/ Non-standard timings:	From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day						
Adult Entertainment:	None						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	2 December 2021 (Withdrawn 4 February 2022)
<p>Application for a Premises Licence Variation Portland House, Bressenden Place, London, SW1E 5BH 21/12684/LIPN</p> <p>With reference to the above applications, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The premises is also located with the Victoria Special Consideration Zone as defined in Westminster's Licensing Policy.</p> <p>There is insufficient detail contained within the operating schedule to promote the licensing objectives.</p> <p>It is for these reasons that we object to this application.</p> <p>The Metropolitan Police Service withdrew their representation on 4th February 2022 due to conditions proposed amended and agreed with the applicant. These conditions can be found at Appendix 6.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	6 December 2021
<p>I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	16 November 2021
<p>The Application requests permission for hours of operation well beyond those stipulated in Westminster City Councils Statement of Licensing Policy 2021, Core Hours Policy HRS1 Section C Item 8 Restaurants, namely:</p> <p>- Application Hours are Monday to Sunday 08.00AM to 12.30PM vs Core Hours Policy Monday to Thursday 9AM to 11.30PM, Friday and Saturday 9AM to Midnight and Sunday 9AM to 10.30PM.</p> <p>Browns Restaurant is within several meters of a residential block both on the Cardinal Place Estate and as such it is imperative that any Licence for Browns and any other Restaurant on the Estate to be limited to Core Hours only in order to prevent Public Nuisance.</p> <p>The Schedule of Licensing Activities in the Application is in contradiction to the Proposed Schedule of Conditions Section d) The prevention of public nuisance included in the Application. It is imperative that this is corrected in order to prevent Public Nuisance, i.e.</p> <p>Schedule of Licensing Activities Sale by Retail of Alcohol Monday to Thursday 9.30AM to 11.30PM, Friday and Saturday 9.30AM to Midnight and Sunday 9.30AM to 10.30PM changed to reflect the Proposed Schedule of Conditions Section d) The prevention of public nuisance Item 16 and 22 which limits the supply to the external area and off sales to 22.00.</p> <p>Schedule of Licensing Activities Late Night Refreshment Monday to Thursday 11.00PM to 11.30PM, Friday and Saturday 11.00AM to Midnight changed to reflect the Proposed Schedule of Conditions Section d) The prevention of public nuisance Items 19 which states that the external area is unusable by 23.00 and 21 which limits off sales to 23.00.</p> <p>We request that the Licensing Committee make it a condition that Schedule of Licensing Activities be amended to be fully in accordance with the Proposed Schedule of Conditions and Core Hours Policy HRS1 of October 2021.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	26 November 2021 (Withdrawn 26 January 2022)
<p>As a local resident and neighbour, I would like to object to the application as the proposed licencing hours to from 08.00am to 12.30am every day of the week are beyond those which are set out in Westminster City Council's Core Hours Policy and for the premises' current hours of operation.</p> <p>After mediation from the applicant explaining the application, the Interested Party withdrew on the 26th of January 2022.</p>	

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	28 November 2021 (Withdrawn 26 January 2022)

██████████. I object in the strongest possible sense to these extended operating hours. I along with many people in this building have jobs to go to in the mornings, I feel it unacceptable that our mental well being can be threatened in this way.

Why is this location special and deserving of different operating hours to say the Wagamama venue, which has never caused any issue in over 15 years ?

I feel that this new venue should be required to operate to the same conditions as Wagamama who have set a exemplary example of operating and coexisting in a residential space.

I have no problem with this new business, only these extended outside operating hours

After mediation from the applicant explaining the application, the Interested Party withdrew on the 26th of January 2022.

Name:	████████████████████████████████████████
Address and/or Residents Association:	████████████████████████████████████████
Received:	2 December 2021

We have discovered the above application for planning on the Westminster website. This is an application for a variant on the licence 14/00192/LIPVM granted to these premises in 2013.

██████████. No one in ██████████ received any Planning Application notifications which we believe should have been sent to us. Fortunately someone discovered the application. We are a wholly residential block of flats and are already subjected to the noise and inconvenience of being surrounded by various restaurants, bars and commercial establishments which make up Cardinal Place. In an attempt to retain some legal 'quiet enjoyment of our homes' we have in the past challenged several planning applications to try and control late night noise from surrounding establishments and the Council has mostly been understanding. This new application by Browns to extend not only their facilities but also their licensing hours is outrageous and goes against even the Council's own published Core Hours Policy. They seek to allow service of music, food and alcohol way in excess of the hours they are allowed to operate at present both indoors and outdoors. They have, during the pandemic, extended into a large area outside the ground floor restaurant and we already experience noise, not only from customers but also the moving of chairs and tables at night. They now would like to add live music. We pay extensive council taxes to live in this area but the overbuilding and over commercialisation around us would suggest the Council gives more rights and consideration to commerce than the poor residents. Contrary to the promises made in their application that the noise of music and patrons will be controlled, this is an impossibility with doors being opened and closed constantly and food and alcohol being served inside and out well into the night and especially at closing time when patrons leave en masse, noisy and possibly drunken.

For these reasons we beg you to deny this application. Please acknowledge receipt of this communication.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	4 December 2021 (Withdrawn 4th March 2022)

We live at [REDACTED] which the current Browns restaurant is based.
 Any noises from the restaurants in the Piazza (setting up or removal of tables and chairs, noisy drunks, etc.) are amplified as they reverberate up the residential building. This can be a particular problem with restaurants with outside seating operating at late hours (when we would prefer to sleep undisturbed).
 This application claims that it merely replicates the terms of a previous licence granted in 2014. However it is not possible to check this as the previous licence does not appear on your system. While assurances are given in the supporting text around operating hours etc, there is a worrying document within the application which states that the operating hours are to be extended to 12.30 am every day, outside Westminster Council's own policy for opening hours. Please bear in mind that the piazza in Bressenden Place is designated as a 'special consideration zone.'
 Also, whilst the text supporting the application refers to serving food and alcohol to the outside tables ceasing at 10pm, the actual application (sections L and M) contain provisions for the supply of hot food and alcohol up to midnight.
 Until these contradictions are removed and the operating hours (in particular for serving outside tables) are amended both in line with Westminster Council's own policies and the promises made in the supporting text we have to object to the application as it stands.
After mediation from the applicant, the Interested Party withdrew on the 4th March 2022.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy SCZ1 applies	<p>A. In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.</p> <p>B. For the purpose of Clause A, the designated Special Consideration Zones are:</p> <ul style="list-style-type: none"> • West End Buffer. • Queensway/Bayswater. • Edgware Road. • East Covent Garden. • Mayfair. • Victoria.
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <p>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect</p>

of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.

2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
5. The proposed hours when any music, including incidental music, will be played.
6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
9. The capacity of the premises.
10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

6. Pubs and bars, Fast Food and Music and Dance venues

Monday to Thursday: 10am to 11.30pm.

Friday and Saturday: 10am to Midnight.

Sunday: Midday to 10.30pm.

Sundays immediately prior to a bank holiday: Midday to Midnight.

D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.

	E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.
Policy PB1 applies	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D. <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or, 2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</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

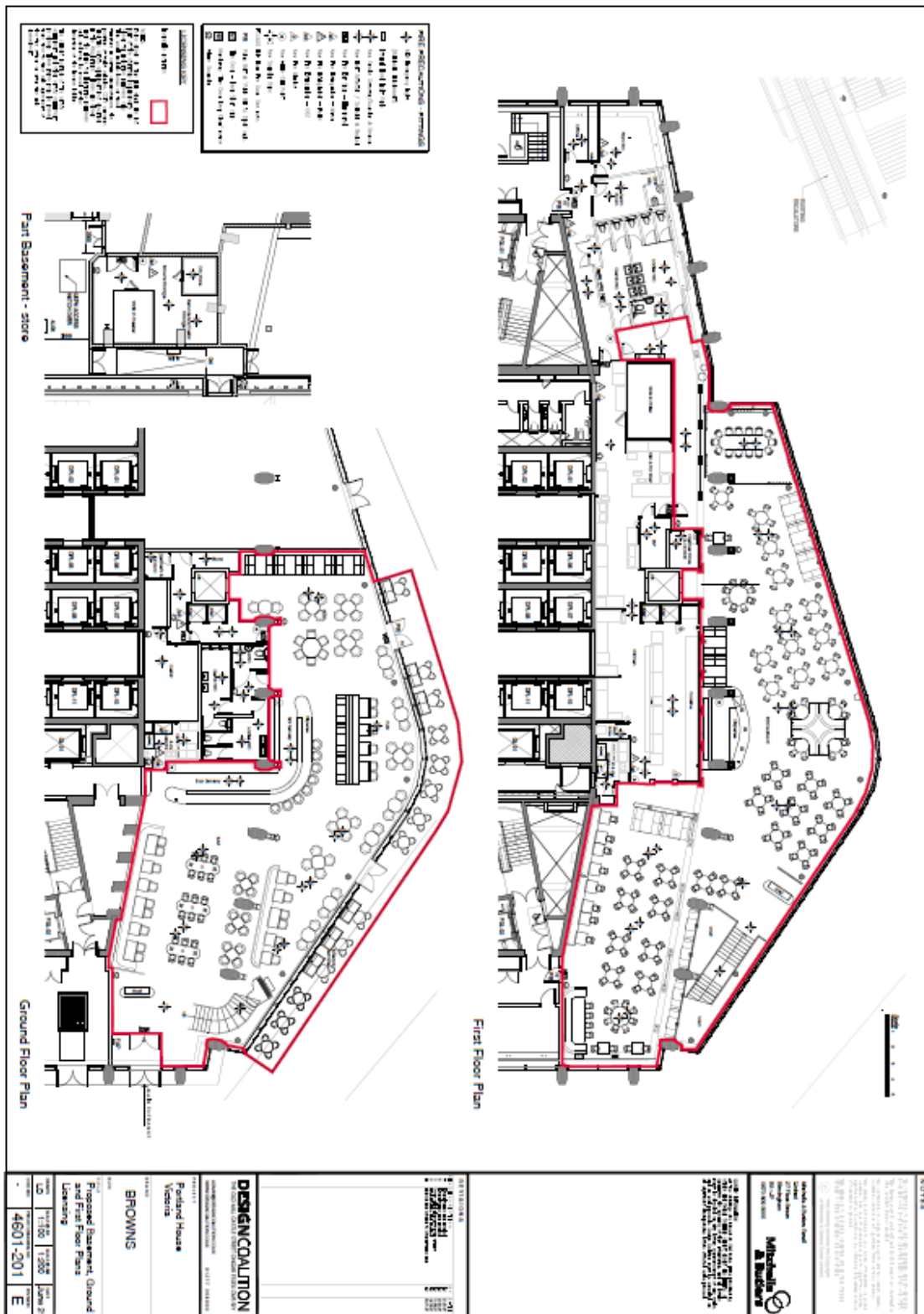
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises Licence 21/06743/LIPDPS
Appendix 4	Premises Licence 14/00192/LIPVM
Appendix 5	Premises history
Appendix 6	Proposed conditions
Appendix 7	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service (Withdrawn 4th February 2022)	2 nd December 2021
5	Environmental Health Service	6 th December 2021
6	Representation 1	16 th November 2021
7	Representation 2 (Withdrawn 26th January 2022)	26 th November 2021
8	Representation 3 (Withdrawn 26th January 2022)	28 th November 2021
9	Representation 4	2 nd December 2021
10	Representation 5 (Withdrawn 4th March 2022)	4 th December 2021



From: [Lisa Sharkey](#)
Subject: RE: New Premises Licence Application - Browns Portland House, Bressenden Place, London, SW1E 5BH - Application Ref: 21/12684/LIPN
Date: 17 February 2022 14:32:29
Attachments: [Licence 21.06743.LIPDPS.pdf](#)
[Browns - Premise Licence 14.00192.LIPVM.pdf](#)
[4601-201e Proposed Floor Plans - Licensing A1 1-100.pdf](#)
[Plans 2014 licence: lodged with current application.pdf](#)
[Application Form \(2\).pdf](#)
[Proposed Conditions.pdf](#)

Dear Resident,

I act upon behalf of Mitchells & Butlers Leisure Retail Limited. As you know they currently operate the existing Browns site which has the benefit of a premises licence. In 2014 a further licence was granted for Browns linked to the proposal to redevelop Portland House. That licence approved a ground and first floor operation within Portland House but unfortunately the landlord wishes to relocate the position of Browns on the ground and first floor which has necessitated this new licence application.

I am enclosing for your benefit the following documents which may assist to understand the proposals:

1. Copy of current premises licence - 21/06743/LIPDPS;
2. Copy of premises licence granted in 2014 for the redevelopment – 14/00192/LIPVM, together with a copy of the deposited plan for the ground floor and first floor as approved;
3. Copy of the current application and plans.

If you compare the two licences together with the application submitted you will note that the hours for licensable activities together with the opening hours are identical and that there is no proposal to extend the hours already in place. The conditions are also the same, including the conditions to cease trading the external area and bring the furniture inside by certain times specified. The only difference between the licence granted in 2014 and this application, is that the external area for the new application is smaller.

The need for the current application is purely due to the proposal by the Landlord to change our agreed location within Portland House.

If this new licence application is granted then, as and when the landlord moves forward with the development, the existing licence and the licence granted in 2014 will be surrendered.

I hope this reassures you that there are no plans to change the operation of the premises and that this current application is in line with the existing licences. If you do feel reassured by this explanation and are happy to withdraw your objection, then I would be most grateful if you would confirm this to the Licensing Team at Westminster. Alternatively, if you would like to meet with my client and myself to discuss your concerns then we would be very happy to meet with you. Please email me if you would like to meet and we can agree a suitable time and date.

If I can be of any further assistance, then please do not hesitate to contact me and I look forward to hearing from you.

Regards,

Lisa Sharkey

Browns
Portland House, Victoria, London, SW1E 5JE

Application Reference: 21/12684/LIPN
Hearing: 17 March 2022 @ 10am

Evidence Bundle

Page	Description
1-48	Email to Mr Freeman dated 1 March 2022, together with attachments
49-51	Email to Reaz Guerra, Police Licensing Officer, dated 10 December 2021
52-56	Email to Reaz Guerra, Police Licensing Officer, dated 3 February 2022

Michelle Peach

From: Malvina Adair on behalf of Lisa Sharkey
Sent: 01 March 2022 16:29
To: Jackaman, Kevin: WCC
Subject: Re: New Premises Licence Application - Browns Portland House - Application Ref 21/12684/LIPN
Attachments: Document 1.pdf; Document 2.pdf; Document 3.pdf; Document 4.pdf; Document 5.pdf; Document 6.pdf; Document 7.pdf

Dear Kevin

I should be most grateful if you would forward this email to [REDACTED]. I corresponded with [REDACTED] in 2013 but I am not sure if he has the same email address.

Many thanks.

Regards,

Lisa

Dear [REDACTED]

I met with you in 2013 to discuss both the application for a new premises licence to update the licence conditions in relation to the existing site and also to discuss the new licence application for the proposed Browns which was to be built within Portland House. I have now had an opportunity to review the application papers relating to both licence applications which were heard by Committee on 17 October 2013. At the Hearing the Committee did not impose a condition that the outside area would cease to be used at 22.30 and secured by 23.00 hours. They did however amend conditions which I had proposed. To assist, I have set out below the details of both applications.

Application to update Conditions

The original premises licence (PL11/11909LIPVN – copy attached at number 1) incorporated a Condition at 49 which stated, *“All outside tables and chairs are removed from the outside area and made secure after 23.00”*.

I repeated Condition 49 in the application submitted. During the course of the application, various additional conditions were agreed with Environmental Health and local residents which restricted off-sales of food and drink. There was some discussion regarding the external seating and my file records that you had requested that the tables and chairs be brought in by 23.00 hours. My client did not wish to agree this condition as they did not want to bring the tables and chairs inside the premises when customers would still be using the internal restaurant. At the Hearing, the Committee re-worded Condition 49 to read *“All outside tables and chairs shall be rendered unusable by 23.00 each day”* and added a new condition which read, *“All outside tables and chairs shall be removed from the outside area and made secure by 23.30 hours”*. I attach at number 2 a copy of the premises licence granted - PL/21/06743/LIP2DPS and at number 3 a copy of the Decision Notice.

New Licence – Redevelopment Site

On 17 October 2013 the Committee then went on to consider the new licence application for the redevelopment site. I explained that site was not to be developed for another 10 years but the landlord wanted my client to sign an agreement to terminate their existing lease and they would not do so until they were certain that a licence would be granted for the new development.

The Committee went on to grant this licence on exactly the same terms (hours, activities and the conditions). I attach at number 4 a copy of the premises licence granted – 13/06103/LIPN together with a copy of the Decision Notice relating to that application at number 5.

Present Day

The application that we have submitted for consideration is on exactly the same terms as the existing licence and the licence granted for the re-development site. The reason for this application is that the landlord would like to re-position Browns within Portland House. I attach at number 6 an aerial photograph to assist in demonstrating the change in location. The original proposed position was on the Victoria Street frontage of the building which is edged blue on the aerial photograph. The new position sees us virtually in the same location edged red.

The new positioning in fact means that the external area is smaller than that which was originally approved in 2013. I attached at number 7 the original plans approved for the development together with the plans which are now being proposed.

I hope this assures you that we are not trying to change the conditions which the Committee imposed at the Hearing and that you feel able to withdraw your objection to the current application.

Please do not hesitate to contact me direct if you wish to discuss this matter further.

Regards,

Lisa Sharkey

Former premises licence which ①
has now been surrendered



Schedule 12
Part A

WARD: St James's
UPRN: 010033527619

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

11/11909/LIPVM

Original Reference:

05/07856/LIPN

Part 1 – Premises details

Postal address of premises:

Browns
2 Cardinal Walk
London
SW1E 5JE

Telephone Number: 020 7821 1450

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Provision of facilities for Dancing

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Exhibition of a Film

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00

Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Provision of facilities for making Music

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Performance of Live Music

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Playing of Recorded Music

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Provision of facilities for entertainment of a similar description to making music or dancing

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

The opening hours of the premises:

Monday to Sunday:	08:00 to 00:30
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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, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mitchells _ Butlers Leisure Retail Limited
27 Fleet Street
Birmingham
West Midlands
B3 1JP

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

24542

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

Name: Mr Matthew Mullet

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: 1840/PERS/2006-040/1
Licensing Authority: Wychavon District Council

Date: 21st December 2011

Signed: pp
Operational Director - Premises Management

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. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.
10. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.


