



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 20 October 2022**

Time: **10.00 am**

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

Members: **Councillors:**
Robert Eagleton (Chair)
Concia Albert
Caroline Sargent

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, 11-13 FRITH STREET, W1D 4RB

(Pages 1 - 44)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Chotto-Matte 11-13 Frith Street W1D 4RB	Premises Licence Variation	22/07519/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

2. LUCORE, 44 BRUTON PLACE, W1J 6PB**(Pages 45 - 68)**

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * None ** None	Lucore 44 Bruton Place W1J 6PB	New Premises Licence	22/07929/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

3. MARYLEBONE THEATRE, GROUND FLOOR, 35 PARK ROAD, NW1 6XT**(Pages 69 -
104)**

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Regent's Park * None ** None	Marylebone Theatre Ground Floor 35 Park Road NW1 6XT	Premises Licence Variation	22/07446/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

Stuart Love
Chief Executive
11 October 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: 12:00 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:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

20 October 2022

22/07519/LIPV - Premises Licence Variation

Chotto-Matte
11-13 Frith Street
London
W1D 4RB

Director of Public Protection and Licensing

West End

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

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:	8 August 2022		
Applicant:	NZR Limited		
Premises:	Chotto-Matte		
Premises address:	11-13 Frith Street London W1D 4RB	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises trade as a Japanese restaurant, grill and sushi bar		
Variation description:	<p>To vary the existing premises licence so as to:-</p> <p>1) Vary the plans appended to the licence to reflect a change of layout. The changes include:-</p> <p>Ground floor:-</p> <ul style="list-style-type: none"> - Reverse internal lobby door; Reconfiguration of fixed seating; Removal of rear sushi bar; Inclusion of 3 private lounge booths; <p>First Floor:-</p> <ul style="list-style-type: none"> - Reconfiguration of rear dining fixed seating; Reverse rear fire exit door; <p>Basement:-</p> <ul style="list-style-type: none"> - Inclusion of private lounge within ambit of licensed area consisting of bar and fixed seating booths, subject to amendment of conditions outlined below and inclusion of MC82 works condition. <p>2) Amend existing conditions, as shown in brackets, to read:-</p> <p>13. Waiter/waitress service shall be available at all times on the ground floor [and basement] for customers seated at tables.</p> <p>23. The supply of alcohol on the ground floor [and basement] of the premises shall at all times only be to persons seated and by waiter/waitress service, save for the area[s] shown hatched black on the plan. The maximum number of persons in the area[s] hatched black on the plan shall not exceed 30 persons.</p> <p>3) Include regulated entertainment of recorded music in accordance with existing permitted hours.</p> <p>There are no changes proposed to the existing permitted hours or capacity.</p>		
Premises licence history:	The premises have had the benefit of a premises licence since at least 2005 however a new premises licence was granted in May 2013 (Licence number 13/01711/LIPN) and the previous premises licence was surrendered in September 2013.		

	The current premises licence reference is 21/05525/LIPDPS, a copy of which is attached as Appendix 2 of this report. Please see Appendix 3 of the report for a full licence history.
Applicant submissions:	None
Applicant amendments:	None

1-B	Current and proposed licensable activities, areas and hours				
Regulated Entertainment					
Recorded music					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	Current: Proposed:
Monday	N/A		10:00	01:30	Basement to first floor
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	00:30	
Seasonal Variations/ Non-standard timings::	Current:			Proposed:	
	N/A			From the start time on New Year's Eve until the finish time on New Year's Day.	

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	01:30	No change		Basement to first floor
Tuesday	23:00	01:30			
Wednesday	23:00	01:30			
Thursday	23:00	01:30			
Friday	23:00	01:30			
Saturday	23:00	01:30			
Sunday	23:00	00:30			
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 only			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Basement to first floor	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	12:00	00:00				
Seasonal variations/ Non-standard timings:		Current: From the start time on New Year's Eve until the finish time on New Year's Day			Proposed: No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:30	No change		Basement to first floor	No change
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	00:30				
Seasonal variations/ Non-standard timings:		Current: None			Proposed: No change	

1-C	Layout alteration
	<p>Ground floor:-</p> <ul style="list-style-type: none"> - Reverse internal lobby door; Reconfiguration of fixed seating; Removal of rear sushi bar; Inclusion of 3 private lounge booths; <p>First Floor:-</p> <ul style="list-style-type: none"> - Reconfiguration of rear dining fixed seating; Reverse rear fire exit door; <p>Basement:-</p> <ul style="list-style-type: none"> - Inclusion of private lounge within ambit of licensed area consisting of bar and fixed seating booths, subject to amendment of conditions outlined below and inclusion of MC82 works condition.

1-D	Conditions being varied	
Condition	Proposed variation	
13. Waiter/waitress service shall be available at times on the ground floor for customers seated at tables	13. Waiter/waitress service shall be available at all times on the ground floor [and basement] for customers seated at tables.	
23. The supply of alcohol on the ground floor of the premises shall at all times only be to persons seated and by waiter/waitress service, save for the area shown hatched black on the plan. The maximum number of persons in the area hatched black on the plan shall not exceed 30 persons	23. The supply of alcohol on the ground floor [and basement] of the premises shall at all times only be to persons seated and by waiter/waitress service, save for the area[s] shown hatched black on the plan. The maximum number of persons in the area[s] hatched black on the plan shall not exceed 30 persons.	
Adult entertainment:	Current position:	Proposed position:
	None	No change

2.	Representations	
2-A	Responsible Authorities	
Responsible Authority:	Environmental Health	
Representative:	Anil Drayan	
Received:	05 September 2022	
<p>Representations made on the Public Nuisance and Public Safety licensing objectives.</p> <p>New plans of the premises and some new conditions/amendments have been offered with the application but additional conditions may be required particularly with regards to preventing nuisance. Clarifications are also requested on status of existing conditions 16,17,20 and 21.</p> <p>The applicant is requested to contact the undersigned to discuss the above.</p>		
Responsible Authority:	Licensing Authority	
Representative:	Karyn Abbott	
Received:	05 September 2022	
<p>Dear Sirs</p> <p>I write in relation to the application submitted for a variation of the premises licence for 11-13 Frith Street, London, W1D 4RB.</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

The application seeks the following variations:

1) Vary the plans appended to the licence to reflect a change of layout. The changes include:-
 Ground floor:- Reverse internal lobby door; Reconfiguration of fixed seating; Removal of rear sushi bar; Inclusion of 3 private lounge booths;
 First Floor:- Reconfiguration of rear dining fixed seating; Reverse rear fire exit door;
 Basement:- Inclusion of private lounge within ambit of licensed area consisting of bar and fixed seating booths, subject to amendment of conditions outlined below and inclusion of MC82 works condition.

2) Amend existing conditions, as shown in brackets, to read:-

13. Waiter/waitress service shall be available at all times on the ground floor [and basement] for customers seated at tables.

23. The supply of alcohol on the ground floor [and basement] of the premises shall at all times only be to persons seated and by waiter/waitress service, save for the area[s] shown hatched black on the plan. The maximum number of persons in the area[s] hatched black on the plan shall not exceed 30 persons.

3) Include regulated entertainment of recorded music in accordance with existing permitted hours.

There are no changes proposed to the existing permitted hours or capacity.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely HSR1, CIP1 and RNT1.

Westminster's RNT1 (B) Policy which states 'Applications inside the West End Cumulative Impact Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.
4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.

C. For the purposes of this policy a restaurant is defined as:

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.'

The Licensing Authority encourages the applicant to provide further submissions as to how the supply of alcohol will be monitored and controlled in the new hatched area in the basement i.e. will this be way of vertical drinking or by waiter/waitress service? Will this area be a holding bar where patrons wait to be seated before having a meal?

The Licensing Authority would like further submissions on the above to be able to assess the application against any further relevant policy considerations.

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

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

Please accept this as a formal representation.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	02 September 2022

I am a neighbour residing [REDACTED] Chotto Matte in [REDACTED]. I have been plagued by constant noise from them 24/7 all the years that I have lived here. The idea of this establishment obtaining a license to make more noise fills me with absolute dread.