Annex 2 – Conditions consistent with the operating Schedule

None

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

11. Acceptable proof of age shall be restricted to passport or photographic driving licence.
12. Customers shall be advised by staff to respect neighbours and leave the premises quietly.
13. Alcohol shall not be supplied to external area on the ground floor after 22:00 hours.
14. The premises may be open for licensable activities permitted by this licence on New Year's Eve until the commencement of permitted hours on New Year's Day.
15. Music videos, promotional videos and anything of a like kind may be shown on Plasma Screens.
16. Recorded music shall be played via a music system, DJ and Karaoke.
17. No smoking area shall be provided.
18. There shall be no irresponsible drinks promotion.
19. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry and exit points, and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. (ii) Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. (iii) The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).
20. All children will be seated away from the bar area and be off the premises by 21:00.
21. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:
 - a. Ground Floor - 250
 - b. First Floor (Inside) - 116
 - c. First Floor (Balcony) - 124
22. A daily log is to be maintained after 21:00 to ensure that any capacity limit set for the various floors and the overall capacity of the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be give to an authorised officer or Police Officer on request.
23. The supply of alcohol and refreshment will only be by waiter / waitress service to persons seated on the ground floor external area and first floor of the premises.
24. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
25. No payment shall be made by or on behalf of the licensees to any persons bringing customers into the premises.
26. There shall be no gaming on the premises otherwise than machines authorised by Part III Gaming Act 1968.

27. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
28. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
29. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
30. All entrance doors to be kept closed except for the immediate access and egress of persons.
31. No speakers shall be located in the entrance area.
32. No alterations (including temporary installations) shall be made to the premises without the consent of the Licensing Authority.
33. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
34. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
35. All refuse will be paid, properly presented and placed on the street 30 minutes before any agreed collection time. Every endeavour will be made to prevent refuse being left on the street for more than 2.5 hours.
36. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
37. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
38. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
39. All fire doors shall be maintained effectively self closing and not held open other than by an approved device.
40. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
41. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
42. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role.
43. The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.

44. Ventilation ducting and shafts generally shall be maintained in a clean condition.
45. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned at least annually.
46. Tables and chairs shall be laid out within 75% of the area licensed (as deposited plan).
47. Customers will be offered waiter / waitress service upon order of alcohol and / or refreshment at the bar area.
48. Silence notices to be placed by the exits warning patrons leaving the premises of the proximity of residential premises and requesting an orderly exit.
-  49. All outside tables and chairs are removed from the outside area and made secure after 23:00.
50. Licensable activities permitted by this licence are granted to Core Hours on Bank Holiday Saturday, Sunday and Monday, Thursday preceding Good Friday, Easter Saturday, Easter Sunday and Easter Monday, Christmas Eve, Boxing Day and New Year's Eve and New Year's Day. Core Hours is when customers are allowed to be on the premises which is Monday to Thursday 10:00 to 23:30, Friday to Saturday 10:00 to 00:00, Sundays immediately prior to Bank Holidays 12:00 to 00:00 and other Sundays 12:00 to 22:30 for the supply of alcohol.

Annex 4 – Plans

Attached

Licence granted 17th October 2013
to replace PL11/11909/LIPVM ②



Schedule 12
Part A

WARD: St James's
UPRN: 010033527619

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

Premises licence

Regulation 33, 34

Premises licence number:

21/06743/LIPDPS

Original Reference:


13/06081/LIPN

Part 1 – Premises details

Postal address of premises:

Browns
2 Cardinal Walk
London
SW1E 5JE

Certified as a true copy
of the licence


Natasha Ann Beck, Solicitor
Poppleston Allen Solicitors
Nottingham

Telephone Number: 0207 821 1450

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
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
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Exhibition of a Film

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Performance of Live Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Playing of Recorded Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00

Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00
Late Night Refreshment	
Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00
Sale by Retail of Alcohol	
Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Sunday: 08:00 to 00:30

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

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

Part 2

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

Mitchells & Butlers Leisure Retail Limited
 27 Fleet Street
 Birmingham
 B3 1JP

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

01001181

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

Name: Istvan Takacs

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: LN/000009567
 Licensing Authority: London Borough of Haringey

Date: 23 July 2021

This licence has been authorised by Miss Jessica Donovan 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.
- 9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
11. Other than the external seated area there shall be no off sales after 22.00 hour except as part of a prize or raffle.
12. There shall be no cinema style screenings of films throughout the premises.
13. All entrance doors to be kept closed except for immediately access and egress from the premises and after 23:00 hours all windows shall be kept closed.
14. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times.
15. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
16. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
17. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
18. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
19. The number of persons permitted in the premises at any one time (including staff) shall not exceed the following:
 - i. Ground floor - 250
 - ii. First Floor - 240
20. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
21. The performance of live music at the premises is intended to entertain customers who are dining at the premises. The purpose is not to attract crowds of people to the premises whose sole purpose for being present is to watch the entertainment.
22. All outside tables and chairs shall be removed from the outside area and made secure by 23:30 hours.
23. All outside tables and chairs shall be rendered unusable by 23.00 each day
24. The premises will maintain a comprehensive CCTV system. 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 kept for a minimum of 31 days with time and date stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

25. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised Council Officer recent data or footage with the absolute minimum of delay when requested.
26. The supply of alcohol and refreshment will only be by waiter/waitress service to persons seated on the ground floor external area and first floor of the premises.
27. Substantial food and non-intoxicated beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
28. No payment shall be made by or on behalf of the licensees to any persons bringing customers into the premises.
29. Alcohol shall not be supplied to the external area on the ground floor after 22:00 hours.
30. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
31. Loudspeakers shall not be located in the entrance area or outside the premises building.
32. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
33. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
34. A proof of age scheme, Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards; such as a driving licence; passport; PASS approved card or Military ID card.
35. The premises will operate a system whereby refusals to sell alcohol are recorded. The information to be available for inspection at the premises by the Police or an authorised officer of the City Council within a reasonable period.
36. The hours for licensable activities and opening times may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Annex 4 – Plans

15. General Notes:

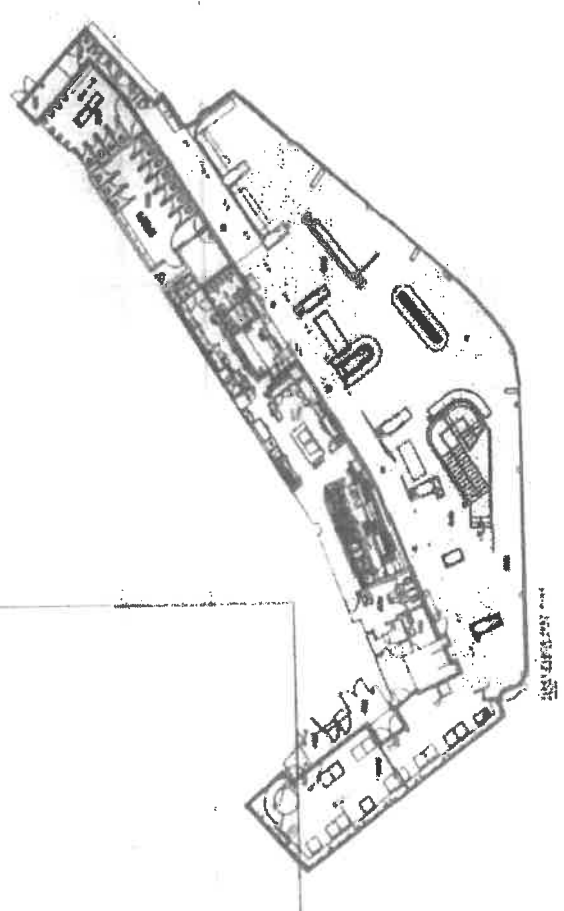
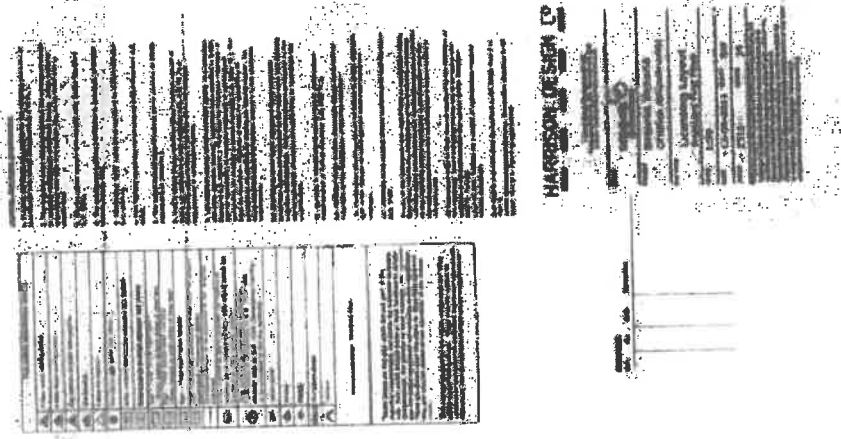
1. All work shall be in accordance with the latest editions of the following codes and standards:
 - a. The National Building Code of Canada (NBCC) 1995.
 - b. The Ontario Building Code (OBC) 1995.
 - c. The Ontario Fire Code (OFC) 1995.
 - d. The Ontario Electrical Code (OEC) 1995.
 - e. The Ontario Gas Code (OGC) 1995.
 - f. The Ontario Mechanical Code (OMC) 1995.
 - g. The Ontario Plumbing Code (OPC) 1995.
 - h. The Ontario Sanitary Code (OSC) 1995.
 - i. The Ontario Fire Protection Code (OFPC) 1995.
 - j. The Ontario Fire Alarm Code (OFAC) 1995.
 - k. The Ontario Fire Extinguisher Code (OFEC) 1995.
 - l. The Ontario Fire Escape Code (OFESC) 1995.
 - m. The Ontario Fire Staircase Code (OFESC) 1995.
 - n. The Ontario Fire Staircase Enclosure Code (OFESC) 1995.
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 - x. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - y. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - z. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
2. All work shall be in accordance with the latest editions of the following codes and standards:
 - a. The National Building Code of Canada (NBCC) 1995.
 - b. The Ontario Building Code (OBC) 1995.
 - c. The Ontario Fire Code (OFC) 1995.
 - d. The Ontario Electrical Code (OEC) 1995.
 - e. The Ontario Gas Code (OGC) 1995.
 - f. The Ontario Mechanical Code (OMC) 1995.
 - g. The Ontario Plumbing Code (OPC) 1995.
 - h. The Ontario Sanitary Code (OSC) 1995.
 - i. The Ontario Fire Protection Code (OFPC) 1995.
 - j. The Ontario Fire Alarm Code (OFAC) 1995.
 - k. The Ontario Fire Extinguisher Code (OFEC) 1995.
 - l. The Ontario Fire Escape Code (OFESC) 1995.
 - m. The Ontario Fire Staircase Code (OFESC) 1995.
 - n. The Ontario Fire Staircase Enclosure Code (OFESC) 1995.
 - o. The Ontario Fire Staircase Enclosure Enclosure Code (OFESC) 1995.
 - p. The Ontario Fire Staircase Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - q. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - r. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - s. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - t. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - u. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - v. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - w. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - x. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - y. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.
 - z. The Ontario Fire Staircase Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Enclosure Code (OFESC) 1995.

HARRISON DESIGN C

1000 SHEPPARD AVENUE EAST, SUITE 1000
 SCARBOROUGH, ONTARIO M1S 1T7
 TEL: (416) 291-1111
 FAX: (416) 291-1112
 WWW: HARRISONDESIGN.COM

PROJECT: [REDACTED]
 CLIENT: [REDACTED]
 DATE: [REDACTED]

NO.	DESCRIPTION	DATE
1	Issue for Construction	2010-01-01
2	Issue for Construction	2010-01-01
3	Issue for Construction	2010-01-01
4	Issue for Construction	2010-01-01
5	Issue for Construction	2010-01-01
6	Issue for Construction	2010-01-01
7	Issue for Construction	2010-01-01
8	Issue for Construction	2010-01-01
9	Issue for Construction	2010-01-01
10	Issue for Construction	2010-01-01
11	Issue for Construction	2010-01-01
12	Issue for Construction	2010-01-01
13	Issue for Construction	2010-01-01
14	Issue for Construction	2010-01-01
15	Issue for Construction	2010-01-01
16	Issue for Construction	2010-01-01
17	Issue for Construction	2010-01-01
18	Issue for Construction	2010-01-01
19	Issue for Construction	2010-01-01
20	Issue for Construction	2010-01-01
21	Issue for Construction	2010-01-01
22	Issue for Construction	2010-01-01
23	Issue for Construction	2010-01-01
24	Issue for Construction	2010-01-01
25	Issue for Construction	2010-01-01
26	Issue for Construction	2010-01-01
27	Issue for Construction	2010-01-01
28	Issue for Construction	2010-01-01
29	Issue for Construction	2010-01-01
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31	Issue for Construction	2010-01-01
32	Issue for Construction	2010-01-01
33	Issue for Construction	2010-01-01
34	Issue for Construction	2010-01-01
35	Issue for Construction	2010-01-01
36	Issue for Construction	2010-01-01
37	Issue for Construction	2010-01-01
38	Issue for Construction	2010-01-01
39	Issue for Construction	2010-01-01
40	Issue for Construction	2010-01-01
41	Issue for Construction	2010-01-01
42	Issue for Construction	2010-01-01
43	Issue for Construction	2010-01-01
44	Issue for Construction	2010-01-01
45	Issue for Construction	2010-01-01
46	Issue for Construction	2010-01-01
47	Issue for Construction	2010-01-01
48	Issue for Construction	2010-01-01
49	Issue for Construction	2010-01-01
50	Issue for Construction	2010-01-01



LICENSING SUB-COMMITTEE No.4
Thursday 17th October 2013

Membership: Councillor Jean-Paul Floru (Chairman), Councillor Melvyn Caplan, Councillor Patricia McAllister

Legal Adviser: Harjinder Bhela
Policy Adviser: Chris Wroe
Committee Officer: Mick Steward

Relevant Representations: Environmental Health, [REDACTED] (Local Residents)

Present: Lisa Sharkey (Solicitor for Applicant), Mr Andrew Nicholls (Mitchells and Butler)

Browns, 2 Cardinal Walk, London, SW1E 5JE 13/06081/LIPN	
1.	Regulated Entertainment: Indoors
	Films Live Music Recorded Music Performances of Dance Anything of a similar description to that falling within live music recorded music or performances of dance Monday to Thursday 09:30 to 23:30 Friday to Saturday 09:30 to 00:00 Sunday 09:30 to 22:30 Sunday immediately prior to a Bank Holiday 09:30 to 00:00
	Amendments to application advised at hearing: None
2.	Late Night Refreshment: Indoors
	Monday to Thursday 23:00 to 23:30 Friday to Saturday 23:00 to 00:00 Sunday immediately prior to a Bank Holiday 23:00 to 00:00
	Amendments to application advised at hearing: None

3. Sale of Alcohol: On and Off the Premises	Monday to Thursday 09:30 to 23:30 Friday to Saturday 09:30 to 00:00 Sunday 09:30 to 22:30 Sunday immediately prior to a Bank Holiday 09:30 to 00:00
4. Opening Hours:	Monday to Sunday 08:00 to 00:30 <i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i>
	Amendments to application advised at hearing: None
5. Non Standard Timings	To extend the hours for licensable activities and opening times from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
	Amendments to application advised at hearing: None
	Decision (including reasons if different from those set out in report):
	Granted subject to the conditions set out below.

The Sub-Committee was advised that Environmental Health had withdrawn their representation on the basis that the conditions they requested were agreed. Lisa Sharkey (Solicitor for the applicant) advised that a condition that no off sales be made after 22:00 had been agreed, except for those related to raffle prizes and to the external area. It was also agreeable to the applicants that the external tables and chairs be rendered unusable by 23:00 and brought inside by 23:30. She confirmed that in her discussion with [REDACTED] his issue was of most concern.

The Sub-Committee granted the application subject to the conditions set out below:

Browns, 2 Cardinal Walk

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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
11. Other than the external seated area there shall be no off sales after 22.00 hour except as part of a prize or raffle.
12. There shall be no cinema style screenings of films throughout the premises.
13. All entrance doors to be kept closed except for immediately access and egress from the premises and after 23:00 hours all windows shall be kept closed.
14. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times.

15. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
16. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
17. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
18. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
19. The number of persons permitted in the premises at any one time (including staff) shall not exceed the following:
 - i. Ground floor - 250
 - ii. First Floor – 240
20. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
21. The performance of live music at the premises is intended to entertain customers who are dining at the premises. The purpose is not to attract crowds of people to the premises whose sole purpose for being present is to watch the entertainment.
22. All outside tables and chairs shall be removed from the outside area and made secure by 23:30 hours.
23. All outside tables and chairs shall be rendered unusable by 23.00 each day
24. The premises will maintain a comprehensive CCTV system. 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 kept for a minimum of 31 days with time and date stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
25. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised Council Officer recent data or footage with the absolute minimum of delay when requested.
26. The supply of alcohol and refreshment will only be by waiter/waitress service to persons seated on the ground floor external area and first floor of the premises.

27. Substantial food and non-intoxicated beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
28. No payment shall be made by or on behalf of the licensees to any persons bringing customers into the premises.
29. Alcohol shall not be supplied to the external area on the ground floor after 22:00 hours.
30. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
31. Loudspeakers shall not be located in the entrance area or outside the premises building.
32. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
33. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
34. A proof of age scheme, Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards; such as a driving licence; passport; PASS approved card or Military ID card.
35. The premises will operate a system whereby refusals to sell alcohol are recorded. The information to be available for inspection at the premises by the Police or an authorised officer of the City Council within a reasonable period.
36. This licence shall not take effect until notice of surrender of licence number no 11/11909/LIPVM accompanied by the premises licence has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003 and that licence has accordingly lapsed by virtue of s28(3) of the Act.

Premises licence granted 17 October 2013 (4)
for redevelopment site



Schedule 12
Part A

WARD: St James's
UPRN: 100023337163

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/06103/LIPN

Original Reference:

13/06103/LIPN

Part 1 – Premises details

Postal address of premises:

Browns (Redevelopment)
Portland House
Bressenden Place
London
SW1E 5EE

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
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
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Exhibition of a Film

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Performance of Live Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00
Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day

Playing of Recorded Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00
Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00
Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30
Friday to Saturday: 23:00 to 00:00
Sundays before Bank Holidays: 23:00 to 00:00
Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day

Sale by Retail of Alcohol

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00
Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day

The opening hours of the premises:

Monday to Sunday: 08:00 to 00:30

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

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

Part 2

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

Mitchells & Butlers Leisure Retail Limited
27 Fleet Street
Birmingham

B3 1JP

Electronic Mail : licensing.admin@mbplc.com

Business Phone Number : 0121 498 4000

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

01001181

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

Name:

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:

Licensing Authority:

Date: _____ 8th November 2013 _____

Signed: pp
 Operational Director - Premises Management

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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. The licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.
11. This licence shall not take effect until:
 - i. Notice of surrender of licence number 11/11909/LIPVM (if still in existence and/or any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under Section 28 of the Licensing Act 2003 (the Act).
 - ii. A period of 28 days from the date of surrender has elapsed.
 - iii. No application by any person under Section 42 of the Act for a transfer of the licence has been made within the period referred to in paragraph (ii) above, (or any such application has been withdrawn); and
 - iv. The licence(s) has accordingly lapsed by virtue of Section 28(3) (and Section 50(6) if applicable) of the Act.
12. The premises will maintain a comprehensive CCTV system. 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 kept for a minimum of 31 days with time and date stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised Council Officer recent data or footage with the absolute minimum of delay when requested.
14. The supply of alcohol and refreshment will only be by waiter/waitress service to persons seated on the ground floor external area and first floor of the premises.
15. Substantial food and non-intoxicated beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
16. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
17. The number of persons permitted within the premises at any one time (including staff) shall not exceed the following:
 - a. Ground Floor -
 - b. First Floor -
18. Alcohol shall not be supplied to the external area on the ground floor after 22:00 hours.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. Loudspeakers shall not be located in the entrance area or outside the premises building.
21. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.



22. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
23. A proof of age scheme, Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards; such as a driving licence; passport; PASS approved card or Military ID card.
24. The premises will operate a system whereby refusals to sell alcohol are recorded. The information to be available for inspection at the premises by the Police or an authorised officer of the City Council within a reasonable period.
25. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
26. Other than the external seated area there shall be no off sales after 22.00 hours except as part of a prize or raffle.
27. All external doors and windows shall be kept closed whilst unamplified regulated entertainment is taking place (with the exception of a pianist) and in any event after 23:00 hours, except for immediate access and egress of persons.
28. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system (s) should be effected without prior knowledge of an authorised officer of Environmental Health. No additional sound generating equipment shall be used in the premises without being routed through the sound limiter device.
29. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times.
30. There shall be no cinema style screenings of films throughout the premises.
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
32. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
34. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
35. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction a variation application may be required.
36. The performance of live music at the premises is intended to entertain customers who are dining at the premises. The purpose is not to attract crowds of people to the premises whose sole purpose for being present is to watch the entertainment.



37.

All outside table and chairs shall be removed from the outside are and made secure by 23.30 hours.

Annex 4 – Plans

Attached

LICENSING SUB-COMMITTEE No.4

Thursday 17th October 2013

Membership: Councillor Jean-Paul Floru (Chairman), Councillor Melvyn Caplan, Councillor Patricia McAllister

Legal Adviser: Harjinder Bhela

Policy Adviser: Chris Wroe

Committee Officer: Mick Steward

Relevant Representations: Environmental Health, Local Residents (x2)

Present: Ian Watson (Environmental Health), Lisa Sharkey (Solicitor for Applicant)
Andrew Nicholls (Head of Security and Licensing – Mitchells & Butler)

Browns Bar and Brasserie, Portland House Re-development, London, SW1E 5JE

13/06103/LIPN

1. Regulated Entertainment: Indoors
Films Live Music Recorded Music Performances of Dance Anything of a similar description to that falling within live music recorded music or performances of dance
Monday to Thursday 09:30 to 23:30 Friday to Saturday 09:30 to 00:00 Sunday 09:30 to 22:30 Sunday immediately prior to a Bank Holiday 09:30 to 00:00
Amendments to application advised at hearing: None
2. Late Night Refreshment: Indoors
Monday to Thursday 23:00 to 23:30 Friday to Saturday 23:00 to 00:00 Sunday immediately prior to a Bank Holiday 23:00 to 00:00
Amendments to application advised at hearing: None

3. Sale of Alcohol: On and Off the Premises	Monday to Thursday 09:30 to 23:30 Friday to Saturday 09:30 to 00:00 Sunday 09:30 to 22:30 Sunday immediately prior to a Bank Holiday 09:30 to 00:00
	Amendments to application advised at hearing: None
4. Opening Hours:	Monday to Sunday 08:00 to 00:30 <i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i>
	Amendments to application advised at hearing: None
5. Non Standard Timings	To extend the hours for licensable activities and opening times from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
	Amendments to application advised at hearing: None
	Decision (including reasons if different from those set out in report):

The Sub-Committee heard from Lisa Sharkey (Solicitor for the applicants). She advised that the Environmental Health conditions were acceptable which was also confirmed by Ian Watson on behalf of Environmental Health. It was noted that the premises would not be open until Condition 10 and 11 had been discharged.

The Sub-Committee granted the application subject to the conditions set out below.

Conditions:

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 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.

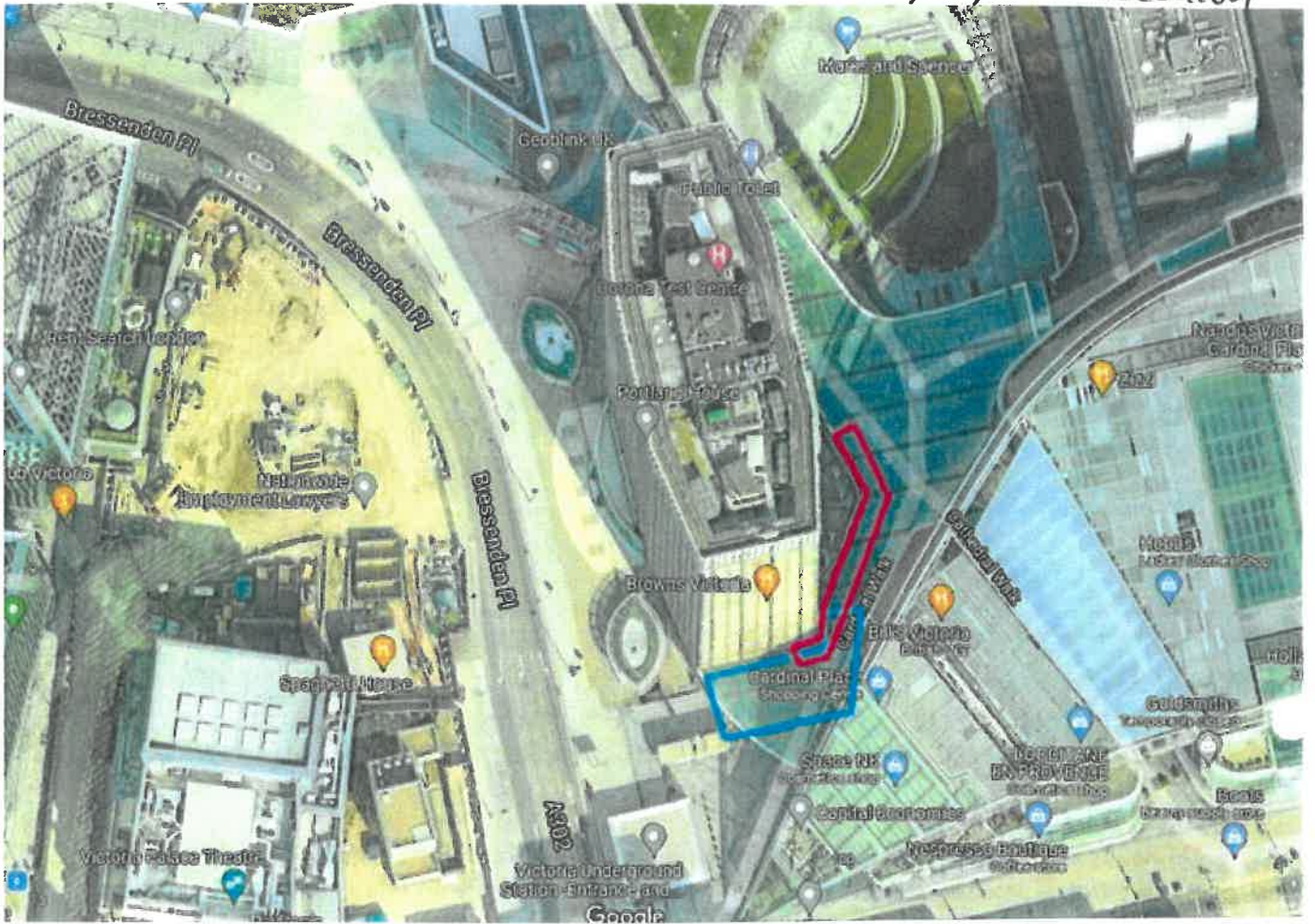
A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with 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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. The licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.
11. This licence shall not take effect until:
 - i. Notice of surrender of licence number 11/11909/LIPVM (if still in existence and/or any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under Section 28 of the Licensing Act 2003 (the Act).
 - ii. A period of 28 days from the date of surrender has elapsed.
 - iii. No application by any person under Section 42 of the Act for a transfer of the licence has been made within the period referred to in paragraph (ii) above, (or any such application has been withdrawn); and

- iv. The licence(s) has accordingly lapsed by virtue of Section 28(3) (and Section 50(6) if applicable) of the Act.
12. The premises will maintain a comprehensive CCTV system. 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 kept for a minimum of 31 days with time and date stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised Council Officer recent data or footage with the absolute minimum of delay when requested.
14. The supply of alcohol and refreshment will only be by waiter/waitress service to persons seated on the ground floor external area and first floor of the premises.
15. Substantial food and non-intoxicated beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
16. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
17. The number of persons permitted within the premises at any one time (including staff) shall not exceed the following:
- a. Ground Floor –
 - b. First Floor –
18. Alcohol shall not be supplied to the external area on the ground floor after 22:00 hours.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. Loudspeakers shall not be located in the entrance area or outside the premises building.
21. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
22. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
23. A proof of age scheme, Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards; such as a driving licence; passport; PASS approved card or Military ID card.
24. The premises will operate a system whereby refusals to sell alcohol are recorded. The information to be available for inspection at the premises by the Police or an authorised officer of the City Council within a reasonable period.

25. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
26. Other than the external seated area there shall be no off sales after 22.00 hours except as part of a prize or raffle.
27. All external doors and windows shall be kept closed whilst unamplified regulated entertainment is taking place (with the exception of a pianist) and in any event after 23:00 hours, except for immediate access and egress of persons.
28. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system (s) should be effected without prior knowledge of an authorised officer of Environmental Health. No additional sound generating equipment shall be used in the premises without being routed through the sound limiter device.
29. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times.
30. There shall be no cinema style screenings of films throughout the premises.
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
32. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
34. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
35. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction a variation application may be required.
36. The performance of live music at the premises is intended to entertain customers who are dining at the premises. The purpose is not to attract crowds of people to the premises whose sole purpose for being present is to watch the entertainment.
37. All outside table and chairs shall be removed from the outside are and made secure by 23.30 hours.

Arial photo. - blue = original proposed location
 - red = new proposed location (6)

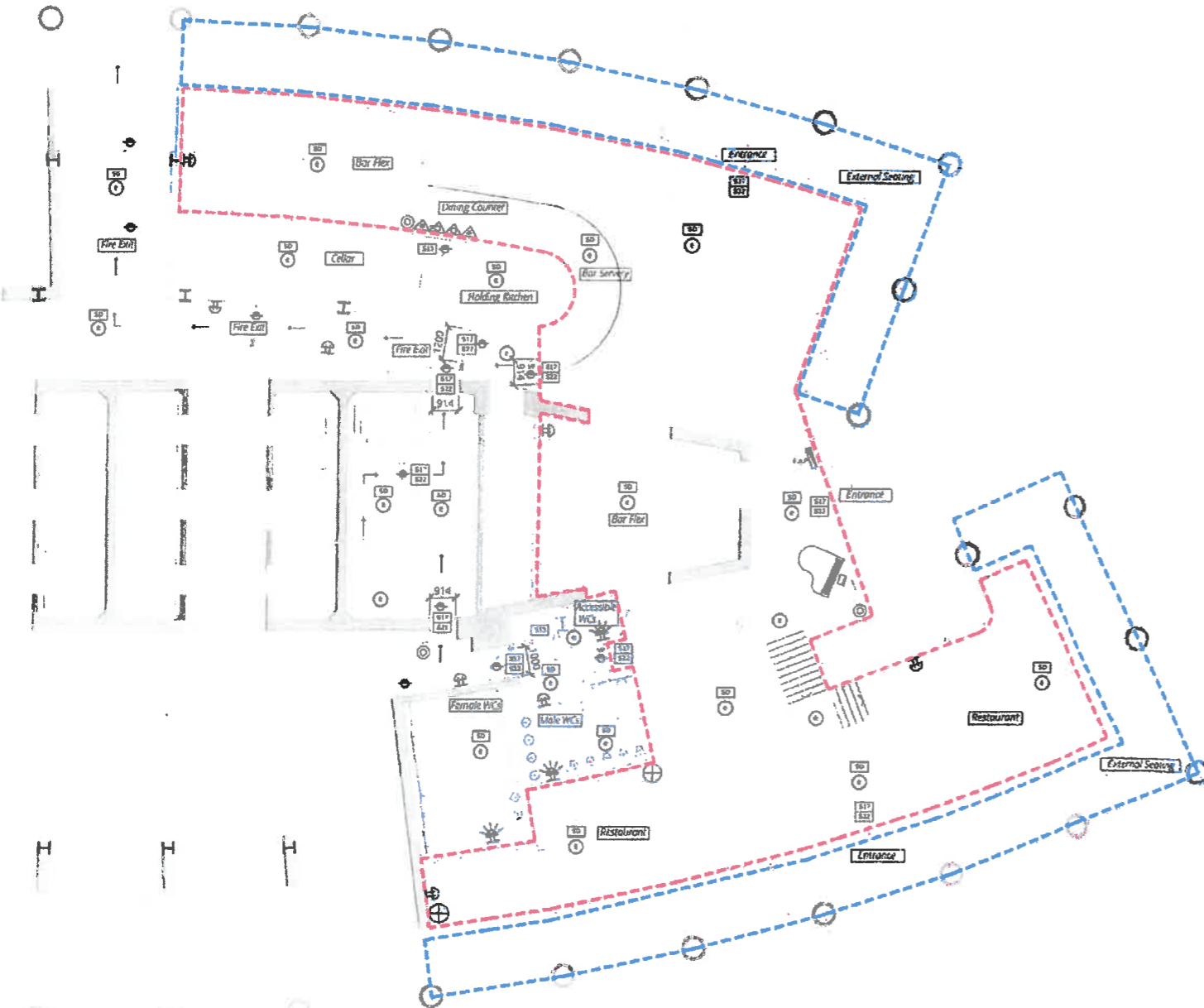


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revisions

REV	BY	DATE	COMMENT
A	AK	14-10-13	Amended WC provision/layout and exit route from F

page 97



Licensing - Fire Safety Requirements

- Doors & partitions required to be fire resisting are to be in accordance with British Standard B.S. 476 Pt. 3.
 - Fire resisting doors required to resist the passage of smoke at ambient temperature conditions should, unless tested in accordance with B.S. 476 section 311, be fitted with a smoke seal.
 - The fire alarm system is to comply with British Standard B.S. 5839.
 - The emergency lighting installation is to comply with British Standard 5266 Pt 1.
 - Illuminated 'EXIT' signs are to conform to British Standard B.S. 2560.
 - Fire fighting equipment, to conform to British Standard B.S. 5423.
 - Fire safety related signs & notices are to conform to British Standard B.S. 5449 Pt 1.
 - Wall & ceiling linings are to be class 1 surface spread of flame (as defined in British Standard B.S. 476 Pt. 7) in non-public areas & class 0 (as defined in the Building Regulations) in circulation spaces.
 - Upholstered seating furniture should satisfy, as a minimum standard, (ignition source), (cigarette test) specified in British Standard B.S. 5852 Pt. 1 'Fire tests for furniture - Methods of test for ignitability by smokers materials of upholstered composites for seating' & British Standard B.S. 5852 Pt.2 'Fire tests for furniture - Methods of test for ignitability of upholstered composites for testing by flaming source' For which latter standard crib ignition source 5 is the minimum requirement.
 - Any fabrics which have received a flame retardant treatment should be subjected to the water soak test detailed in British Standard B.S. 5651 independent certification to the above standards should be provided from an accredited test organisation.
 - Curtains & drapes are to satisfy type B, performance requirements of British Standard B.S. 5867 Pt.2.
 - Artificial foliage & other decorative effects are to be fire retardant to the satisfaction of the Fire Authority.
 - Textile floor coverings should be tested to British Standard B.S. 4790 (Effects of small ignition source hot metal mix method).
 - Vertically hung textiles should conform to British Standard B.S. 5438.
- A copy of the laboratory test report from an accredited testing laboratory identifying compliance of the furnishing composite with the above mentioned British Standards must be forwarded to this Authority before installation & confirmation that the furnishings specified in this certificate have been installed in the premises.

Fire Safety Legend	
	9 litre water extinguisher
	9 litre foam extinguisher
	2kg carbon dioxide extinguisher
	Fire blanket
	Fire fighter
	All fire extinguishers to have plywood pattress built into wall
	Fire alarm call point (BS 5839)
	All doors and walls in thick lines to conform to the definition of fire resisting. Doors including frames are to be tested and installed in accordance with the current British Standard BS-476 Part 22 (and BS 476 Section 311 where 'S' specification requires smoke stopping). Exit widths and staircases to conform to BS 5588 Part 2 or Part 6. Arrow denotes upward direction. Occupation densities to BS 5588 Part 2 or Part 6 as appropriate.
	Area covered by smoke detector (BS 5839)
	Area covered by heat detector (BS 5839)
	Area covered by void smoke detector (BS 5839)
	Sign - 'FIRE DOOR KEEP SHUT' - 75mm letters to both sides of door leaf
	Sign - 'FIRE DOOR KEEP LOCKED' - 75mm letters to both sides of door leaf
	Sign - 'FIRE EXIT KEEP CLEAR' - 75mm letters to external face of door leaf
	Sign - internally illuminated 'FIRE EXIT' or graphic equivalent - 75mm letters
	Area covered by alarm sounder (at high level to be agreed on site)
	Area covered by visual and audible alarm sounder (at high level to be agreed on site)
	Area covered by emergency luminaire. Certificates of compliance to BS 5839 (Fire Alarms) and/or BS 5266 (Emergency Lighting) to be provided to the fire Authority
	Mason panel
	FD305
	FD605
	Fire alarm panel

Area shown thus indicates:
 1 Area to be licensed for late night refreshments.
 2 Area to be licensed for sale and consumption of alcohol.
 3 Area to be licensed for recorded music.