The extremely loud extractor fans are switched on every morning at the stroke of 8am -- most of which are located outside my bedroom window. These remain on until 1.30am. Service exits also lead out to the back below my bedroom window where I my sleep (or attempt to sleep) is broken by loud voices, slamming doors, music, and a variety of banging and pounding on a nightly basis. The constant noise of normal restaurant service reverberates through my bedroom walls and floor all through the night every night. The kitchen is directly below us and there is no let-up even after the restaurant closes at 1.30am Then the cleaners arrive wherein a regular rhythm of crashing and banging takes place until 3.00am.

The constant closing of the steel security door of the loading bay is an explosive punctuation around 2/3am. Then at 5am, the door screeches open and all the bins are trundled out and loudly collected by a private rubbish service before 6am. I didn't think that was allowed in Westminster, nor the fact that the restaurant's deliveries take place between 5am and 7am on an almost daily basis. These deliveries accompanied by constant crashing and banging with occasional shouting in the street. A successful application for late night music will only exacerbate the noise and disruption we endure and increase the noise of people leaving Chotto Matte whilst we try and sleep.

Therefore, I am against Chotto Matte having any more power to disrupt its neighbours.

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(B) applies	<p>B. Applications inside the West End Cumulative Impact 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 are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact 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.

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.

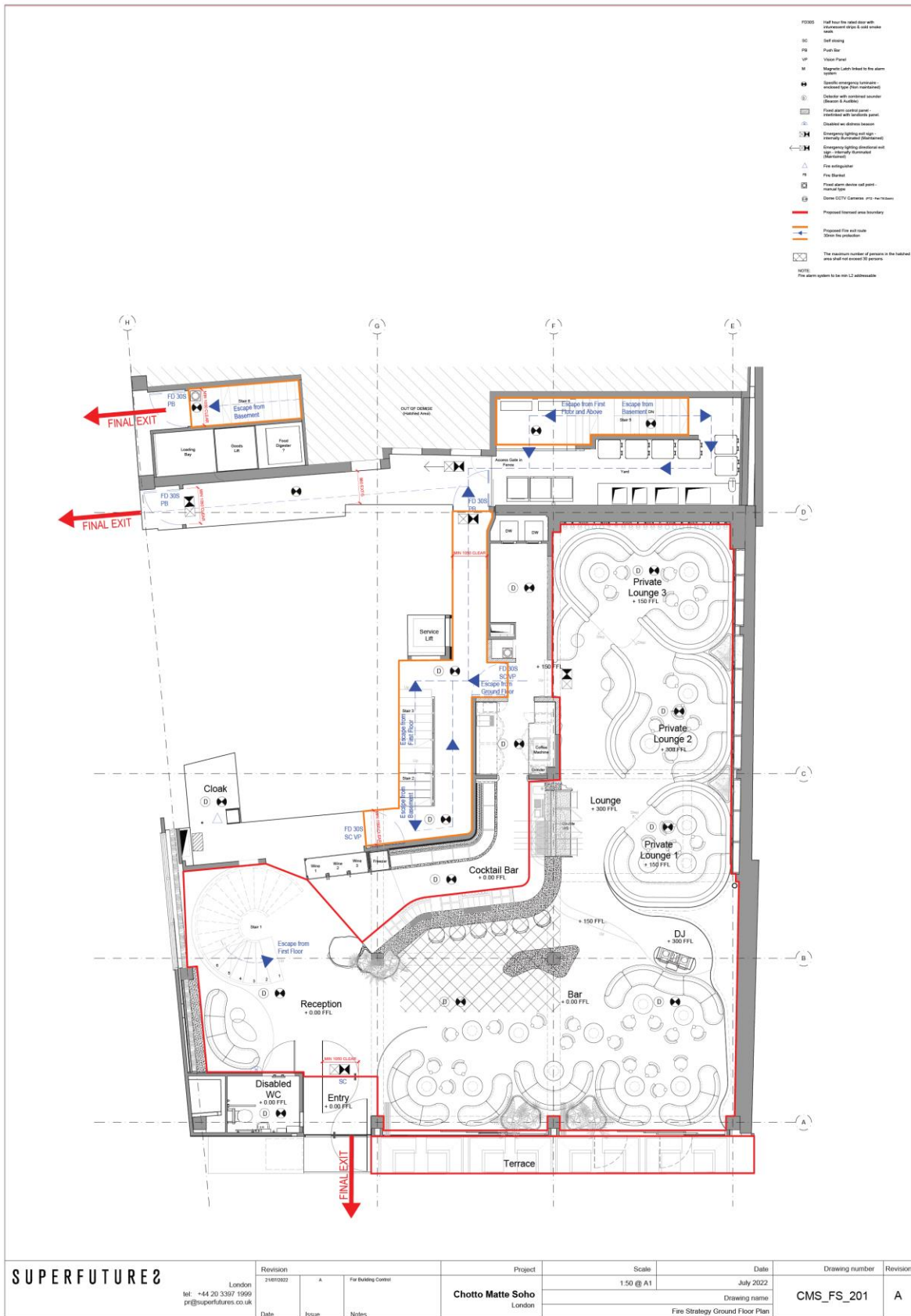
5.	Appendices
Appendix 1	Premises plans
Appendix 2	Premises licence 21/05525/LIPDPS
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 020 7641 7824 Email: kjackaman@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health representation	03 September 2022
5	Licensing Authority representation	05 September 2022
6	Interested party representation	02 September 2022





SUPERFUTURE2

London
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Revision	Date	Issue	Notes
21072022		A	For Building Control

Project
Chotto Matte Soho
London

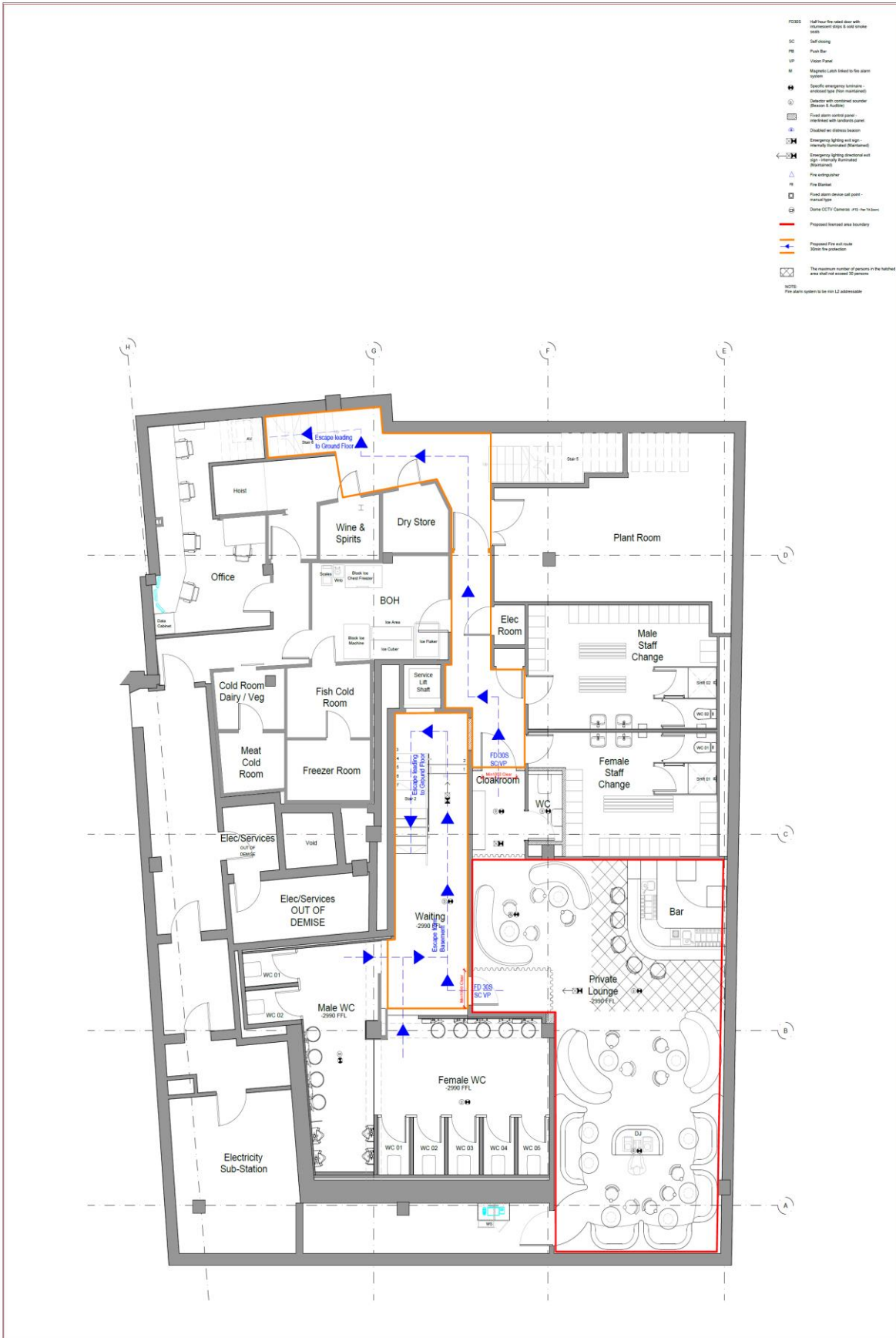
Scale
1:50 @ A1

Date
July 2022

Drawing name
Fire Strategy First Floor Plan

Drawing number
CMS_FS_202

Revision
A



SUPERFUTURE2 London tel: +44 20 3397 1999 pr@superfutures.co.uk	Revision 2/16/2022 A	For Building Control	Project Chotto Matte Soho London	Scale 1:50 @ A1	Date July 2022	Drawing number CMS_FS_200	Revision A
	Date Issue Notes			Drawing name Fire Strategy Basement Plan			



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

**Schedule 12
Part A**

**WARD: West End
UPRN: 100023472332**

Premises licence

Regulation 33, 34

Premises licence number:

21/05525/LIPDPS

Original Reference:

13/01711/LIPN

Part 1 – Premises details

Postal address of premises:

Chotto-Matte
11-13 Frith Street
London
W1D 4RB

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 Saturday: 23:00 to 01:30
Sunday: 23:00 to 00:30

Seasonal Details: From 23:00 on New Year's Eve until 05:00 on New Year's Day

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 00:00

Seasonal Details: From the start time on New Year's Eve until the finish time on New Year's Day

The opening hours of the premises:

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 00:30

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: Kostas Katsis

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: 053126
Licensing Authority: London Borough of Redbridge

Date: 06 July 2021

This licence has been authorised by 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.
 - (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

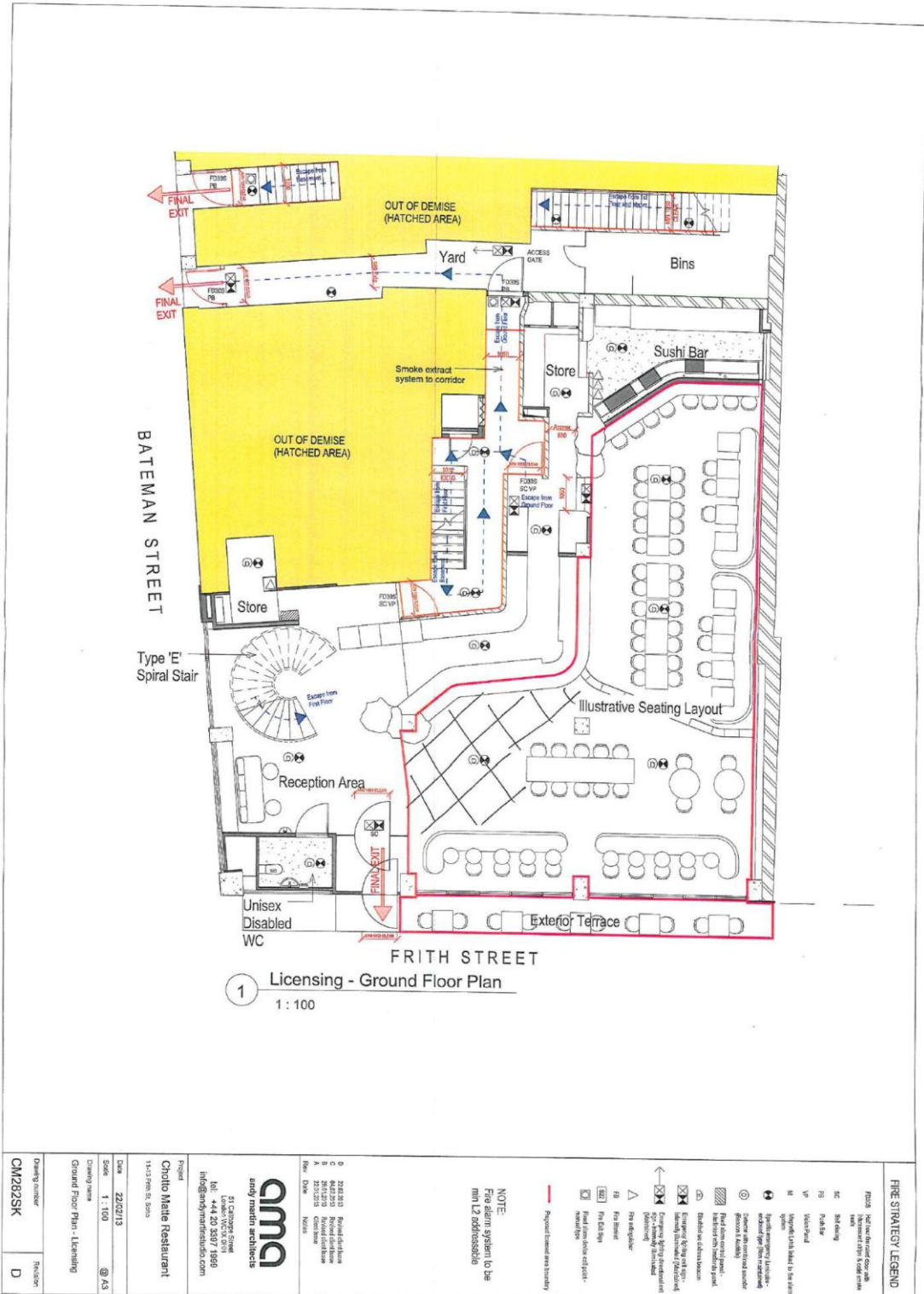
None.

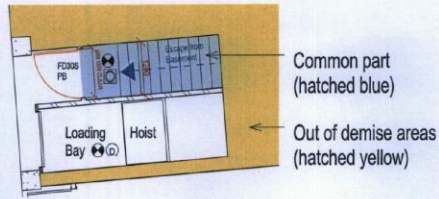
Annex 3 – Conditions attached after a hearing by the licensing authority

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a metropolitan Police crime prevention officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times customer remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police of authorised officer through the preceding 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
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 supply of alcohol at the premises on the first floor shall only be by waiter/waitress to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
13. Waiter/waitress service shall be available at all times on the ground floor for customers seated at tables.
14. All outside tables and chairs shall be rendered unusable by 23.00 each day.
15. There shall be no sale or supply of draught beer.
16. Private entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit shall be permitted at any time.
17. This licence to be of no effect until licence number 12/08598/LIPT has been surrendered.
18. No alcohol to be supplied for consumption anywhere on the premises after 23.00 hours except as an ancillary to food.
19. The maximum number of persons accommodated on the premises at any one time (excluding staff) shall not exceed 300 persons.
20. 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.
21. The Licence will have no effect until the premises has been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
22. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
23. The supply of alcohol on the ground floor of the premises shall at all times only be to persons seated and by waiter/waitress service, save for the area shown hatched black on the plan. The maximum number of persons in the area hatched black on the plan shall not exceed 30 persons.