NOTES
 1 FIRE ALARM INSTALLATION TO BE L1 SYSTEM
 2 FIRE SUPPRESSION TO BE INSTALLED OVER THE COOKING APPLIANCES WITHIN THE COOKLINE AREA

REALISING CREATIVE ENVIRONMENTS
 LONDON 39 Margaret Street, London W1G 0JQ
 Cell +44 (0)20 7493 6397
 BIRMINGHAM, 15 Colleshill Street, Sutton Coldfield, Birmingham B72 1SD
 Cell +44 (0)121 321 3030
 info@harrison.hn www.harrison.hn



Portland House
 Victoria
 London

Licensing plan
 Ground Floor - 2 of 2

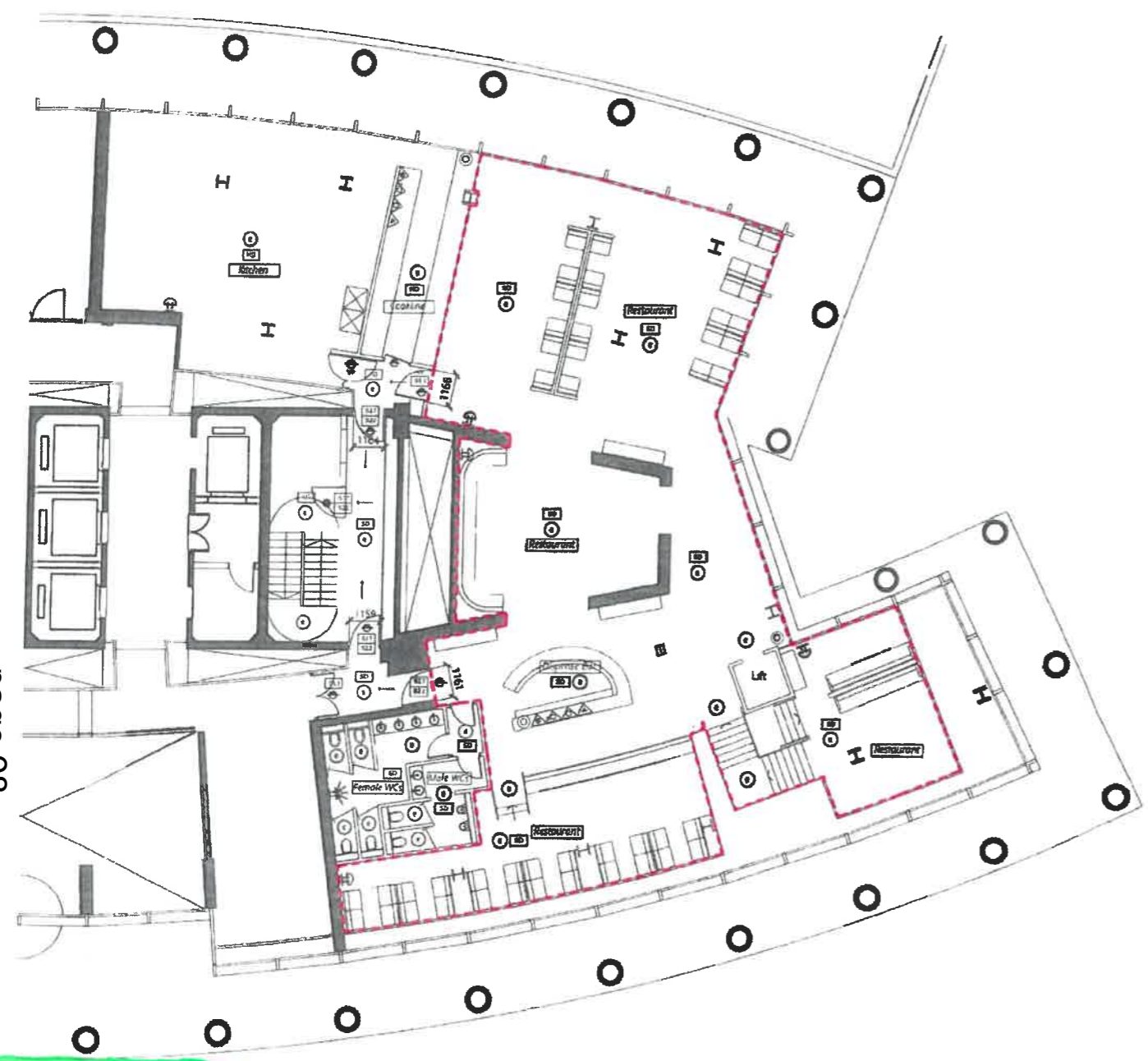
AD --
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2533/04/A
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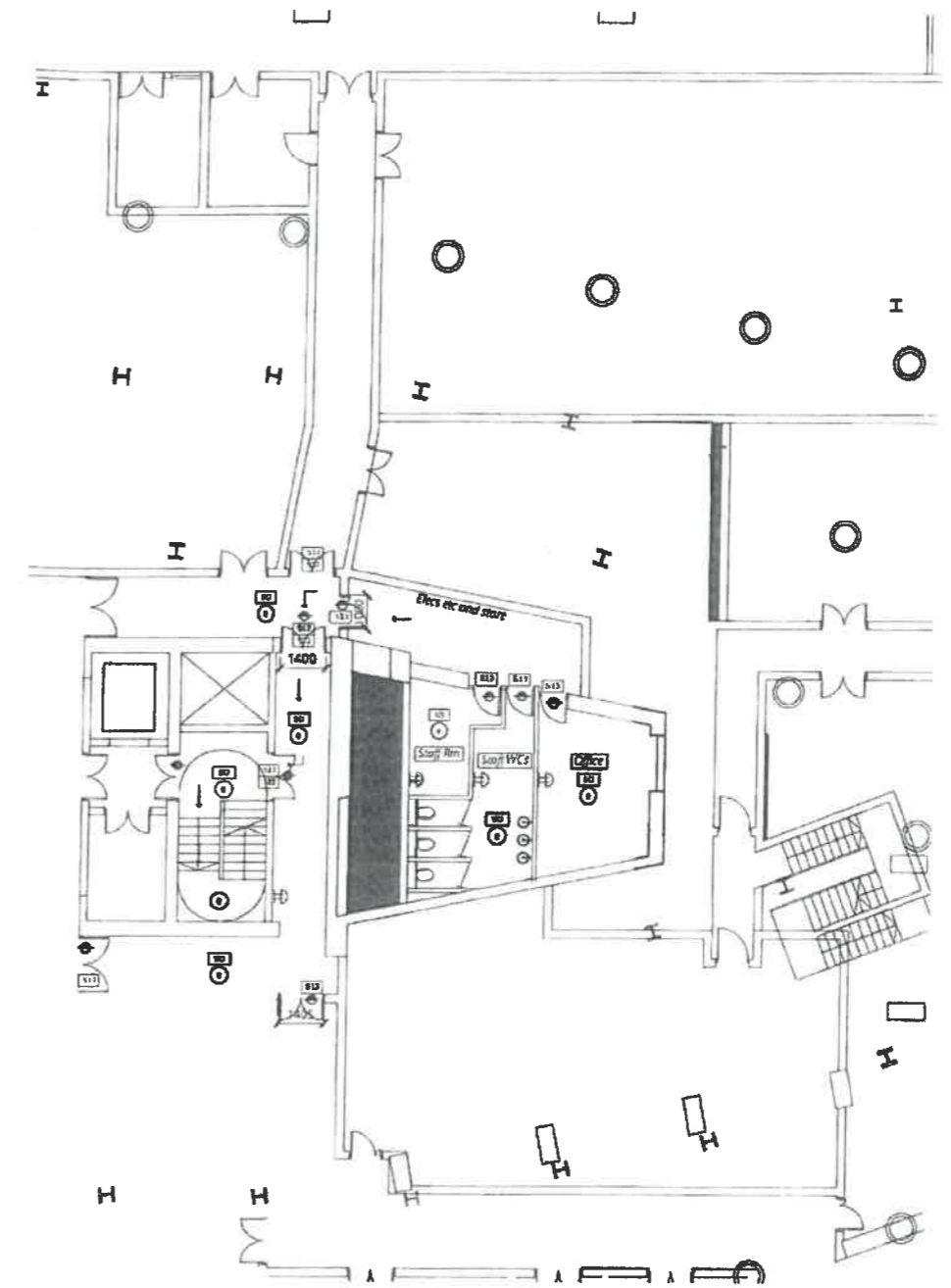
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rev	by	date	comment
A	AK	14-10-13	Amended W/C gross on and layout and exit route from basement

page 98



First/Mezzanine Floor
Scale 1:100



Basement Floor
Scale 1:100

Fire Safety Legend	
	9 litre water extinguisher
	9 litre foam extinguisher
	2kg carbon dioxide extinguisher
	Fire blanket
	Fire fighter
All fire extinguishers to have plywood protect built into wall	
	Fire alarm call point (BS 5839)
All Doors and walls to thick lines to conform to the definition of fire resisting	
Doors including frames are to be tested and installed in accordance with the current British Standard BS476, Part 22 (and BS 476 Section 31.1 where 'V' specification requires smoke stopping)	
But widths and staircases to conform to BS 5588 Part 2 or Part 6	
Arrow denotes upward direction	
Occupation densities to BS 5588 Part 2 or Part 6 as appropriate	
	Area covered by smoke detector (BS 5839)
	Area covered by heat detector (BS 5839)
	Area covered by void smoke detector (BS 5839)
	Sign - FIRE DOOR KEEP SHUT - 75mm letters to both sides of door leaf
	Sign - FIRE DOOR KEEP LOCKED - 75mm letters to both sides of door leaf
	Sign - FIRE EXIT KEEP CLEAR - 75mm letters to external face of door leaf
	Sign - externally illuminated FIRE EXIT or graphic equivalent - 75mm high letters
	Area covered by alarm sounder (at high level to be agreed on site)
	Area covered by visual and audible alarm sounder (at high level to be agreed on site)
	Area covered by emergency luminaire. Certificates of compliance to BS 5839 (Fire Alarms) and/or BS 5268 (Emergency Lighting) to be provided to the fire Authority
	Vision panel
	FD30S
	FD60S
	Fire alarm panel

Area shown thus indicates -
1. Area to be licensed for late night refreshments
2. Area to be licensed for sale and consumption of alcohol.
3. Area to be licensed for recorded music
External Seating Area

- NOTES**
- FIRE ALARM INSTALLATION TO BE L1 SYSTEM
 - FIRE SUPPRESSION TO BE INSTALLED OVER THE COOKING APPLIANCES WITHIN THE COOKLINE AREA

- Licensing - Fire Safety Requirements**
- Doors & partitions required to be fire resisting are to be in accordance with British Standard BS 476 Pt. 3
 - Fire resisting doors required to resist the passage of smoke at ambient temperature conditions should, unless tested in accordance with BS 476 section 31.1, be fitted with a smoke seal
 - The fire alarm system is to comply with British Standard BS 5839
 - The emergency lighting installation is to comply to British Standard BS 5268 Pt.1
 - Illuminated 'EXIT' signs are to conform to British Standard BS 2560
 - Fire fighting equipment to conform to British Standard BS 5423
 - Fire safety related signs & notices are to conform to British Standard BS 5449 Pt.1.
 - Wall & ceiling linings are to be class 1 surface spread of flame (as defined in British Standard BS 476 Pt. 7) in non-public areas & class 0 (as defined in the Building Regulations) in circulation spaces

- Upholstered seating furniture should satisfy, as a minimum standard, (ignition source), (cigarette test) specified in British Standard BS 5852 Pt 1 'Fire tests for furniture - Methods of test for ignitability by smokers materials of upholstered components for seating' & British Standard BS 5852 Pt 2 'Fire tests for furniture - Methods of test for ignitability of upholstered components for testing by flaming source' For which letter standard one ignition source is the minimum requirement
 - Any fabrics which have received a flame retardant treatment should be subjected to the water soak test detailed in British Standard BS 5651 independent certification to the above standards should be provided from an accredited test organisation.
 - Curtains & drapes are to satisfy type B, performance requirements of British Standard BS 5867 Pt.2
 - Artificial foliage & other decorative effects are to be fire retardant to the satisfaction of the Fire Authority
 - Textile floor coverings should be tested to British Standard BS 4790 (Effects of small ignition source hot metal nut method)
 - Vertically hung textiles should conform to British Standard BS 5438
- A copy of the laboratory test report from an accredited testing laboratory identifying compliance of the furnishing composite with the above mentioned British Standards must be forwarded to this Authority before installation & confirmation that the furnishings specified in this certificate have been installed in the premises

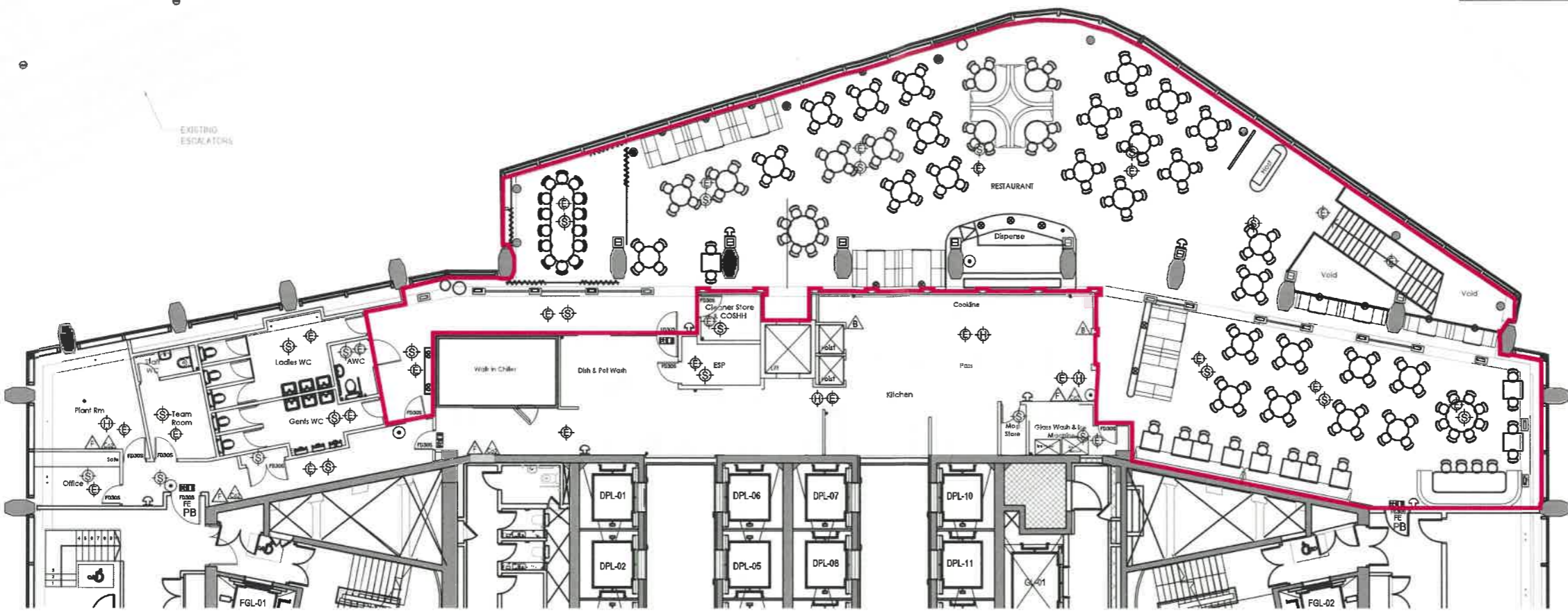
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Call +44 (0)121 321 3030
info@harrison.ltd www.harrison.ltd

client
Mitchell & Butlers
project
Portland House
Victoria
London

title
Licensing plan
First & Basement Floor - 1 of 2

drawn AD check -
scale 1:100 date 06.08.13
project/dwg no

Scale
Metres 1 2 3 4 5



First Floor Plan

NOTES

Mitchells & Butlers Retail
Limited
27 Fleet Street
Birmingham
B3 1JP
0870 609 3000

SURVEY INFORMATION
All the drawings are based on CAD base plans provided by others and Design Coalition cannot accept any liability, or guarantee the accuracy of that information, and all details must be checked on site before commencement of any works, and as work proceeds. Design Coalition must be consulted on all significant discrepancies before effected works proceed.