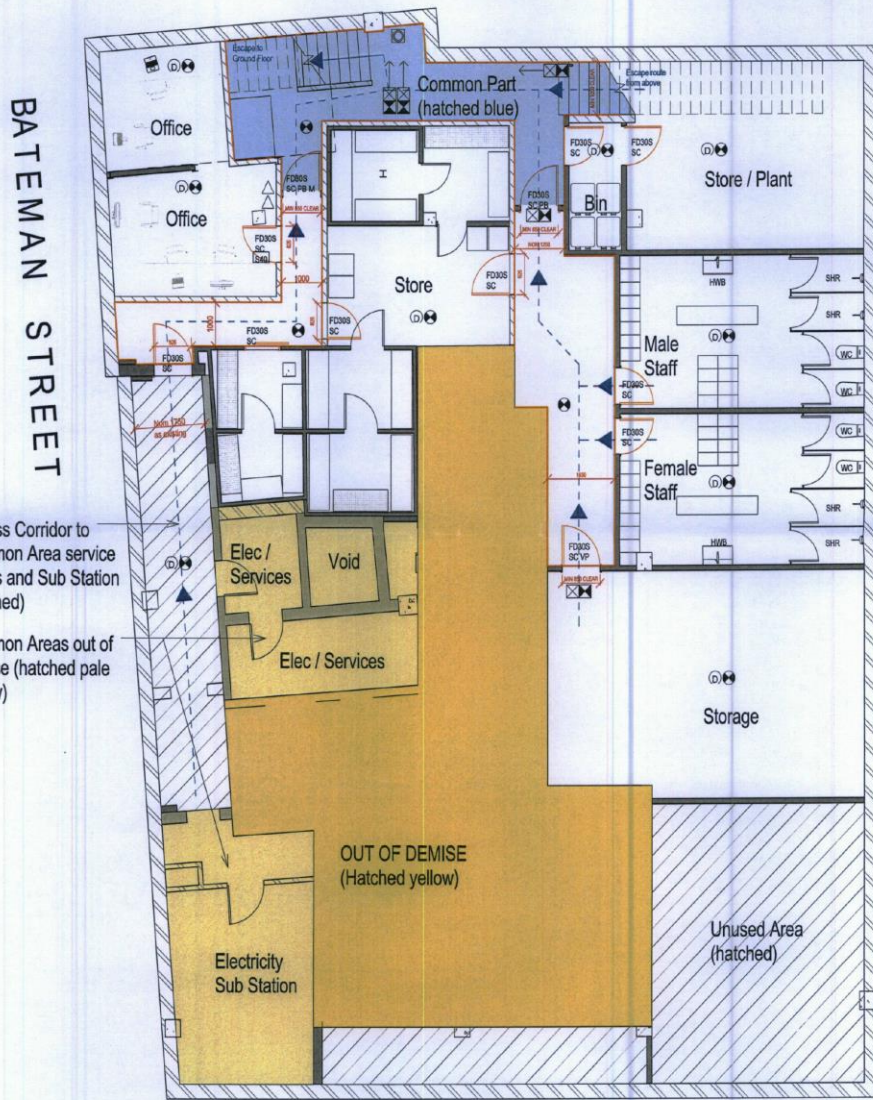
24. Late Night refreshment shall be permitted from 23:00 on New Year's Eve until 05:00 on New Year's Day.
25. The hours for sale of alcohol may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Annex 4 – Plans





2 Bateman St Ground Level
1 : 100



1 Store & Office Basement Plan
1 : 100

FIRE STRATEGY LEGEND

- FD308 1.45 Hour Fire-rated floor/ceiling
- SC Self-venting
- RB Fire Breaker
- SP Push bar
- M Magnetic Latch linked to fire alarm
- ⊕ Specific emergency handling - essential from (Non maintenance)
- ⊖ Detector with controlled source (Detector & handle)
- ⊙ Fire alarm control panel
- ⊙ Interlock with standard panel
- ⊙ Detector set detects breach
- ⊙ Emergency lighting and sign - Intensity (Maintenance)
- ⊙ Emergency lighting structural and maintenance
- ⊙ Fire extinguisher
- ⊙ Fire Breaker
- ⊙ Fire Exit Sign
- ⊙ Fire alarm device call point - manual type
- ⊙ Fire alarm device call point - manual type

NOTE:
Fire alarm system to be min L2 addressable

Proposed reserved area boundary

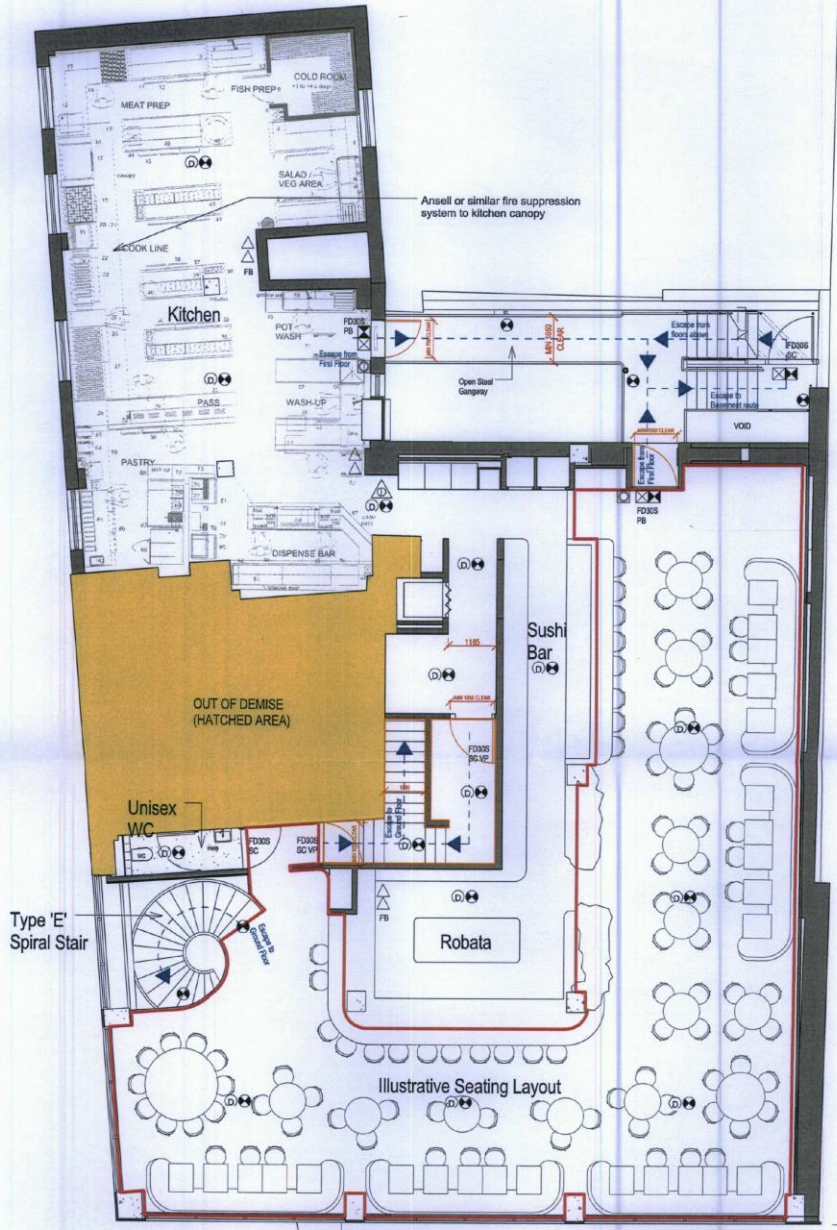
any martin architects
51 Catherine Street
London WC2E 0JH
Tel: +44 20 3397 1999
info@any martinarchitects.com

Project
Store & Offices
3-5 Bateman St, Soho

Date 22/02/2013
Scale 1 : 100
Drawing Name
Basement Plan

Drawing number
BSO_01

Revision
A



1 Licensing - First Floor
1 : 100

FIRE STRATEGY LEGEND

- FD005 Half hour fire door with seals
- SC self closing
- PS Pull bar
- VP Vision Panel
- M Magnetics Link linked to fire alarm system
- ⊕ Specific emergency luminaires - Pushbar type (not necessarily Glowsafe & Audible)
- ⊙ Fire alarm control panel - Interconnect with business panel
- ⊖ Excluded fire alarm beacon
- ⊗ Emergency Lighting and E99 - Internally Backlit (Standard)
- ⊗ Emergency Lighting detector and alarm - Internally Backlit (Standard)
- △ Fire extinguisher
- FB Fire Blanket
- ⊠ Fire Exit Sign
- ⊞ Fire Exit Sign - Power from ceiling and push - manual type
- Proposed fire-rated glass boundary