REVISIONS

REV	DESCRIPTION	BY	DATE
A	Internal terrace area amended	LD	21.07.21
B	Internal terrace area amended	LD	22.07.21
C	Down stairs added to each entrance	LD	11.08.21
D	Internal terrace area amended	LD	16.10.21
E	Internal area amended to internal terrace area	LD	02.11.21

DESIGN COALITION
THE OLD MILL CASTLE STREET ONGAR ESSEX CM5 9JY
ADMIN@DESIGNCOALITION.CO.UK
WWW.DESIGNCOALITION.CO.UK 01277 368000

PROJECT
Portland House
Victoria

BRAND
BROWNS

TITLE
Proposed Basement, Ground and First Floor Plans
Licensing

DRAWN	SCALE @ A1	SCALE @ A3	DATE
LD	1:100	1:200	June 21
CHECKED	PROJECT/DRAWING NO	REVISION	
-	4601-201	E	

page 99

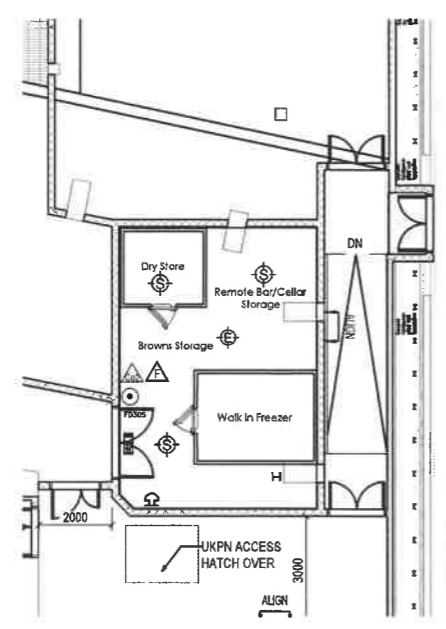
- FIRE PRECAUTIONS - FITTINGS**
- NEW Emergency Light (Bulkhead, Fluorescent)
 - Internal Flood Light Pack
 - New Smoke Detector/Sounder & Beacon
 - New Heat Detector / Sounder & Beacon
 - New Fire Exit Sign - Illuminated
 - New Fire Extinguisher - Water
 - New Fire Extinguisher - Foam
 - New Fire Extinguisher - CO2
 - New Fire Blanket
 - New Alarm Call Point
 - New Sounder Base
 - FD30S Half Hour Fire Door. See note.
 - PB Panic Bolt & 'Push Bar to Open' sign.
 - FD 'Fire Door - Keep Shut' sign.
 - MS Mandatory 'Fire Door Keep Clear' notice
 - AS Alarm Sounder

LICENSING KEY

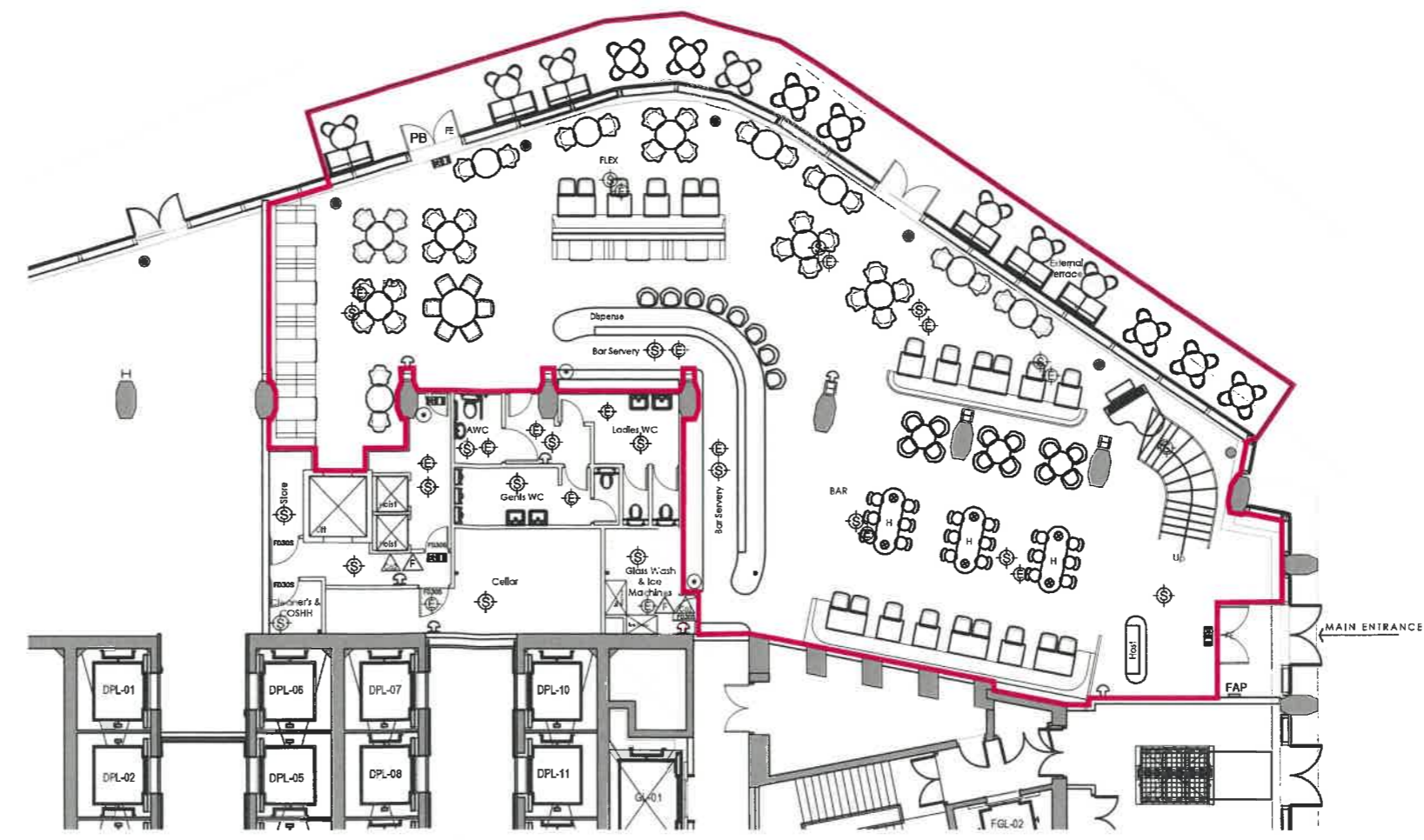
Licensable activities

NOTES:
Items shown on this plan which are not part of the statutory requirements are shown for indicative purposes only. This would include loose or fixed furniture in certain circumstances, the position of toilet cubicles, CCTV cameras and fire safety equipment not specified in the Regulations. These are shown upon the plans for illustrative purposes only and may be moved at the discretion of the license holder.

The current location of fire safety equipment and other safety equipment is shown. These items may be moved from time to time with agreement of the fire officer or after fire risk assessment.



Part Basement - store



Ground Floor Plan

Michelle Peach

From: Lisa Sharkey
Sent: 10 December 2021 09:01
To: Reaz Guerra
Subject: FW: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH
Attachments: Portland House - Conditions.docx; Portland House - Objection.docx

Hi Reaz,

Can you please call me about this application this morning, if possible? I am in the office until noon. If that's not convenient then I will be on my mobile on Monday.

The licence is replacing an existing licence which the committee granted a few years ago for the premises. The position of the premises on the ground floor of the building is changing so we are having to apply for a new licence and will then surrender the licence previously granted.

The off sales condition was imposed by the committee following receipt of objections from residents in Portland House. They did not want off sales generally but were happy for off sales to the external seated areas and if it was part of a raffle or prize at the premises, which occasionally happens.

I will need to speak to the client but do not see an issue with agreeing your condition re CCTV and incident book. I would not want to agree the off sales condition. Our condition is more restrictive, and it is what was agreed with the residents previously. In relation to not obstructing the public highway, the external areas are not on the public highway. They area will be on the concourse, which is owned by LandSec. There is an external area on the current concourse which has caused no difficulties so don't believe there is a need for this condition.

I look forward the hearing from you.

Regards

Lisa

-----Original Message-----

From: Guerra, Reaz: WCC <rguerra@westminster.gov.uk>
Sent: 02 December 2021 13:59
To: Michelle Peach <M.Peach@popall.co.uk>
Cc: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>; Licensing: WCC <Licensing@westminster.gov.uk>
Subject: RE: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH

Dear Michelle,

Please find attached objection and conditions.

Also please could you clarify what the following condition is trying to achieve?

22. Other than the external seated area there shall be no off sales after 22.00 hours except as part of a prize or raffle.

Thanks
Reaz

-----Original Message-----

From: donotreply@westminster.gov.uk <donotreply@westminster.gov.uk>
Sent: 09 November 2021 16:12
To: Licensing: WCC <Licensing@westminster.gov.uk>
Cc: Child Protection Licensing: WCC <ChildProtectionLicensing@westminster.gov.uk>; EH Consultation Team: WCC <EHConsultationTeam@westminster.gov.uk>; RAPL@westminster.gov.uk; firesafetyregulations@london-fire.gov.uk; Police Fullapps: WCC <Police.Fullapps@westminster.gov.uk>; clccg.communications@nhs.net; Public Health Department: WCC <PublicHealthDepartment@westminster.gov.uk>; safeguardingCODE12: WCC <SafeGuarding@westminster.gov.uk>
Subject: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH

Please find attached a Premise Licence Form for the above premises.

The Payment reference for this form is: 82750260

Public Protection & Licensing
Westminster City Council
E-mail: licensing@westminster.gov.uk

COVID-19 VACCINATIONS AND TESTING

Testing is the most effective way to control the spread of coronavirus. For information on how to get tested, testing sites, and more visit: www.westminster.gov.uk/covid-19-testing

The COVID-19 vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: www.westminster.gov.uk/vaccinations

In addition to regular testing and getting vaccinated, the most important thing we can all do is remember: Hands, Face, Space, Fresh air.

FREE EARLY EDUCATION AND CHILDCARE

15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.

Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

Find out more at: <https://bit.ly/wccfis>

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

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You should not disclose the contents to any other person or take copies.

Michelle Peach

From: Lisa Sharkey
Sent: 03 February 2022 12:05
To: Guerra, Reaz: WCC
Subject: RE: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH
Attachments: FW: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH

Hi Reaz,

My client is happy to agree the following conditions in place of the one currently in the application –

To Replace applicants proposed condition.

(a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.

(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.

(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping. (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

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.

For ease, I attach a copy of my email dated 10th December which sets out the background to this application and my reasons for not agreeing the conditions re off sales and the outside area.

I look forward the hearing from you as to whether you will withdraw your objection.

Regards

Lisa

From: Guerra, Reaz: WCC <rguerra@westminster.gov.uk>

Sent: 02 February 2022 10:05

To: Lisa Sharkey <L.Sharkey@popall.co.uk>

Subject: RE: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH

Hello Lisa,

Apologies for delay, the police can you just confirm the conditions which have been agreed?

Thanks
Reaz

From: Lisa Sharkey <L.Sharkey@popall.co.uk>

Sent: 18 January 2022 10:33

To: Guerra, Reaz: WCC <rguerra@westminster.gov.uk>

Subject: RE: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH

Hi Reaz

Have you had an opportunity to consider my email below and are you happy to withdraw your objection to the application? Can we perhaps chat if you have concerns? I am not sure what number to call to reach you on so if you could call them then I would be grateful.

Regards,

Lisa

Lisa Sharkey | Managing Partner

Poppleston Allen

E:L.Sharkey@popall.co.uk T:0115 953 8 504 M:07768 8 45 643 W:<https://cas5-0-protect.trendmicro.com:443/wis/clicktime/v1/query?url=www.popall.co.uk&umid=809e0261-053b-490a-93f1-0c2c1006ba06&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-2498dbf8c54e92b496c7b97fea8472e4c68f744b>

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS

Coronavirus - Important Information

Business continues as usual. A number of our team continue to work securely from home and remain available via email or phone. Where possible, all correspondence will be dealt with electronically and there may be a delay in sending out hard copy documents by post.

Cybercrime notification: Our bank account details will NOT change during the course of a transaction. Please speak to us before transferring any money. We will not take responsibility if you transfer money to an incorrect bank account. If you receive an email from Poppleston Allen requesting your bank details or purporting to amend our bank details, please contact us, or your solicitor, as appropriate, by telephone immediately to clarify.

Lisa Sharkey | Managing Partner

Poppleston Allen

E:L.Sharkey@popall.co.uk T:0115 953 8 504 M:07768 8 45 643 W:<https://cas5-0-protect.trendmicro.com:443/wis/clicktime/v1/query?url=www.popall.co.uk&umid=809e0261-053b-490a-93f1-0c2c1006ba06&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-2498dbf8c54e92b496c7b97fea8472e4c68f744b>

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Lisa Sharkey | Managing Partner

Poppleston Allen

E:L.Sharkey@popall.co.uk T:0115 953 8 504 M:07768 8 45 643 W:<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=www.popall.co.uk&umid=809e0261-053b-490a-93f1-0c2c1006ba06&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-2498dbf8c54e92b496c7b97fea8472e4c68f744b>

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-----Original Message-----

From: Malvina Adair

Sent: 22 December 2021 12:40

To: Guerra, Reaz: WCC <rguerra@westminster.gov.uk>

Cc: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>

Subject: RE: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH

Dear Reaz

We have not managed to speak to discuss your objection to this application.

I can confirm that my client is happy for the conditions set out in your letter dated 7 October 2021 (regarding the CCTV and the incident log) be added to the licence in place of the conditions contained in the application.

In relation to your request concerning off-sales and the external area, as indicated in my previous email, I do not want to agree these conditions.

I am working until Friday if you want to call me to discuss, otherwise I will catch up with you in the New Year.

Regards,

Lisa

-----Original Message-----

From: Guerra, Reaz: WCC <rguerra@westminster.gov.uk>

Sent: 02 December 2021 13:59

To: Michelle Peach <M.Peach@popall.co.uk>

Cc: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>; Licensing: WCC <Licensing@westminster.gov.uk>

Subject: RE: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH

Dear Michelle,

Please find attached objection and conditions.

Also please could you clarify what the following condition is trying to achieve?

22. Other than the external seated area there shall be no off sales after 22.00 hours except as part of a prize or raffle.

Thanks
Reaz

-----Original Message-----

From: donotreply@westminster.gov.uk <donotreply@westminster.gov.uk>

Sent: 09 November 2021 16:12

To: Licensing: WCC <Licensing@westminster.gov.uk>

Cc: Child Protection Licensing: WCC <ChildProtectionLicensing@westminster.gov.uk>; EH Consultation Team:

WCC <EHConsultationTeam@westminster.gov.uk>; RAPL@westminster.gov.uk;

firesafetyregulations@london-fire.gov.uk; Police Fullapps: WCC <Police.Fullapps@westminster.gov.uk>;

clccg.communications@nhs.net; Public Health Department: WCC

<PublicHealthDepartment@westminster.gov.uk>; safeguardingCODE12: WCC

<SafeGuarding@westminster.gov.uk>

Subject: Premise Licence Form, 21/12684/LIPN, Portland House, Bressenden Place, London, SW1E 5BH

Please find attached a Premise Licence Form for the above premises.

The Payment reference for this form is: 82750260

Public Protection & Licensing
Westminster City Council
E-mail: licensing@westminster.gov.uk

COVID-19 VACCINATIONS AND TESTING

Testing is the most effective way to control the spread of coronavirus. For information on how to get tested, testing sites, and more visit: www.westminster.gov.uk/covid-19-testing

The COVID-19 vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: www.westminster.gov.uk/vaccinations

In addition to regular testing and getting vaccinated, the most important thing we can all do is remember: Hands, Face, Space, Fresh air.

FREE EARLY EDUCATION AND CHILDCARE

15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.

Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

Find out more at: <https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fbit.ly%2fwccfis&umid=809e0261-053b-490a-93f1-0c2c1006ba06&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14->

7a37cd84911e09c405072942def3c4fc15847bee

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

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Find out more at: <https://bit.ly/wccfis>

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

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Schedule 12
Part A

WARD: St James's
UPRN: 010033527619

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

Premises licence

Regulation 33, 34

Premises licence number:

21/06743/LIPDPS

Original Reference:

13/06081/LIPN

Part 1 – Premises details

Postal address of premises:

Browns
2 Cardinal Walk
London
SW1E 5JE

Telephone Number: 0207 821 1450

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
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
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Exhibition of a Film

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Performance of Live Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Playing of Recorded Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00

Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00
Late Night Refreshment	
Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00
Sale by Retail of Alcohol	
Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:	
Monday to Sunday:	08:00 to 00:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Mitchells & Butlers Leisure Retail Limited 27 Fleet Street Birmingham B3 1JP

Registered number of holder, for example company number, charity number (where applicable)
01001181

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Name: Istvan Takacs
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>

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: LN/000009567
Licensing Authority: London Borough of Haringey

Date: 23 July 2021

This licence has been authorised by Miss Jessica Donovan 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.
- 9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
11. Other than the external seated area there shall be no off sales after 22.00 hour except as part of a prize or raffle.
12. There shall be no cinema style screenings of films throughout the premises.
13. All entrance doors to be kept closed except for immediately access and egress from the premises and after 23:00 hours all windows shall be kept closed.
14. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times.
15. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
16. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
17. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
18. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
19. The number of persons permitted in the premises at any one time (including staff) shall not exceed the following:
 - i. Ground floor - 250
 - ii. First Floor - 240
20. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
21. The performance of live music at the premises is intended to entertain customers who are dining at the premises. The purpose is not to attract crowds of people to the premises whose sole purpose for being present is to watch the entertainment.
22. All outside tables and chairs shall be removed from the outside area and made secure by 23:30 hours.
23. All outside tables and chairs shall be rendered unusable by 23.00 each day
24. The premises will maintain a comprehensive CCTV system. 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 kept for a minimum of 31 days with time and date stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

25. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised Council Officer recent data or footage with the absolute minimum of delay when requested.
26. The supply of alcohol and refreshment will only be by waiter/waitress service to persons seated on the ground floor external area and first floor of the premises.
27. Substantial food and non-intoxicated beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
28. No payment shall be made by or on behalf of the licensees to any persons bringing customers into the premises.
29. Alcohol shall not be supplied to the external area on the ground floor after 22:00 hours.
30. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
31. Loudspeakers shall not be located in the entrance area or outside the premises building.
32. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
33. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
34. A proof of age scheme, Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards; such as a driving licence; passport; PASS approved card or Military ID card.
35. The premises will operate a system whereby refusals to sell alcohol are recorded. The information to be available for inspection at the premises by the Police or an authorised officer of the City Council within a reasonable period.
36. The hours for licensable activities and opening times may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Annex 4 – Plans



16. Conditions to license are for goods from B, performance requirements of British Standard B.S. 5267 Pt. 2.

17. Any other design & other approvals apply as in the requirements to the satisfaction of the Fire Authority.

18. The fire alarm system is to comply with the following:

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Ref.	No.	Date	Description
1	001	15/03/11	Issue for comment
2	002	15/03/11	Issue for comment
3	003	15/03/11	Issue for comment
4	004	15/03/11	Issue for comment
5	005	15/03/11	Issue for comment
6	006	15/03/11	Issue for comment
7	007	15/03/11	Issue for comment
8	008	15/03/11	Issue for comment
9	009	15/03/11	Issue for comment
10	010	15/03/11	Issue for comment

HARRISON DESIGN C
 15, GARDEN LANE, SOUTH LONDON, SE16 1JG
 TEL: 020 7461 1111 FAX: 020 7461 1112
 WWW.HARRISONDESIGN.CO.UK

Michael & Builders
 15, GARDEN LANE, SOUTH LONDON, SE16 1JG
 TEL: 020 7461 1111 FAX: 020 7461 1112
 WWW.MICHAELANDBUILDERS.CO.UK

BROWNS
 Existing Licensing
 CONSULTATION
 SAN 1.250 BAIL R 1.003A3
 DATE NOV 2010 DATED 13th
 DRAWN 2145 SHEET 13B

THIS DRAWING IS THE PROPERTY OF HARRISON DESIGN C. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HARRISON DESIGN C.

Fire Safety Installation Legend	
1	Fire alarm control panel
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City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: St James's
UPRN: 010033527619

Premises licence
summary

Regulation 33, 34

Premises licence number:

21/06743/LIPDPS

Part 1 – Premises details

Postal address of premises:

Browns
2 Cardinal Walk
London
SW1E 5JE

Telephone Number: 0207 821 1450

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
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
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Exhibition of a Film

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Performance of Live Music

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

Playing of Recorded Music

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00



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

Schedule 12
Part A

WARD: St James's
UPRN: 100023337163

Premises licence

Regulation 33, 34

Premises licence number:	14/00192/LIPVM
Original Reference:	13/06103/LIPN

Part 1 – Premises details

Postal address of premises:

Browns (Redevelopment)
Portland House
Bressenden Place
London
SW1E 5EE

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
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
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

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

Exhibition of a Film

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

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

27 Fleet Street
Birmingham
B3 1JP
Electronic Mail : licensing.admin@mbplc.com
Business Phone Number : 0121 498 4000

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

01001181

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

Name:

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

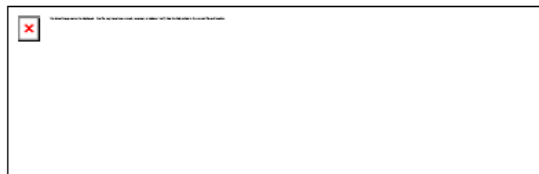
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number:

Licensing Authority:

Date: _____ 10th February 2014 _____

Signed: pp



Operational Director - Premises Management

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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Annex 2 – Conditions consistent with the operating Schedule

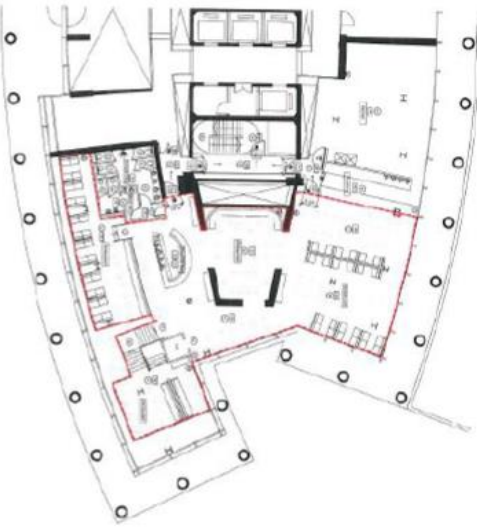
None

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

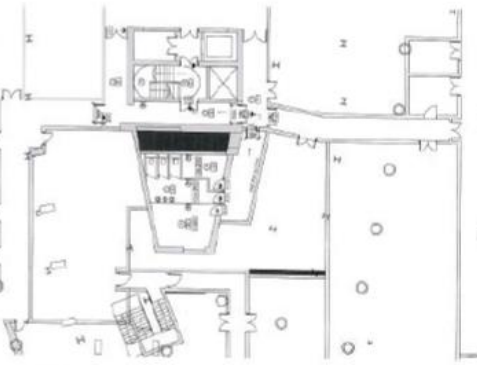
10. The licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.
11. The premises will maintain a comprehensive CCTV system. All entry and exit points will be covered enabling 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 kept for a minimum of 31 days with time and date stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised Council Officer recent data or footage with the absolute minimum of delay when requested.
13. The supply of alcohol and refreshment will only be by waiter/waitress service to persons seated on the ground floor external area and first floor of the premises.
14. Substantial food and non-intoxicated beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
15. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
16. The number of persons permitted within the premises at any one time (including staff) shall not exceed the following:
 - a. Ground Floor - 201
 - b. First Floor – 202
 - c. External Area- 104Subject to the overall capacity not exceeding 507
17. Alcohol shall not be supplied to the external area on the ground floor after 22:00 hours.
18. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
19. Loudspeakers shall not be located in the entrance area or outside the premises building.
20. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
21. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. A proof of age scheme, Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards; such as a driving licence; passport; PASS approved card or Military ID card.
23. The premises will operate a system whereby refusals to sell alcohol are recorded. The information to be available for inspection at the premises by the Police or an authorised officer of the City Council within a reasonable period.

24. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
25. Other than the external seated area there shall be no off sales after 22.00 hours except as part of a prize or raffle.
26. All external doors and windows shall be kept closed whilst unamplified regulated entertainment is taking place (with the exception of a pianist) and in any event after 23:00 hours, except for immediate access and egress of persons.
27. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system (s) should be effected without prior knowledge of an authorised officer of Environmental Health. No additional sound generating equipment shall be used in the premises without being routed through the sound limiter device.
28. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times.
29. There shall be no cinema style screenings of films throughout the premises.
30. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
31. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
32. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
33. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
34. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction a variation application may be required.
35. The performance of live music at the premises is intended to entertain customers who are dining at the premises. The purpose is not to attract crowds of people to the premises whose sole purpose for being present is to watch the entertainment.
36. All outside table and chairs shall be removed from the outside area and made secure by 23.30 hours.

Etagekassensystem Ebene



Etagekassensystem Ebene



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 Elektronische Übertragungstechnik
 Elektronische Vermittlungstechnik
 Elektronische Netzwerke
 Elektronische Sensoren
 Elektronische Speicher

Software
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 Software für die Übertragungstechnik
 Software für die Vermittlungstechnik
 Software für die Netzwerke
 Software für die Sensoren
 Software für die Speicher

Hardware
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 Hardware für die Übertragungstechnik
 Hardware für die Vermittlungstechnik
 Hardware für die Netzwerke
 Hardware für die Sensoren
 Hardware für die Speicher

Service
 Service für die Kommunikationstechnik
 Service für die Übertragungstechnik
 Service für die Vermittlungstechnik
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 Service für die Sensoren
 Service für die Speicher

Projektmanagement
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LEISTUNGSGEBIETE
 Projektmanagement
 Consulting
 Hardware
 Software
 Service



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

Schedule 12
Part B

WARD: St James's
UPRN: 100023337163

Premises licence
summary

Regulation 33, 34

Premises licence number:

14/00192/LIPVM

Part 1 – Premises details

Postal address of premises:

Browns (Redevelopment)
Portland House
Bressenden Place
London
SW1E 5EE

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
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
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

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

Exhibition of a Film

Monday to Thursday:	09:30 to 23:30
Friday to Saturday:	09:30 to 00:00
Sunday:	09:30 to 22:30
Sundays before Bank Holidays:	09:30 to 00:00

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

Performance of Live Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Playing of Recorded Music

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30
Friday to Saturday: 23:00 to 00:00
Sundays before Bank Holidays: 23:00 to 00:00

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

Sale by Retail of Alcohol

Monday to Thursday: 09:30 to 23:30
Friday to Saturday: 09:30 to 00:00
Sunday: 09:30 to 22:30
Sundays before Bank Holidays: 09:30 to 00:00

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

The opening hours of the premises:

Monday to Sunday: 08:00 to 00:30
From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day

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:

Mitchells & Butlers Leisure Retail Limited
27 Fleet Street
Birmingham
B3 1JP

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

01001181

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

Name:

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

Restricted

Date: _____ 10th February 2014 _____

Signed: pp



Operational Director - Premises Management

Premises History**Appendix 5****Temporary Event Notices**

Application	Details of Application	Date Determined	Decision
17/01708/LITENP	Temporary Event Notice	30 May 2017	Notice Granted
18/14633/LITENP	Temporary Event Notice	29 December 2018	Notice Granted
18/14636/LITENP	Temporary Event Notice	29 December 2018	Notice Granted
18/14638/LITENP	Temporary Event Notice	29 December 2018	Notice Granted
19/06281/LITENP	Temporary Event Notice	30 May 2019	Notice Granted
21/13135/LITENP	Temporary Event Notice	30 November 2021	Notice Granted
21/13438/LITENP	Temporary Event Notice	30 November 2021	Notice Granted
21/13448/LITENP	Temporary Event Notice	30 November 2021	Notice Granted
21/13451/LITENP	Temporary Event Notice	30 November 2021	Notice Granted

Licensing Act 2003 History

Application	Details of Application	Date Determined	Decision
13/06103/LIPN	<p>Application for a New Premises Licence - (Browns Redevelopment)</p> <p>Performance of Dance, Films, Live Music, Recorded Music</p> <p>Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30 Sundays before Bank Holidays: 09:30 to 00:00 Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day</p> <p>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</p> <p>Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30 Sundays before Bank Holidays: 09:30 to 00:00</p>	17 October 2013	Granted under Delegated Authority

	<p>Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day</p> <p>Late Night Refreshment Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Sundays before Bank Holidays: 23:00 to 00:00 Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day</p> <p>Sale by Retail of Alcohol Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30 Sundays before Bank Holidays: 09:30 to 00:00 Non-standard Timings: From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day</p>		
14/00192/LIPVM	Premises Licence Minor Variation – Layout Changes	10 February 2014	Granted under Delegated Authority

There is no appeal history for the premises.

Licensing Act 2003 History

Application	Details of Application	Date Determined	Decision
13/06081/LIPN	<p>Application for a New Premises Licence - Performance of Dance, Films, Live Music, Recorded Music, Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30 Sundays before Bank Holidays: 09:30 to 00:00</p> <p>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</p>	17 October 2013	Granted by Licensing Sub-Committee

	<p>Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30 Sundays before Bank Holidays: 09:30 to 00:00</p> <p>Late Night Refreshment Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Sundays before Bank Holidays: 23:00 to 00:00</p> <p>Sale by Retail of Alcohol Monday to Thursday: 09:30 to 23:30 Friday to Saturday: 09:30 to 00:00 Sunday: 09:30 to 22:30 Sundays before Bank Holidays: 09:30 to 00:00</p>		
14/03138/LIPDPS	Premises Licence Change of DPS	13 June 2014	Granted under Delegated Authority
14/03498/LIPDPS	Premises Licence Change of DPS	13 June 2014	Granted under Delegated Authority
14/08173/LIPDPS	Premises Licence Change of DPS	28 October 2014	Granted under Delegated Authority
15/01138/LIPDPS	Premises Licence Change of DPS	19 May 2015	Granted under Delegated Authority
15/01859/LIPDPS	Premises Licence Change of DPS	20 October 2015	Granted under Delegated Authority
17/03677/LIPDPS	Premises Licence Change of DPS	6 July 2017	Granted under Delegated Authority
18/11310/LIPDPS	Premises Licence Change of DPS	9 October 2018	Granted under Delegated Authority
19/02116/LIPDPS	Premises Licence Change of DPS	11 March 2019	Granted under Delegated Authority
20/05201/LIPDPS	Premises Licence Change of DPS	21 July 2020	Granted under Delegated Authority
20/06482/LIPDPS	Premises Licence Change of DPS	14 August 2020	Granted under Delegated Authority
21/03285/LIPDPS	Premises Licence Change of DPS	24 April 2021	Granted under Delegated Authority
21/06743/LIPDPS	Premises Licence Change of DPS	23 July 2021	Granted under Delegated Authority

There is no appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

objective;

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Conditions consistent with the operating schedule

10. The premises will maintain a comprehensive CCTV system. 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 kept for a minimum of 31 days with time and date stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

Condition 10 has proposed to be amended as shown below by the Police and agreed with the applicant to form part of the operating schedule.

- (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping. (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised Council Officer recent data or footage with the absolute minimum of delay when requested.
 12. The supply of alcohol and refreshment will only be by waiter/waitress service to persons seated on the ground floor external area and first floor of the premises.
 13. Substantial food and non-intoxicated beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
 14. Unless the premises are operating under the benefit of Sexual Entertainment Venue Licence there shall be no striptease, no nudity and all persons to be decently attired at all times
 15. The performance of live music at the premises is intended to entertain customers who are dining at the premises. The purpose is not to attract crowds of people to the premises whose sole purpose for being present is to watch the entertainment.
 16. No licensable activities shall take place until the premises has been assessed as satisfactory by the Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the Licensing Authority.
 17. No licensable activities shall take place at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team, and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined.
 18. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during construction,

new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority. Once satisfied this condition shall be removed from the licence by the Licensing Authority.

19. There shall be no cinema style screenings of films throughout the premises.
20. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
21. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
22. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
23. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
24. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
25. There shall be no cinema style screenings of films throughout the premises.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
27. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
28. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
31. Loudspeakers shall not be located in the entrance area or outside the premises building.
32. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
33. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
34. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
35. Other than the external seated area there shall be no off sales after 22.00 hours except as part of a prize or raffle.
36. All external doors and windows shall be kept closed whilst unamplified regulated entertainment is taking place (with the exception of a pianist) and in any event after 23:00 hours, except for immediate access and egress of persons.

37. The performance of live music at the premises is intended to entertain customers who are dining at the premises. The purpose is not to attract crowds of people to the premises whose sole purpose for being present is to watch the entertainment.
38. All outside table and chairs shall be removed from the outside area and made secure by 23.30 hours.
39. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alterations or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of Environmental Health. No additional sound generating equipment shall be used in the premises without being routed through the sound limiter device.
40. A proof of age scheme, Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards; such as a driving licence; passport; PASS approved card or Military ID card.
41. The premises will operate a system whereby refusals to sell alcohol are recorded. The information to be available for inspection at the premises by the Police or an authorised officer of the City Council within a reasonable period.

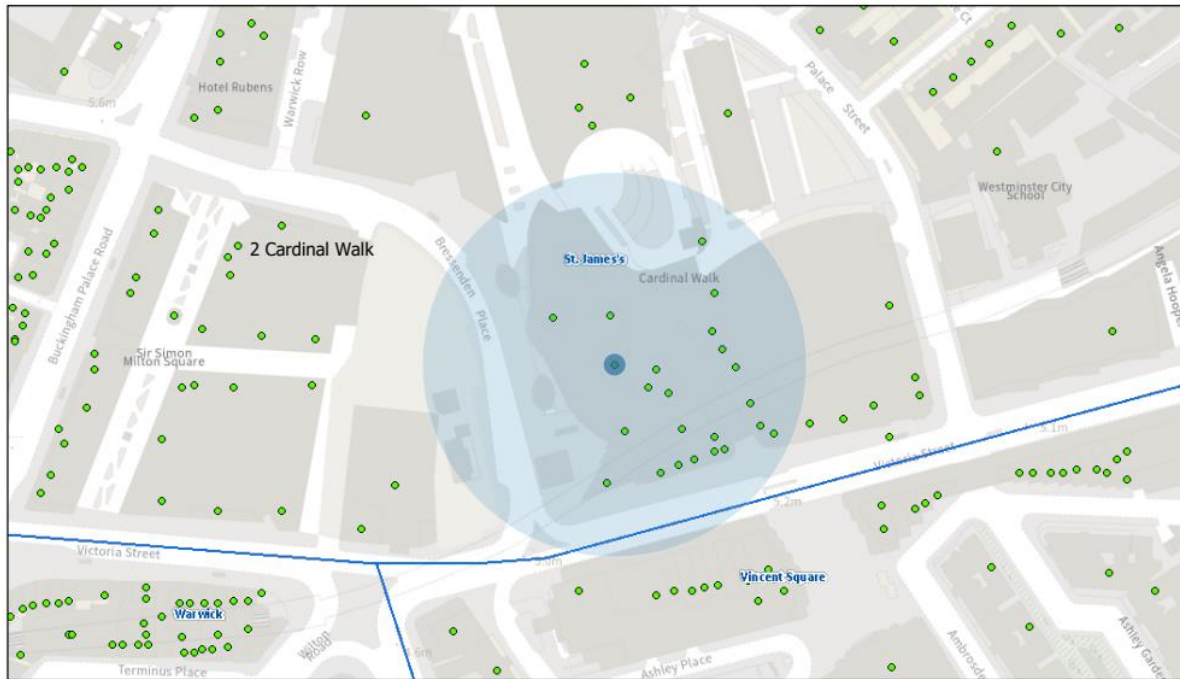
Conditions proposed by the Police and agreed with the applicant to form part of the operating schedule.

42. 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.

Conditions proposed by the Environmental Health

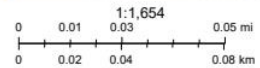
None

Portland House, Bressenden Place, London



17/02/2022, 13:15:41

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident Count = 0

Licensed premises within 75 metres of Portland House, Bressenden Place, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/06743/LIPDPS	Browns	2 Cardinal Walk London SW1E 5JE	Public house or pub restaurant	Monday to Sunday; 08:00 - 00:30
20/09763/LIPDPS	Wagamama	Unit 8 Ground Floor 5 Cardinal Walk London SW1E 5JE	Restaurant	Monday to Sunday; 10:00 - 00:30
18/02048/LIPN	Not Recorded	12 Cardinal Walk London SW1E 5JE	Restaurant	Sunday; 12:00 - 22:30 Monday to Saturday; 10:00 - 22:30
12/03085/LIPDPS	SW1 Gallery	12 Cardinal Walk London SW1E 5JE	Museums & Art Galleries	Monday to Sunday; 12:00 - 18:00 Monday to Sunday; 10:00 - 21:00
21/06896/LIPDPS	Bills	6 Cathedral Walk London SW1E 5JH	Restaurant	Monday to Sunday; 08:30 - 00:30
20/09184/LIPDPS	Marks And Spencer	Ground Floor 10 Cardinal Walk London SW1E 5JE	Shop (very large)	Sunday; 10:00 - 22:30 Monday to Saturday; 06:00 - 00:00

14/00192/LIPVM	Browns (Redevelopment)	Portland House Bressenden Place London SW1E 5BH	Public house or pub restaurant	Monday to Sunday; 08:00 - 00:30
17/02550/LIPN	Not Recorded	100 Victoria Street London SW1E 5JL	Not Recorded	Monday to Sunday; 00:00 - 00:00
20/10064/LIPCH	Zizzi	15 Cardinal Walk London SW1E 5JE	Restaurant	Monday to Sunday; 08:00 - 00:00
17/02838/LIPN	Shot Espresso, Ground Floor Café, Verde	Bressenden Place London	Shop	Sunday; 06:00 - 23:00 Monday to Saturday; 06:00 - 23:30

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Licensing Sub-Committee Report

Agenda Item 3.