NOTE:
Fire alarm system to be min L2 addressable

E	22/02/2019	Revised floor plan
D	11/02/2019	Fire Floor 7/24/24/24
B	28/02/2019	Revised floor plan
A	22/02/2019	Client Issues
Rev	0001	Notes



01 Cambridge Street
Cambridge CB2 1RQ
Tel: +44 20 3387 1899
info@andy martin architects.com

Project
Chotto Matte Restaurant
11-13 Fern St, Soho

Date 22/02/19
Scale 1:100
Drawing name @ A3

First Floor Plan - Licensing

Drawing number	Revision
CM2839K	E



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

Schedule 12
Part B

WARD: West End
UPRN: 100023472332

Premises licence
summary

Regulation 33, 34

Premises licence number:

21/05525/LIPDPS

Part 1 – Premises details

Postal address of premises:

Chotto-Matte
11-13 Frith Street
London
W1D 4RB

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 Saturday: 23:00 to 01:30
Sunday: 23:00 to 00:30
Seasonal Details: From 23:00 on New Year's Eve until 05:00 on New Year's Day

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 00:00
Seasonal Details: From the start time on New Year's Eve until the finish time on New Year's Day

The opening hours of the premises:

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 00:30

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: Kostas Katsis

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

Restricted

Date: 06 July 2021

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

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
13/01711/LIPN	New premises licence	02.05.2013	Granted by licensing sub committee
13/06607/LIPT	Transfer - Frith Street LLP to NZR Limited	22.10.2013	Granted under delegated authority
13/06742/LIPDPS	Variation of DPS	22.10.2013	Granted under delegated authority
16/02168/LIPDPS	Variation of DPS	31.03.2016	Granted under delegated authority
16/05330/LIPDPS	Variation of DPS	10.06.2016	Granted under delegated authority
16/12072/LIPDPS	Variation of DPS	01.02.2017	Granted under delegated authority
17/01036/LIPDPS	Variation of DPS	01.03.2017	Granted under delegated authority
17/08893/LIPDPS	Variation of DPS	29.08.2017	Granted under delegated authority
18/16222/LIPDPS	Variation of DPS	24.01.2019	Granted under delegated authority
19/13047/LIPDPS	Variation of DPS	11.11.2019	Granted under delegated authority
20/09024/LIPDPS	Variation of DPS	03.11.2020	Granted under delegated authority
21/05525/LIPDPS	Variation of DPS	22.06.2021	Granted under delegated authority

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a metropolitan Police crime prevention officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times customer remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police of authorised officer through the preceding 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
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 supply of alcohol at the premises on the first floor shall only be by waiter/waitress to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
13. Waiter/waitress service shall be available at all times on the ground floor for customers seated at tables.

The applicant is proposing the following revised condition

- 13. Waiter/waitress service shall be available at all times on the ground floor and basement for customers seated at tables.**
14. All outside tables and chairs shall be rendered unusable by 23.00 each day.
15. There shall be no sale or supply of draught beer.
16. Private entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit shall be permitted at any time.
17. This licence to be of no effect until licence number 12/08598/LIPT has been surrendered.
18. No alcohol to be supplied for consumption anywhere on the premises after 23.00 hours except as an ancillary to food.
19. The maximum number of persons accommodated on the premises at any one time (excluding staff) shall not exceed 300 persons.
20. 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.
21. The Licence will have no effect until the premises has been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

22. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
23. The supply of alcohol on the ground floor of the premises shall at all times only be to persons seated and by waiter/waitress service, save for the area shown hatched black on the plan. The maximum number of persons in the area hatched black on the plan shall not exceed 30 persons.

The applicant is proposing the following revised condition

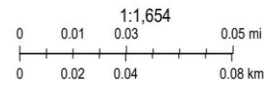
- 23. The supply of alcohol on the ground floor and basement of the premises shall at all times only be to persons seated and by waiter/waitress service, save for the areas shown hatched black on the plan. The maximum number of persons in the areas hatched black on the plan shall not exceed 30 persons.**
24. Late Night refreshment shall be permitted from 23:00 on New Year's Eve until 05:00 on New Year's Day.
25. The hours for sale of alcohol 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.

11-13 Frith Street



07/10/2022, 12:07:32

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



Resident count 104

Licensed premises within 75m of 11-13 Frith Street, London, W1

Licence Number	Trading Name	Address	Premises Type	Time Period
21/14423/LIPV	TAVUUK	3-5 Bateman Street London W1D 4AG	Cafe	Sunday; 12:00 - 16:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 12:00 - 00:00
06/07744/WCCMAP	Garlic & Shots	Basement And Ground Floor 14 Frith Street London W1D 4RD	Restaurant	Sunday; 12:00 - 23:30 Monday to Saturday; 10:00 - 01:00
21/11342/LIPVM	Negroni	15 Frith Street London W1D 4RE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
17/08427/LIPV	Nandos	Ground Floor 10 Frith Street London W1D 3JF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/06924/LIPDPS	Simmons	2 Bateman Street London W1D 4AE	Public house or pub restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/11120/LIPDPS	Ceviche	Basement And Ground Floor 17 Frith Street London W1D 4RG	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 10:00 - 01:30
18/08454/LIPT	Not Recorded	55 Frith Street London W1D 4SJ	Restaurant	Sunday; 12:00 - 22:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 23:59
21/08664/LIPVM	Union Club	50 Greek Street London W1D	Restaurant	Monday; 10:00 - 01:30

		4EQ		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 - 01:00
15/03152/LIPVM	Club 49	Basement And Ground Floor 49 Greek Street London W1D 4EG	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 03:30
19/12191/LIPN	Not Recorded	48 Greek Street London W1D 4EF	Restaurant	Monday; 10:00 - 01:00 Tuesday; 10:00 - 01:00 Wednesday; 10:00 - 01:00 Thursday; 10:00 - 01:00 Friday; 10:00 - 01:00 Saturday; 10:00 - 01:00 Sunday; 10:00 - 01:00
18/03606/LIPDPS	Lina Stores	Basement And Ground Floor 51 Greek Street London W1D 4EH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/05637/LIPDPS	Suvlaki	Ground Floor 21 Bateman Street London W1D 3AL	Restaurant	Friday to Saturday; 12:00 - 03:00 Sunday to Thursday; 12:00 - 00:00
19/09656/LIPDPS	La Capannina Club	Basement 21 Bateman Street London W1D 3AL	Night clubs and discos	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 03:30
12/07550/LIPDPS	Karaoke Box	Ground Floor 18 Frith Street London W1D 4RQ	Club or institution	Sunday; 09:00 - 23:00 Monday to Wednesday; 09:00 - 02:00 Thursday to Saturday; 09:00 - 05:00

19/06212/LIPN	Not Recorded	Basement And Ground Floor 47 Greek Street London W1D 4EE	Cafe	Sunday; 12:00 - 22:30 Monday to Saturday; 12:00 - 23:00
17/11842/LIPDPS	Bonnie Gull	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/06878/LIPDPS	Truffle Burgers	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/06836/LIPDPS	Dog & Duck Public House	18 Bateman Street London W1D 3AJ	Public house or pub restaurant	Sunday; 07:00 - 22:30 Sunday; 07:00 - 00:00 Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
14/02772/LIPV	Thirst	23 - 24 Bateman Street London W1D 3AW	Night clubs and discos	Sunday; 12:00 - 23:00 Monday to Saturday; 09:00 - 03:30
16/09930/LIPDPS	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
08/06508/LIPDPS	The Arts Theatre Club	50 Frith Street London W1D 4SQ	Shop	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 03:30
20/07618/LIPDPS	Mimis	56-57 Frith Street London W1D 3JG	Hotel, 3 star or under	Sunday; 07:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday;

				07:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
20/10046/LIPN	Tomato (Shadow Licence)	54 Frith Street London W1D 4SL	Premises Licence - Shadow Licence	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; 10:00 - 01:00
20/11539/LIPDPS	Tomato	54 Frith Street London W1D 4SL	Restaurant	Sunday; 10:00 - 01:00 Monday to Saturday; 10:00 - 01:30
22/06120/LIPCH	Prince Edward Theatre	Prince Edward Theatre 28 Old Compton Street London W1D 4HS	Theatre	Monday to Sunday; 09:00 - 01:00
21/08175/LIPDPS	Hoppers	49 Frith Street London W1D 4SG	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 00:30
16/13602/LIPV	Pix	16 Bateman Street London W1D 3AH	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00 New Year's Eve; 12:00 - 00:00
22/07701/LIPCH	Here Soho	First Floor 56 Greek Street London W1D 3DU	Office	Monday to Sunday; 09:30 - 22:30
18/01285/LIPDPS	Hazlitts Hotel	6 Frith Street London W1D 3JA	Hotel, 3 star or under	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30

22/06638/LIPCH	Manzis	Basement North 1-8 Bateman's Buildings London W1D 3EN	Restaurant	Sunday; 11:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00
16/09901/LIPV	Lobos Meat Tapas	Basement And Ground Floor 48 Frith Street London W1D 4SF	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
20/03241/LIPT	Salon 64	14 Bateman Street London W1D 3AG	Hairdresser or beauty salon	Monday; 08:00 - 22:30 Tuesday; 08:00 - 22:30 Wednesday; 08:00 - 22:30 Thursday; 08:00 - 22:30 Friday; 08:00 - 22:30 Saturday; 08:00 - 22:30
21/09644/LIPDPS	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4UR	Restaurant	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 01:00 New Year's Eve; 00:00 - 00:00
17/03238/LIPCH	Little Italy	21A Frith Street London W1D 4RW	Restaurant	Monday to Sunday; 09:00 - 05:30
18/16088/LIPN	New Evaristo Club	Basement 57 Greek Street London W1D 3DX	Club or institution	Monday to Sunday; 11:00 - 01:30
20/06963/LIPN	Not Recorded	Ground Floor 57 Greek Street London W1D 3DX	Cafe	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30

13/01625/LIPDPS	Gopal's Of Soho	Basement And Ground Floor 12 Bateman Street London W1D 4AH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/11525/LIPDPS	Patara	Basement And Ground Floor 15 Greek Street London W1D 4DP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/08779/LIPDPS	Be At One	16-17 Greek Street London W1D 4DR	Night clubs and discos	Monday; 09:00 - 06:00 Tuesday; 09:00 - 06:00 Wednesday; 09:00 - 06:00 Thursday; 09:00 - 06:00 Friday; 09:00 - 06:00 Saturday; 09:00 - 06:00 Sunday; 09:00 - 00:00
20/03210/LIPN	Be At One (Shadow)	16-17 Greek Street London W1D 4DR	Premises Licence - Shadow Licence	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 06:00
22/08448/LIPCH	The Little Scarlet Door	Basement 12 - 13 Greek Street London W1D 4DL	Restaurant	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Sunday; 09:00 - 23:00
16/10525/LIDPSR	Shadow Licence	Basement 12 - 13 Greek Street London W1D 4DL	Restaurant	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 03:30
21/10602/LIPN	Not Recorded	Basement And Ground Floor 58 Greek Street London W1D 3DY	Restaurant	Monday to Sunday; 10:00 - 23:30
09/09864/LIPN	Bibimbap Korean Restaurant	11 Greek Street London W1D 4DJ	Restaurant	Sunday; 17:00 - 00:00 Monday to Wednesday; 17:00 - 00:00 Monday to

				Sunday; 12:00 - 15:00 Thursday to Saturday; 17:00 - 02:00
22/05985/LIPVM	Unit 3, Ilona Rose House	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Monday; 08:00 - 01:00 Tuesday; 08:00 - 01:00 Wednesday; 08:00 - 01:00 Thursday; 08:00 - 01:00 Friday; 08:00 - 01:00 Sunday; 08:00 - 23:30
21/07023/LIPN	Unit 1, Ilona Rose House	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
22/06919/LIPDPS	Unit 3, Ilona Rose House	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Monday; 08:00 - 01:00 Tuesday; 08:00 - 01:00 Wednesday; 08:00 - 01:00 Thursday; 08:00 - 01:00 Friday; 08:00 - 01:00 Sunday; 08:00 - 23:30
17/09323/LIPST	Unit 4	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
21/07004/LIPN	Unit 4, Ilona Rose House	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
21/07024/LIPN	Unit 2, Ilona	Development	Restaurant	Sunday; 08:00

	Rose House	Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London		- 23:30 Monday to Saturday; 08:00 - 01:00
17/09330/LIPST	Unit 2	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4HT	Night clubs and discos	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 03:30
22/03894/LIPVM	Zebrano	Basement And Ground Floor 18 Greek Street London W1D 4DS	Night clubs and discos	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00 New Year's Eve; 00:00 - 00:00
21/11145/LIPDPS	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:00 Sundays before Bank Holidays; 12:00 - 00:30
17/03246/LIPCH	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Cafe	Sunday; 12:00 - 05:00 Monday to Saturday; 10:00 - 05:00

18/10183/LIPDPS	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:00
19/06444/LIPCH	10 Greek Street	10 Greek Street London W1D 4DH	Restaurant	Sunday; 11:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
17/09349/LIPRW	Circa	Basement And Ground Floor 62 Frith Street London W1D 3JN	Night clubs and discos	Monday to Sunday; 11:00 - 01:00
06/05103/WCCMAP	Jazz After Dark	Ground Floor 9 Greek Street London W1D 4DQ	Night clubs and discos	Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00 Monday to Thursday; 09:00 - 02:30 Monday to Saturday; 10:00 - 00:30 Friday to Saturday; 09:00 - 03:30
19/00938/LIPDPS	Not Recorded	Basement 23 Frith Street London W1D 4RR	Restaurant	Sunday; 09:00 - 01:00 Monday to Saturday; 09:00 - 03:30
19/03723/LIPT	Oliver Maki	33 Dean Street London W1D 4PW	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
16/04124/LIPV	Cookhouse Joe	33 Dean Street London W1D 4PW	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sundays

				before Bank Holidays; 12:00 - 00:00
21/14629/LIPVM	The Crown & Two Chairmen	31-32 Dean Street London W1D 3SB	Pub or pub restaurant with lodge	Sunday; 07:00 - 22:50 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
21/09121/LIPDPS	Sussex Restaurant	63 - 64 Frith Street London W1D 3JW	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
18/09098/LIPDPS	Sunset Strip	Basement To First Floor 30 Dean Street London W1D 3SA	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 01:30
21/06001/LIPT	Gunpowder	Basement And Ground Floor 20 Greek Street London W1D 4DU	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:30
14/03170/LIPVM	Londis	21 Greek Street London W1D 4DX	Shop	Monday to Sunday; 08:00 - 03:00
18/15717/LIPDPS	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:30
18/03674/LIPN	Not Recorded	59 Greek Street London W1D 3DZ	Cafe	Sunday; 10:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 New Year's Eve; 00:00 - 00:00 Sundays before Bank

				Holidays; 12:00 - 23:00
21/00693/LIPV	Balans Cafe	34 Old Compton Street London W1D 4TR	Restaurant	Sunday; 12:00 - 05:00 Monday to Saturday; 10:00 - 05:00
20/06321/LIPT	Balans Cafe	34 Old Compton Street London W1D 4TR	Restaurant	Sunday; 12:00 - 05:00 Monday to Saturday; 10:00 - 05:00
06/12560/WCCMAP	The Delhi Brasserie	44 Frith Street London W1D 4SB	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
11/02308/LIPDPS	Prix Fixe Brasserie	Basement And Ground Floor 39 Dean Street London W1D 4PU	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	20 October 2022
Licensing Ref No:	22/07929/LIPN - New Premises Licence
Title of Report:	Lucore 44 Bruton Place London W1J 6PB
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:	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:	19 August 2022		
Applicant:	Lucore Limited		
Premises:	Lucore		
Premises address:	44 Bruton Place London W1J 6PB	Ward:	West End
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form, the applicant proposes to operate the premises as restaurant and cookery school.		
Premises licence history:	This is a new premises licence application and therefore no premises licence history exists.		
Applicant submissions:	The applicant has proposed conditions which can be found in Appendix 5 of the report.		
Applicant amendments:	During the consultation the applicant has withdrawn 'Off Sales'.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays immediately before bank holiday Mondays 23:00 – 00:30					

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ 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. On Sundays immediately before bank holiday Mondays 08:30 – 00:30					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:30	08:30	08:30	08:30	08:30	08:30	08:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ 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. On Sundays immediately before bank holiday Mondays 08:30 – 00:30						
Adult Entertainment:	None						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	13 September 2022
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.	