Item No:	
Date:	17 March 2022
Licensing Ref No:	21/10287/LIPV - Premises Licence Variation
Title of Report:	Whyte And Brown Ground Floor Unit 2 and 1.4 to 1.6 Kingly Court London W1B 5PW
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			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	27 September 2021		
Applicant:	Whyte & Brown Limited		
Premises:	Whyte And Brown		
Premises address:	Ground Floor Unit 2 and 1.4 to 1.6 Kingly Court London W1B 5PW	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	This premises currently operate as a restaurant.		
Variation description:	<p>This variation seeks the following:</p> <ul style="list-style-type: none"> To amend condition 19 to read: <p>Condition 17 on the Premises Licence shall be suspended for a limited period until 30 September 2022 save that substantial food shall be available throughout the premises at all times after which time the condition shall be reinstated and remain to have full force and effect.</p>		
Premises licence history:	The premises have had the benefit of a premises licence since 2013. A copy of the current premises licence (21/08094/LIPDPS) can be found at Appendix 2 of this report. Please see Appendix 3 for the full licence history.		
Applicant submissions:	There are no supporting documents from the applicant.		
Applicant amendments:	None		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Both			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No change		Ground and First floor	No change
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	00:00				
Saturday	23:00	00:00				
Sunday	N/A	N/A				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				No change	

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

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

1-C Conditions proposed to be varied	
Condition	Proposed variation
19. Condition 19 on the Premises Licence shall be suspended for a limited period until 30 September 2021 save that substantial food shall be available throughout the premises at all times after which time the condition shall be reinstated and remain to have full force and effect.	19. Condition 17 on the Premises Licence shall be suspended for a limited period until 30 September 2022 save that substantial food shall be available throughout the premises at all times after which time the condition shall be reinstated and remain to have full force and effect.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Kevin Jackaman
Received:	25 October 2021
<p>I write in relation to the application submitted for a new premises licence for Whyte and Brown, Units G2 and 1.4 to 1.6 Kingly Court, London, W1B 5PW</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none">• Public Nuisance• Prevention of Crime & Disorder• Public Safety• Protection of children from harm <p>The application seeks the following:</p> <p>To suspend Condition 17 on the Premises Licence (as set out below) for a limited period until 30 September 2022 save that substantial food shall be available throughout the premises at all times after which time the condition shall be reinstated and remain to have full force and effect.</p> <p><i>Condition 17. The premises (including the external seating area) shall only operate as a restaurant (i) in which customers are shown to their table, (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iii) which do not provide any take away service of food or drink for immediate consumption, and (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.</i></p> <p>All other conditions to remain so there will be no vertical drinking and all patrons seated and served at tables as at present.</p> <p>The premises are located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1 and PB1(B).</p> <p>Policy CIP1 states:</p> <p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none">1. Vary the hours within Core Hours under Policy HRS1, and/or2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p> <p>Policy PB1(B) states:</p>	

It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:

1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.

For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.

The Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority has concerns over the proposed suspension of condition 17 (albeit on a time limited basis) as the suspension of this condition means there is no ancillary nature to the Sale of Alcohol and therefore policy PB1(B) is relevant and as such the applicant must provide exceptional circumstances as to why the application should be granted when the policy is to refuse.

It will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact zone.

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

Please accept this as a formal representation.

2-B Other Persons

Name:

██████████

Address and/or Residents Association:

██████████

Status:

Valid

In support or opposed:

Opposed

Received:

25 October 2021

We write to make a relevant representation to the above application on behalf of T ██████████

██████████ objects to this application as it is currently presented, on the grounds of prevention of crime and disorder, prevention of public nuisance, and cumulative impact in the West End Cumulative Impact Area.

About ██████████

██████████ is a charitable company limited by guarantee established in 1972. ██████████ is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

Application summary

Premises variation

The application provides for the continuation of a relaxation of the restaurant conditions for the premises until 30th September 2022

Current licence 21/08094/LIPDPS

Sale of alcohol: Mon-Thurs: 10:00 - 23:30. Fri-Sat: 10:00 - 00:00. Sun: 12:00 - 22:30.

Late Night Refreshment: Mon-Thurs: 23:00 - 23:30. Fri-Sat: 23:00 - 00:00.

Opening hours: Mon-Thurs: 07:00 - 23:30. Fri-Sat: 07:00 - 00:00. Sun: 07:00-22.30

Position

The application

██████████ objected to the original application 20/06404/LIPV where the applicant applied to suspend the restaurant condition during the COVID period as defined in the Business and Planning Act 2020 until the 30th of September 2021. We maintain our objection on the same grounds, the application if successful would facilitate a change of 'character' from a restaurant to an indoor and outdoor bar where 140 patrons can purchase alcoholic drinks without food, the Statement of Licensing Policy 2021 RNT1 is against such changes, it states,

'The Licensing Authority, however, is not minded to relax conditions for restaurants where alcohol may be consumed by persons as an ancillary to their substantial table meal.'

'However, it will prioritise its enforcement efforts at preventing a change of character of the premises towards bar use.' (F102)

Soho has over 220 restaurants, if all applied to remove their restaurant condition Soho would turn into one large bar, it would have a huge detrimental impact on the area and change its character forever.

We also find there is no justification for the continued suspension of condition 19, Soho has fully recovered the streets are heaving with people, it is noticeable there are more people on the streets in the evening now that at pre-Covid times. The Cumulative Impact Assessment 2020 provided overwhelming evidence of the year on year increase in the level of cumulative impact in the West End and it supported further policy restrictions, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may (in the lifetime of the policy) review it if footfall moves toward pre-March 2020 levels (D1). In our view we have already reached such levels, this application should therefore be refused.

Soho and COVID

██████████ fully recognises the financial difficulties all businesses have suffered over the past year and we have generally been supportive of measures to help local businesses recover. However, the year on year increase in licensed premises has resulted in a deterioration and reduction in residential amenity. Protecting residential amenity is the key aim of the Licensing Objectives. This is supported by the new Statement of Licensing Policy 2021 which states in its Foreword to Policy Section, *'The licensing authorities proposed revisions to the statement of licensing policy will enable the hospitality and entertainment sectors to plan for the short and medium term, whilst maintaining the necessary protection for our residents and promoting the licensing objectives as a whole.'*

Licensed Premises

Soho has a huge number of food and beverage premises with over 220 restaurants, 72 cafés, 39 bars, 46 pubs and 31 clubs (including members clubs). In relation to these premises, there's a large concentration of licensed premises in the area which attracts large numbers of people, Kingly Court with its 12 F&B premises is a foodcourt with outdoor dining on the ground floor, in addition Kingly St and Ganton St has a total of 26 F&B premises also with outdoor dining.

Soho is at the forefront of the evening and night time economy in Westminster, and after midnight Soho is saturated with late night premises, between 1am to 6am there are 114 licensed premises with a capacity of over 21,483, Soho is open 24 hours where alcohol is readily available, any drink led premises will add to cumulative impact in the West End Cumulative Impact Zone.

Statement of Licensing Policy 2021

This application seeks to extend the licensable activity within the West End Cumulative Impact Zone, the following policies apply, Hours HRS1, Restaurant RNT1, Pubs & Bars Policy PB1,

and Cumulative Impact Policy CIP1

Restaurant RTN1; the policy highlights the Licensing Authority's concern that restaurants within the West End Cumulative Impact Zone operate as bars and guards against this.

Public Houses and Bars Policy PB1; it is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than,

*'1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1,
2. Applications to seek to vary the existing licence so as to reduce the overall capacity of the premises.'*

It goes on, under the reasons for this policy, F80 states,

'... Premises that primarily serve alcohol, with or without the provision of any ancillary playing of music, can give rise to public nuisance for residents and other businesses, particularly where there is a concentration of such premises. This is principally due to noise from the premises and from patrons when they leave. Pubs and bars present opportunities for crime and they can also give rise to disorder.'

The Council's own policy clearly highlights the negative impact of bars and pubs on residents. This application proposes a drink led operation therefore the applicant needs to demonstrate an exception to policy, in our view there is no exception in this case, it will fail to promote the licensing objectives CD1 and PN1.

Cumulative Impact Policy CIP1; this area has been identified by the Westminster City Council as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The Cumulative Impact Assessment 2020 highlights the cumulative impact in West End Zone 1 (p9) stating,

'The rate of incidents per square kilometre observed here, as well as the rate of licensed premises per square kilometre, was approximately nine times than the borough's average rate. For crimes in particular, the rate was 10 -13 times higher between 6pm - 6am compared to the borough average.' (our emphasis).

It also highlights the impact of bars in an area, F82 stating,

'Among specific premises types assessed within the CIA, pubs and bars were one of the top licensed premises operation types that were most significantly aligned with incidents in their proximity.'

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy). The policy provides an assumption to refuse pubs and bars, music and dance venues and fast food premises, the policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (D.11 of the policy). The growth in the number of licensed premises in Soho has led to a marked deterioration in the quality of life and wellbeing of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of this historic area. As described above Soho is open for business and thriving, with more people on the streets we are in no doubt cumulative impact is back to pre-Covid levels.

The Licensing Objectives

The Statement of Licensing Policy 2021 or Section 182 Guidance does not provide for any circumstance, including exceptional or otherwise, which would permit an application to be

granted if the licensing objectives were harmed. We now consider the impact of this application on these objectives.

Prevention of Crime and Disorder - CD1

Under this Policy the criteria applied is, *'whether the premises make or will make a significant contribution to levels of crime and disorder, and whether the operating schedule is based on an adequate risk assessment, undertaken by the applicant, which takes account of all the relevant considerations below to reduce the likelihood of crime and disorder occurring as a result of the grant of the application.'*

The recently published Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, **it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.** It goes on to detail the number and types of crimes in the West End,

- **Public realm crimes:** (serious violence, robberies, theft and drug offences), alcohol-related callouts incidents, anti-social behaviour and demands on services were prevalent in Westminster between 2017 and 2019, among the highest in London and the country. All incidents observed concentrated in the West End many occurring in the evening and at night as well as weekends.
- **Total incident type 2017-2019:** serious violent crimes Night, 795 - proportion of Borough's incidents (31%). **Robberies Night, 2237 (33%). Theft and Handling Night, 24,407 (33%). Drug Offences Night, 1529 (40%).** Noise Complaints Night, 1389 (16%). Reactive Waste Management, 6630 (10%). Ambulance call outs to locations of licensed premises, 5353 (22%). Anti-Social behaviour on transport Night, 592 (13%), Anti-Social behaviour MPS, 9662 (16%). **Total = 50,594.**
- **Data description of incidents in 2017-2019** found all incident categories observed varied both in space and time. Many occurred in the evening and at night and on weekends when alcohol related activities typically peak. Incidents were primarily concentrated in the West End where licensed premises are disproportionately concentrated.
- **Robberies:** clustered within the West End, Charing Cross, Oxford Street in the evening and night.
- **Serious violent crimes:** recorded between **6pm and 6am** concentrated overwhelmingly in the West End.
- **Drug related crimes:** Westminster recorded the highest volume of drug offences of any borough between 2017-2019. Half of crimes were reported (48%) in the evening and night time. Drug related crimes between **6pm - 6am** were significantly clustered in and around the West End to varying degrees.
- **Theft and Handling:** the most common crime type in the borough and in the evening and night this is particularly concentrated in the West End and along Oxford Street.

For residents living in Soho, the findings of the Cumulative Impact Assessment are unsurprising, Soho transforms in the evening and night-time into an area which feels very unsafe and where levels of crime and disorder are high. As evidenced above, criminal activity associated with the large number of venues and the numbers of people on the streets results in high levels of serious crime. Drug dealing is a particular problem, with groups of dealers congregating to sell drugs, and they specifically target people as they leave premises. There are more dealers in the area at night than during the day.

This application if successful will increase crime and disorder and fail to promote this licensing objective.

Prevention of Public Nuisance Policy PN1

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

Residents in the area already suffer from late night noise, disturbance in the form of pedicabs playing loud music, waiting taxis, plus a range of anti-social behaviour including street fouling. The number of people leaving these premises having been able to consume alcohol without food will impact on residents in the surroundings streets. Drunk people never leave quietly they tend to hand around in the streets making a disturbance whilst waiting for transport home.

In summary

The application proposes to extend the suspension of the restaurant condition for a further year, we find no justification for its continued suspension, it will transform this restaurant into a bar for another year, a change the Statement of Licensing Policy 2021 aims to prevent.

If granted this application will fail to promote the licensing objectives and increase cumulative impact in the West End Cumulative Impact Zone, we respectfully request this application is refused.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within

	<p>open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>1. Casinos Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</p> <p>2. Cinemas, Cultural Venues and Live Sporting Premises Monday to Sunday: 9am to Midnight.</p> <p>3. Delivery Centres Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>4. Hotels</p>
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Monday to Thursday: 9am to 11.30pm.
Friday and Saturday: 9am to Midnight.
Sunday: 9am to 10.30pm.
Sundays immediately prior to a bank holiday: 9am to Midnight.
For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

5. Outdoor Spaces

Monday to Thursday: 9am to 11.30pm.
Friday and Saturday: 9am to Midnight.
Sunday: 9am to 10.30pm.
Sundays immediately prior to a bank holiday: 9am to Midnight.

6. Pubs and bars, Fast Food and Music and Dance venues

Monday to Thursday: 10am to 11.30pm.
Friday and Saturday: 10am to Midnight.
Sunday: Midday to 10.30pm.
Sundays immediately prior to a bank holiday: Midday to Midnight.

7. Qualifying Clubs

Monday to Thursday 9am to 11.30pm
Friday and Saturday 9am to Midnight
Sunday: 9am to 10.30pm
Sunday immediately prior to a bank holiday: 9am to Midnight.

8. Restaurants

Monday to Thursday: 9am to 11.30pm.
Friday and Saturday: 9am to Midnight.
Sunday: 9am to 10.30pm.
Sundays immediately prior to a bank holiday: 9am to Midnight.

9. Sexual Entertainment Venues and Sex Cinemas

Monday to Thursday: 9am to 11.30pm.
Friday and Saturday: 9am to Midnight.
Sunday: 9am to 10.30pm.
Sundays immediately prior to a bank holiday: 9am to Midnight.

10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)

Monday to Thursday: 9am to 11.30pm.
Friday and Saturday: 9am to Midnight.
Sunday: 9am to 10.30pm.
Sundays immediately prior to a bank holiday: 9am to Midnight.

10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)

Monday to Saturday: 8am to 11pm.
Sunday: 9am to 10.30pm.

D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.

E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.

	<p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p>Policy PB1 applies</p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D. <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or, 2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</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

Appendix 1	Applicant supporting documents
Appendix 2	Premises licence 21/08094/LIPDPS
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	The Licensing Authority	25 October 2021
5	Interested Party 1	25 October 2021

There are no supporting documents from the applicant.



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

Schedule 12
Part A

WARD: West End UPRN: 010033639213

Premises licence

Regulation 33, 34

Premises licence number:

21/08094/LIPDPS

Original Reference:

13/00355/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
 Sale by Retail of Alcohol

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

Late Night Refreshment

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

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

Monday to Thursday:	07:00 to 23:30
Friday to Saturday:	07:00 to 00:00
Sunday:	07:00 to 22:30

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

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

Part 2

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

Whyte & Brown Limited
Hyde Park House
5 Manfred Road
London
SW15 2RS

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

8038369

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

Name: Marco Beretta

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: LN/15292
Licensing Authority: London Borough Of Islington

Date: 9 September 2021

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that –

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

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

- 8 (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$
 Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

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

Annex 2 – Conditions consistent with the operating Schedule

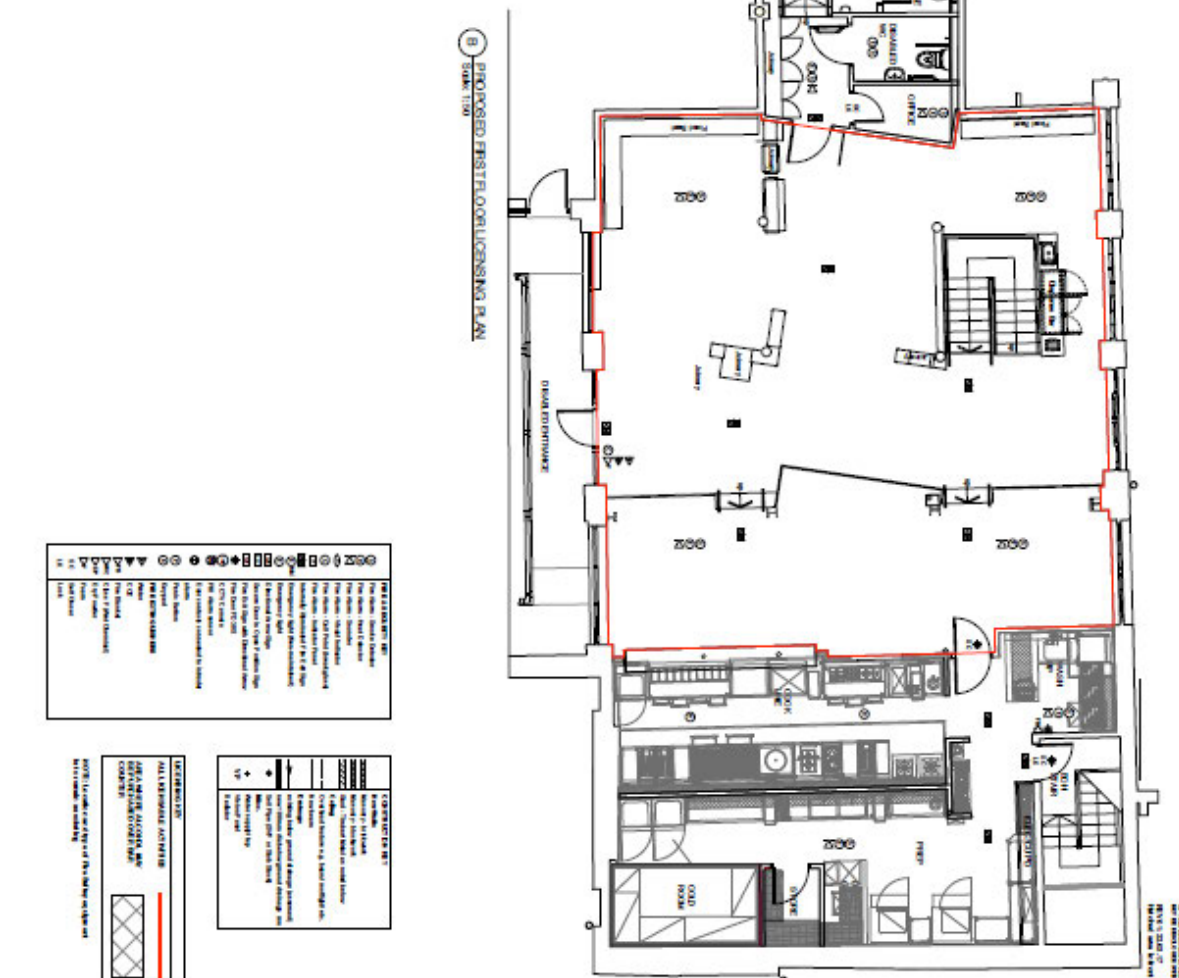
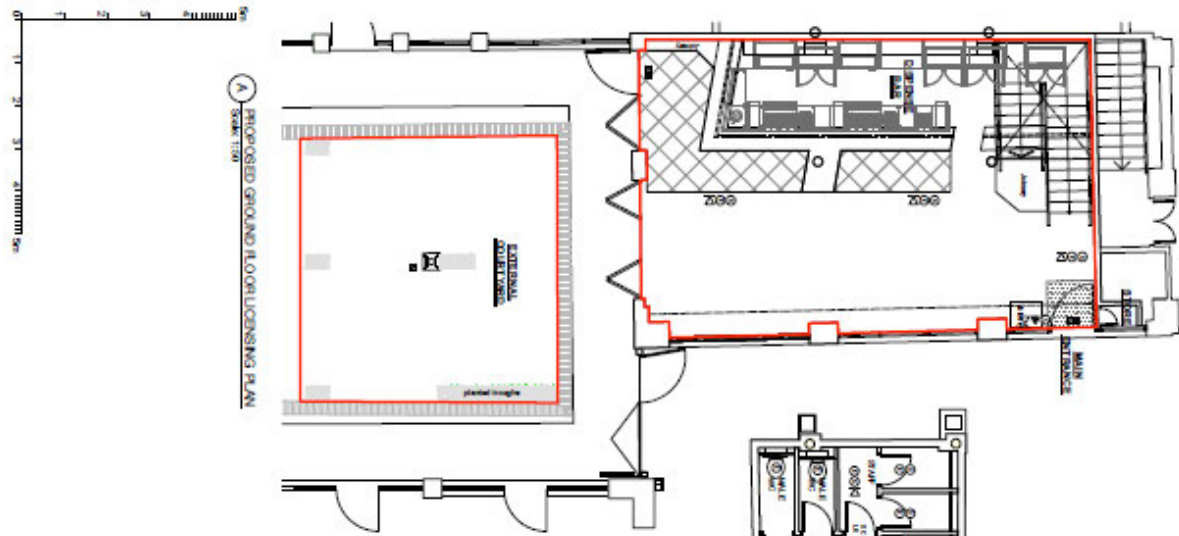
None