2-B Other Persons	
Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	13 September 2022
<p>LICENSING APPLICATION 22/07929/LIPN – 44 BRUTON PLACE, LONDON, W1J 6PB</p> <p>We write on behalf of ██████████ who is the owner ██████████, to submit a vehement objection to the licensing application reference 22/07929/LIPN, which proposes the sale of alcohol and late-night refreshments at 44 Bruton Place. ██████████ has appointed PowerHaus Consultancy to represent his views in writing. This written statement therefore provides an assessment of the issues arising from the licensing application and requests that the Council refuses the application.</p> <p>A Certificate of Lawfulness was recently granted (06/04/2022) application reference 22/00990/CLOPUD for the use of part ground floor and rear courtyard as a research and development kitchen within Class E (Commercial, Business and Service) of the Town and Country Planning (Use Classes) Order 1987 (as amended). The decision notice states that “<i>in determining this Certificate of Lawfulness consideration has only been given to the proposed use of the ground floor premises as a ‘research and development kitchen’ and no assessment has been made with regard [to] cookery classes taking place at the premises</i>”. If a use is operated, which is materially different from that described, such as a restaurant or cookery school, the owner or occupier may be liable for enforcement action. For your information, the decision notice is attached at Appendix 1.</p> <p>Paragraph 14.64 of the Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) states “<i>The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. However, as set out in Chapter 9, licensing committees and officers</i></p>	

should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs". It is acknowledged that planning and licensing regimes are separate and it is for the occupier to ensure they operate within both their planning and licensing authorisations. However, it would be perverse if the operator gained a license that was not authorised in planning terms. We therefore encourage a discussion with the planning department to ensure an authorised planning consent has been obtained.

This representation will now consider the licencing application as if an authorised consent has been obtained.

The licensing application proposes the sale of alcohol Monday to Thursday between the hours 09:00 to 23:30, Friday to Saturday between the hours 09:00 and 00:00 and Sunday between the hours 09:00 to 22:30. The licensing application also requests the sale of late-night refreshments Monday to Thursday between the hours 23:00 to 23:30 and Friday to Saturday between the hours 23:00 to 00:00. Section O of the licensing application form states that the hours the premises are open to the public are Monday to Thursday 08:30 to 23:30, Friday to Saturday 08:030 to 00:00 and Sunday 08:30 to 22:30.

Bruton Place retains its scale as a quiet mews street with 30 similar character buildings comprised of residential, office and retail uses. The availability of alcohol at the premises would add to the availability of alcohol in an area where there are already a number of licensed premises. The existing bars and restaurants are often in conflict with customers who spill onto the street, with those that live or work on the street. Allowing an alcohol license at this premise would have a cumulative impact on neighbouring residents, contrary to the licensing objectives set out under Section 182 of the Licensing Act 2003.

The ground floor premise at 44 Bruton Place was previously in use as an Art Gallery, this application is for the sale of alcohol on site and late-night refreshments, which will therefore very much alter the activity taking place within the unit. The proposal will materially affect the neighbouring properties residential amenity due to the effects of people coming and going to the property on a daily basis. In addition, smokers will have no choice but to smoke on the street (there is no pavement outside the unit) and noise levels will significantly increase. The proposal will therefore significantly impact the quiet enjoyment of neighbouring residential properties. Condition 3 of the proposed conditions states that the premise shall not provide any takeaway service of food or drink for immediate consumption off the premise. However, Conditions 8 and 9 indicate that there will be opportunities for takeaway alcohol sales:

"Condition 8: There shall be no sales of alcohol or late night refreshment for consumption off the premises after (23:00) hours".

"Condition 9: All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises."

A licensed restaurant bar with the option of takeaway alcohol will materially impact neighbouring residents by the noise of customers, from orders being picked up and take away (motorbikes, scooters and cars). These will all be materially harmful impacts on residents who live in a Mews Street, which will be intensified with licensed takeaway alcohol sales. It is therefore requested that despite this objection, if the licence committee approve the application, an appropriate condition is imposed preventing the sale of takeaway alcohol sales and limiting the consumption of alcohol to the confines of the premise.

Furthermore, it is noted that the applicant proposes a condition that restricts loudspeakers not to be located in the entrance and exit of the premises or outside the building. While the applicants condition is welcomed in principle, it is requested that an appropriate condition is imposed restricting the hours music can be played to no later than 22:00 hours. The neighbouring residents have private amenity courtyards and balconies which are highly valued. It is considered that neighbouring residential amenity could be significantly impacted by the late night playing of music. By restricting the playing of music to no later than 22:00 will significantly limited the impacts on neighbouring residential amenity.

For these reasons, it is considered that the sale of alcohol and late-night refreshments at the premise would be inappropriate and unacceptable for 44 Bruton Place due to the significant impact on residents amenity, the cumulative impact on the area and potential impacts that would arise from a restaurant should the business morph into such a use. The Council is therefore asked to refuse the licence application in order to protect existing local residents

amenity. This is not a town centre location but a mixed-use mews where the finely balanced mix of businesses and residents must be considered and weighed in the balance. Alongside the existing licenced premises, no 46 Bruton Place and 38 Bruton Place have both recently been granted a licence and this will tip the balance from a mixed residential mews to a commercial licenced trade location with unacceptable impacts on existing residents.

Representation 1 has submitted additional documents which can be found at Appendix 3

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	5 September 2022

Something is wrong with the usual system so on behalf of RSMSJ I would like to object to the above application on the grounds of potential for public nuisance.

There are three areas of concern :-

1. No maximum capacity has been set.
2. We would wish to see a condition not allowing glass containers/drinks to be taken outside when eg smoking or making a phone call.
3. Most important however relates to private parties. More information is needed as to expected frequency of events, numbers invited and nature of events.

If a satisfactory understanding can be reached on these issues then we would be willing to drop the objection.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	6 September 2022

We've already made plenty of allowance for the new openings, and the café LALI across from these premises agreed to stop serving drinks at 9.30pm so that the street could stay livable. There has been way too much change way too fast, and with a street this narrow we can hear every word.

Good luck with your business, but it's a hard NO on the alcohol consumption. I gently object to even more traffic where we live. We deal with enough, including chronic construction.

Further Submissions on 13th September 2022

On prevention of public nuisance

The existing pub represents a reasonable limit of activity and drunkenness for a street like this with plenty of longstanding residents. To increase the traffic and frenzy makes the street less livable, and in a way I'm surprised the neighbours weren't actively consulted about a change to the retail offerings this robust. The café LALI across from these premises agreed to stop serving drinks at 9.30pm so that the street could stay livable. There has been way too much change way too fast, and with a street this narrow we can hear every word as people issue forth from these buildings at hours we are needing sleep.

On protection of children from harm

Children live on Bruton Place, including a few doors down from 44 Bruton Place, and a place selling drinks this far down the street leaves no unadulterated path for them to get home. The way a licenced place, operating late, changes the tenor of the street is not favourable.

I wish the purveyors of this business luck, but I wish against late-night licensing.