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

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
11. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. The supply of alcohol shall be by waiter or waitress service, save in the respect of the area hatched black on the approved plan.
14. No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.
15. There shall be no sale of alcohol for consumption off the Premises after 23:00 hours.
16. The external seating shall not be used after Core Hours, being 22:30 hours Sunday, 23:30 hours Monday to Thursday and Midnight Friday and Saturday.
17. The premises (including the external seating area) shall only operate as a restaurant (i) in which customers are shown to their table, (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iii) which do not provide any take away service of food or drink for immediate consumption, and (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received regards crime and disorder
 - (d) any incidents of disorder (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

19. Condition 19 on the Premises Licence shall be suspended for a limited period until 30 September 2021 save that substantial food shall be available throughout the premises at all times after which time the condition shall be reinstated and remain to have full force and effect.
20. There shall be no vertical drinking allowed on the premises.
21. Only up until the 30 September 2021, the supply of alcohol at the premises (including the external seating area) shall be by waiter or waitress service only.

Annex 4 – Plans



LEGEND	
Symbol	Description
Circle with dot	Proposed bar area
Square with dot	Proposed bar area
Triangle with dot	Proposed bar area
Circle with cross	Proposed bar area
Square with cross	Proposed bar area
Circle with diagonal lines	Proposed bar area
Square with diagonal lines	Proposed bar area
Circle with horizontal lines	Proposed bar area
Square with horizontal lines	Proposed bar area
Circle with vertical lines	Proposed bar area
Square with vertical lines	Proposed bar area
Circle with wavy lines	Proposed bar area
Square with wavy lines	Proposed bar area
Circle with dots	Proposed bar area
Square with dots	Proposed bar area
Circle with solid fill	Proposed bar area
Square with solid fill	Proposed bar area
Circle with dashed border	Proposed bar area
Square with dashed border	Proposed bar area
Circle with thin border	Proposed bar area
Square with thin border	Proposed bar area
Circle with thick border	Proposed bar area
Square with thick border	Proposed bar area
Circle with no border	Proposed bar area
Square with no border	Proposed bar area

LEGEND	
Symbol	Description
Circle with dot	Proposed bar area
Square with dot	Proposed bar area
Triangle with dot	Proposed bar area
Circle with cross	Proposed bar area
Square with cross	Proposed bar area
Circle with diagonal lines	Proposed bar area
Square with diagonal lines	Proposed bar area
Circle with horizontal lines	Proposed bar area
Square with horizontal lines	Proposed bar area
Circle with vertical lines	Proposed bar area
Square with vertical lines	Proposed bar area
Circle with wavy lines	Proposed bar area
Square with wavy lines	Proposed bar area
Circle with dots	Proposed bar area
Square with dots	Proposed bar area
Circle with solid fill	Proposed bar area
Square with solid fill	Proposed bar area
Circle with dashed border	Proposed bar area
Square with dashed border	Proposed bar area
Circle with thin border	Proposed bar area
Square with thin border	Proposed bar area
Circle with thick border	Proposed bar area
Square with thick border	Proposed bar area
Circle with no border	Proposed bar area
Square with no border	Proposed bar area

SAMPSON
ARCHITECTS & INTERIORS

DATE: 20/01/2015	SCALE: AS SHOWN
BY: SAMPSON ARCHITECTS & INTERIORS	SCALE: AS SHOWN
TITLE: PROPOSED FIRST FLOOR LICENSING PLAN	SCALE: AS SHOWN

THIS PLAN IS THE PROPERTY OF SAMPSON ARCHITECTS & INTERIORS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF SAMPSON ARCHITECTS & INTERIORS.



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

Schedule 12
Part B

WARD: West End
UPRN: 010033639213

Premises licence
summary

Regulation 33, 34

Premises licence
number:

21/08094/LIPDPS

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 00:00

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

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30

Friday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

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

The opening hours of the premises:

Monday to Thursday:	07:00 to 23:30
Friday to Saturday:	07:00 to 00:00
Sunday:	07:00 to 22:30

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

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

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

Whyte & Brown Limited
Hyde Park House
5 Manfred Road
London
SW15 2RS

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

8038369

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

Name: Marco Beretta

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

Restricted

Date: 9 September 2021

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
13/00355/LIPN	<p>New premises licence</p> <p>Late Night Refreshment:</p> <p>Monday to Thursday 23:00 to 23:30 Friday to Saturday 23:00 to 00:00</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>Sale by Retail of alcohol:</p> <p>Monday to Thursday 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday 12:00 to 22:30</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>	21.03.2013	Granted by Licensing Sub Committee
13/02601/LIPT	Transfer - Shaftesbury Carnaby Ltd to Whyte & Brown Limited	03.05.2013	Granted under delegated authority
13/03104/LIPVM	Minor variation – Change of layout	30.05.2013	Granted under delegated authority
13/03785/LIPDPS	Variation of designated premises supervisor	19.06.2013	Granted under delegated authority
14/00074/LIPDPS	Variation of designated premises supervisor	20.01.2014	Granted under delegated authority
15/00850/LIPDPS	Variation of designated premises supervisor	16.02.2015	Granted under delegated authority

15/05827/LIPDPS	Variation of designated premises supervisor	03.08.2015	Granted under delegated authority
16/03381/LIPV	Variation – Increase in capacity	27.07.2016	Granted by Licensing Sub Committee
16/07386/LIPDPS	Variation of designated premises supervisor	02.08.2016	Granted under delegated authority
17/03113/LIPVM	Minor variation – change of layout	22.08.2017	Granted under delegated authority
20/06404/LIPV	Variation - To suspend restaurant conditions during coronavirus period. To add a new condition suspending condition 19.	07.10.2020	Granted by Licensing Sub Committee
21/05938/LIPDPS	Variation of designated premises supervisor	06.07.2021	Granted under delegated authority
21/08094/LIPDPS	Variation of designated premises supervisor	09.09.2021	Granted under delegated authority

There is no Temporary Event Notice or appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

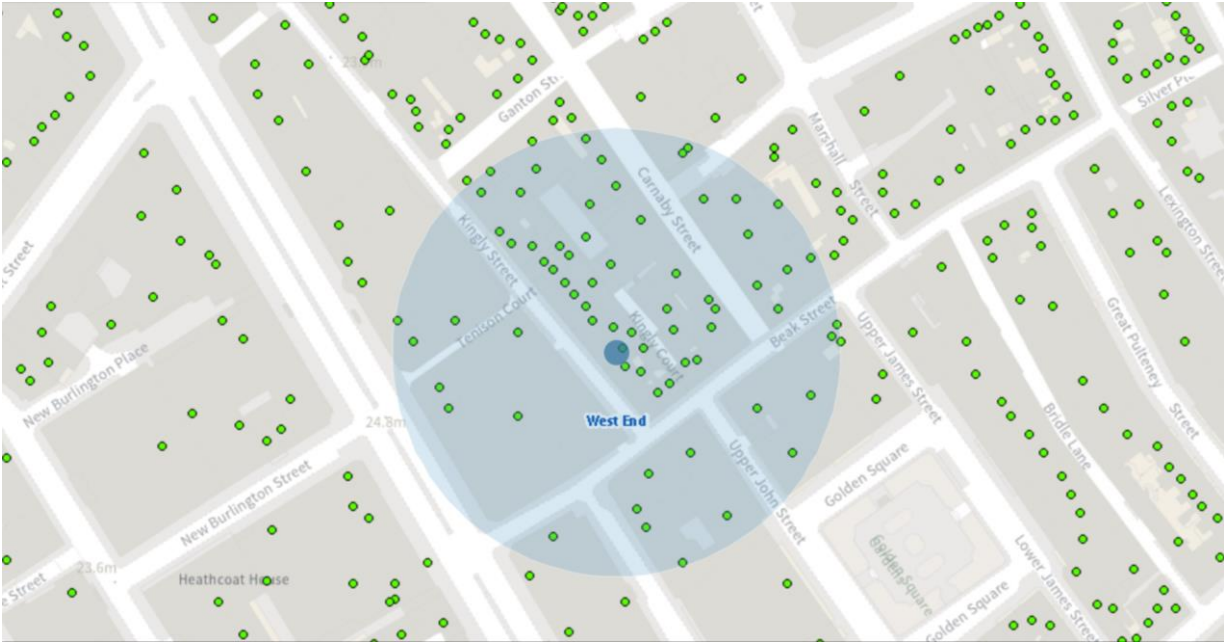
Annex 3 – Conditions attached after a hearing by the licensing authority

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
11. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. The supply of alcohol shall be by waiter or waitress service, save in the respect of the area hatched black on the approved plan.
14. No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.
15. There shall be no sale of alcohol for consumption off the Premises after 23:00 hours.
16. The external seating shall not be used after Core Hours, being 22:30 hours Sunday, 23:30 hours Monday to Thursday and Midnight Friday and Saturday.
17. The premises (including the external seating area) shall only operate as a restaurant (i) in which customers are shown to their table, (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iii) which do not provide any take away service of food or drink for immediate consumption, and (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received regards crime and disorder
 - (d) any incidents of disorder (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

19. Condition 19 on the Premises Licence shall be suspended for a limited period until 30 September 2021 save that substantial food shall be available throughout the premises at all times after which time the condition shall be reinstated and remain to have full force and effect.

Condition 19 is proposed to be varied by the applicant to the following:

19. Condition 17 on the Premises Licence shall be suspended for a limited period until 30 September 2022 save that substantial food shall be available throughout the premises at all times after which time the condition shall be reinstated and remain to have full force and effect.
20. There shall be no vertical drinking allowed on the premises.
21. Only up until the 30 September 2021, the supply of alcohol at the premises (including the external seating area) shall be by waiter or waitress service only.



Resident count: 22

Licensed premises within 75 metres of Ground Floor Unit 2 and 1.4 to 1.6, Kingly Court, London, W1B 5PW

Licence Number	Trading Name	Address	Premises Type	Time Period
21/14225/LIPDPS	Two Floors	Ground Floor 3 Kingly Street London W1B 5PD	Shop	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
22/00139/LIPT	Shampers Wine Bar	Ground Floor 4 Kingly Street London W1B 5PE	Wine bar	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
11/07877/LIPDPS	Open Space	Kingly Court London	Park / Open Space	Monday to Sunday; 00:00 - 00:00
20/02260/LIPDPS	Cahoots Ticket Hall Control Room	5 Kingly Street London W1B 5PF	Restaurant	Sunday; 09:00 - 01:00 Monday to Saturday; 09:00 - 01:10
06/06301/WCCMAP	Myung Ga Restaurant	15 Beak Street London W1F 9SX	Cafe	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/09005/LIPCH	Flat Iron	17 Beak Street London W1F 9RW	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
17/04862/LIPVM	Disrepute	Basement And Ground Floor 4 Kingly Court London W1B 5PW	Night clubs and discos	Sunday; 09:00 - 01:00 Monday to Saturday; 09:00 - 03:30 Sundays before Bank Holidays; 09:00 - 01:30
19/03275/LIPDPS	Soho Grind	Basement And Ground Floor 19	Restaurant	Sunday; 12:00 - 22:30 Monday to

		Beak Street London W1F 9RP		Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
21/05753/LIPDPS	Bread Ahead	21 Beak Street London W1F 9RR	Cafe	Sunday; 09:00 - 23:00 Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30
21/10252/LIPDPS	Dirty Bones Units 2.12 And 2.13	Kingly Court Kingly Court London	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
21/08094/LIPDPS	Whyte And Brown	Ground Floor Unit 2 And First Floor Units 4-6 Kingly Court Kingly Court London W1B 5PW	Restaurant	Sunday; 07:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00
20/09859/LIPT	Imad's Syrian Kitchen Ltd	Second Floor Unit 14 Kingly Court Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
19/09764/LIPCH	Shoryu	Ground Floor Unit 3- 5 Kingly Court Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
14/11127/LIPVM	Oka Restaurant Units 1.14 - 1.16	Kingly Court Kingly Court London	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
18/08932/LIPDPS	Senor Ceviche	First Floor Units 1-3 Kingly Court	Restaurant	Sunday; 12:00 - 23:00 Monday to

		Kingly Court London W1B 5PW		Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
15/11467/LIPDPS	Le Bab (Units 2.10 And 2.11)	Kingly Court Kingly Court London	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
20/00137/LIPN	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Court London	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
14/06042/LIPDPS	Life Goddess	Former Unit 1.9 Kingly Court London	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
19/14857/LIPT	The Good Egg	Unit G9 Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 New Year's Day; 00:00 - 00:00
20/02060/LIPDPS	The Court	9 Kingly Street London W1B 5PH	Club or institution	Saturday; 09:00 - 00:30 Sunday; 12:00 - 23:00 Monday to Friday; 09:00 - 03:30
19/08906/LIPN	Anthropologie	158 Regent Street London W1B 5SW	Shop	Sunday; 10:00 - 21:00 Monday to Saturday; 08:00 - 21:00
21/04824/LIPT	Byron	Hardy House 16- 18 Beak Street London	Restaurant	Sunday; 08:00 - 22:30 Monday to Thursday; 08:00 - 23:30

		W1F 9RD		Friday to Saturday; 08:00 - 00:00 Sundays before Bank Holidays; 08:00 - 00:00
20/11078/LIPCH	Be At One	10 Beak Street London W1F 9RA	Restaurant	Monday; 09:00 - 01:30 Monday; 09:00 - 03:00 Sunday; 09:00 - 01:00 Tuesday to Thursday; 09:00 - 03:30 Friday to Saturday; 09:00 - 04:30 Sundays before Bank Holidays; 09:00 - 03:00
20/06816/LIPRW	Not Recorded	49-51 Carnaby Street London W1F 9PY	Not Recorded	Sunday; 08:00 - 23:00 Monday to Thursday; 08:00 - 00:00 Friday to Saturday; 08:00 - 00:30
21/13442/LIPVM	Fifty Carnaby	49-51 Carnaby Street London W1F 9PY	Night clubs and discos	Sunday; 08:00 - 00:00 Monday to Wednesday; 08:00 - 02:00 Thursday to Saturday; 08:00 - 03:00
20/00544/LIPDPS	Pizza Pilgrims	11 Kingly Street London W1B 5PL	Shop	Monday to Sunday; 08:00 - 00:30
15/00525/LIPN	Pizza Pilgrims Kiosk	11 Kingly Street London W1B 5PL	Shop	Saturday; 10:00 - 23:00 Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
20/08587/LIPDPS	Cahoots	Unit G 13 Kingly Court London W1B 5PW	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Wednesday; 09:00 - 03:00 Thursday to Saturday;

				09:00 - 03:30
20/06111/LIPDPS	Rum Kitchen, First Floor, Units 1.12 And 1.13	First Floor 12 Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
17/14852/LIPN	Sweaty Betty	1 - 2 Carnaby Street London W1F 9QG	Shop	Monday to Sunday; 08:00 - 20:00
21/00655/LIPDPS	Wright Brothers Soho	12 - 13 Kingly Street London	Restaurant	Sunday; 08:00 - 23:00 Monday to Saturday; 08:00 - 00:00
17/03861/LIPDPS	NOPI	21 - 22 Warwick Street London W1B 5NE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:00
22/00548/LIPDPS	Red Lion Public House	14 Kingly Street London W1B 5PR	Public house or pub restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
17/12533/LIPDPS	M & C Saatchi	36 Golden Square London W1F 9JX	Office	Monday to Sunday; 00:00 - 00:00
21/08347/LIPDPS	M & C Saatchi	36 Golden Square London W1F 9JX	Office	Monday to Sunday; 00:00 - 00:00
20/04384/LIPVM	Jinjuu	Basement And Ground Floor 15 - 16 Kingly Street London W1B 5PT	Restaurant	Monday; 10:00 - 01:30 Tuesday; 10:00 - 01:30 Wednesday; 10:00 - 01:30 Thursday; 10:00 - 01:30 Friday; 10:00 - 01:30 Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
21/10774/LIPT	Polpo	Ground Floor 41 - 43 Beak Street London W1F 9SB	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 23:30 Friday to

				Saturday; 10:00 - 00:00
19/12271/LIPCH	Rosas	23A Ganton Street London W1F 9BW	Cafe	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00 Christmas Eve; 12:00 - 00:00 Christmas Eve; 10:00 - 00:00
19/09373/LIPDPS	Sanctum Soho Hotel	18-20 Warwick Street London W1B 5NF	Hotel, 4+ star or major chain	Sunday; 12:00 - 22:30 Monday to Saturday; 09:00 - 01:00 Monday to Sunday; 00:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00