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
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	<p>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>8. Restaurants Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>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.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy RNT1 applies</p>	<p>A. Applications outside the West End Cumulative Impact 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 meeting the definition of a restaurant as per Clause C. <p>B. Applications inside the West End Cumulative Impact 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 are 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 demonstrated that they will not add to cumulative impact within the Cumulative Impact 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	Applicant supporting documents
Appendix 3	Representation 1 Additional Submissions
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	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	Environmental Health Service	13 September 2022
5	Representation 1	13 September 2022
6	Representation 2	5 September 2022
7	Representation 3	6 September 2022

None



Appendix 1: Application Reference 22/00990/CLOPUD Decision Notice

Your ref: 44 Bruton Place - CLOPUD
My ref: 22/00990/CLOPUD

Please reply to:
Tel No:

Matthew Giles
07866040155

Development Planning
Westminster City Council
PO Box 732
Redhill, RH1 9FL

6 April 2022

Dear Sir/Madam

SCHEDULE 4

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 AND 192 (AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991)
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995
ARTICLE 24
CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The Westminster City Council HEREBY CERTIFY that on 16.02.2022 the use or works described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged/hatched/coloured in red on the plan attached to this certificate was lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s) detailed on the following page:-

Application No:	22/00990/CLOPUD	Application Date:	
Date Received:	16.02.2022	Date Amended:	15.03.2022
Plan Nos:	Drawing: AP-200 Rev PI-1		
First Schedule:	Use of part ground floor and rear courtyard as a research and development kitchen within Class E (Commercial, Business and Service) of the Town and Country Planning (Use Classes) Order 1987 (as amended).		
Second Schedule:	44 Bruton Place, London, W1J 6PB,		



Deirdra Armsby
Director of Place Shaping and Town Planning

Note - As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email districtsurveyors@westminster.gov.uk to arrange a preliminary discussion.

Reason(s):

- 1 The City Council agrees that, on the balance of probability, the existing use of the property is as retail within Class E (Commercial, Business and Service) of the 1987 Use Classes Order as amended 1 September 2020. Consequently, the proposed use of the premises as a research and development kitchen within Class E of the 1987 Use Classes Order (as amended) would not constitute development as defined in section 55 of the Town and Country Planning Act 1990 and would not require planning permission.

Informative(s):

- 1 Please note in determining this Certificate of Lawfulness consideration has only been given to the proposed use of the ground floor premises as a 'research and development kitchen' and no assessment has been made with regard to cookery classes taking place at the premises.

NOTES

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use or works specified in the First Schedule for the land described in the Second Schedule would have been lawful, on the specified date and, thus, would not have been liable for enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the proposal described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any proposed proposal which is materially different from that described or which relates to other land may render the owner or occupier liable for enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



Plan:



Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

Conditions consistent with the operating schedule

9.
 - 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.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. The primary use of the premises is as a test kitchen and cookery school. The licensable activities authorised by this licence shall be ancillary to that use.
12. With the exception of those attending pre-booked private function or a cooking demonstration, the premises shall only operate as a restaurant,
 - (i) in which customers are shown to their table or the customer will select a table themselves,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
13. A list of private events shall be kept at the premises for 31 days and made available to the authorities on request.
14. 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.
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. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.
 17. There shall be no late night refreshment for consumption off the premises after 23.00 hours.
 18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
 19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
 20. 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 unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
 21. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) hours on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
 22. No deliveries to the premises shall take place between (22.00) and (08.00) hours on the following day.
 23. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
 24. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
 25. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 20 persons
 26. The rear external area shall not be used after 23:00.
 27. No drinks shall be taken onto the public highway.

Conditions proposed by the Environmental Health

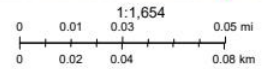
None

44 Bruton Place, London



06/10/2022, 11:08:43

- Property Mailing List
- Ward Labels
- ★ Public Houses
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries
- Stress Areas



Resident Count = 104

Licensed premises within 75 metres of 44 Bruton Place, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/12229/LIPN	Not Recorded	Ground Floor Flat 46 Bruton Place London W1J 6PD	Wine bar	Sunday; 10:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
21/11580/LIPN	Tila Bruton Deli	38 Bruton Place London W1J 6NX	Food store	Sunday; 09:00 - 21:00 Monday to Saturday; 08:00 - 21:00
22/04423/LIPN	Lali	Ground Floor 33 Bruton Place London W1J 6NN	Cafe	Monday to Sunday; 08:00 - 23:00
21/01825/LIPN	Tila London	27 Bruton Place London W1J 6NQ	Restaurant	Sunday; 08:00 - 23:00 Monday to Saturday; 08:00 - 00:00
22/04293/LIPCH	Guinea Express	23 Bruton Place London W1J	Restaurant	Sunday; 12:00 - 22:30 Monday to

		6ND		Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
16/04087/LIPDPS	Guinea	30 Bruton Place London W1J 6NL	Public house or pub restaurant	Sunday; 08:00 - 00:00 Sunday; 10:00 - 23:30 Monday to Saturday; 08:00 - 01:00 Monday to Saturday; 10:00 - 00:00
19/03055/LIPDPS	Not Recorded	Ground Floor 26 Bruton Place London W1J 6NG	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30

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City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

20 October 2022

22/07446/LIPV - Premises Licence Variation

Marylebone Theatre
Ground Floor
35 Park Road
London
NW1 6XT

Director of Public Protection and Licensing

Regents Park

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

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:	5 August 2022		
Applicant:	The Anthroposophical Association		
Premises:	Marylebone Theatre		
Premises address:	Ground Floor 35 Park Road London NW1 6XT	Ward:	Regents Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The building acts as the base of the Anthroposophical Association of the United Kingdom and as a hub for the membership to use in support of the societies objectives.		
Variation description:	<p>The application seeks to:</p> <ol style="list-style-type: none"> 1. vary the premises licence to add Sale of Alcohol and Exhibition of Films. 2. to alter the hours for Plays, to start 2 hours earlier in the day at 12.00. 3. to update the plans of the premises, the total area covered by the revised plans remains the same as the existing Premises Licence. 4. to remove all the existing conditions. However, in order to support the application, the applicant is also presenting a new set of conditions to demonstrate their commitment to promoting the Licensing Objectives. <p>The building contains a 212-seat theatre, bookshop, library, therapy centre and a number of meeting rooms, conference rooms and smaller event spaces.</p> <p>There is a café bar on the ground floor from where alcohol will be served.</p> <p>Alcohol may also be served in other parts of the building, when the activity taking place requires it.</p> <p>The meeting spaces are available for hire for meetings, conferences, educational seminars, rehearsal rooms and the top floor room also acts as a dance studio.</p>		
Premises licence history:	<p>The premises have had the benefit of a premises licence since at least 2005. 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:	<p>The building contains a 212-seat theatre, bookshop, library, therapy centre and a number of meeting rooms, conference rooms and smaller event spaces.</p> <p>There is a cafe bar on the ground floor from where alcohol will</p>		

	<p>be served. Access to the cafe is through the main entrance to the premises.</p> <p>The cafe bar will also be used to service customers attending the theatre and other events.</p> <p>Alcohol may also be served in other parts of the building, when the activity taking place requires it. For example, when a small conference is taking place in one of the conference rooms on the upper floors, a glass of wine may be served as part of that activity.</p> <p>The meeting spaces are available for hire for meetings, conferences, educational seminars, rehearsal rooms and the top floor room also acts as a dance studio.</p> <p>The premises is used to facilitate a number of different styles of entertainment, activities and school/ community projects. These include theatre productions, dance performances, spoken word, films and live music.</p>
Applicant amendments:	None

1-B	Current and proposed licensable activities, areas and hours
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Regulated Entertainment

Performance of a play

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	00:00	12:00	00:00	Basement to first floor	Basement to third floor
Tuesday	09:00	00:00	12:00	00:00		
Wednesday	09:00	00:00	12:00	00:00		
Thursday	09:00	00:00	12:00	00:00		
Friday	09:00	00:00	12:00	00:00		
Saturday	09:00	00:00	12:00	00:00		
Sunday	14:00	00:00	12:00	00:00		

Seasonal Variations/ Non-standard timings:	Current: None	Proposed: No change
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Exhibition of films

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A		12:00	23:30	Basement to first floor	Basement to third floor
Tuesday			12:00	23:30		
Wednesday			12:00	23:30		
Thursday			12:00	23:30		
Friday			12:00	23:30		
Saturday			12:00	23:30		
Sunday			12:00	23:30		

Seasonal Variations/ Non-standard timings:	Current: None	Proposed: No change
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Live music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	00:00	No change		Basement to first floor	Basement to third floor
Tuesday	09:00	00:00				
Wednesday	09:00	00:00				
Thursday	09:00	00:00				
Friday	09:00	00:00				
Saturday	09:00	00:00				
Sunday	N/A					
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	00:00	No change		Basement to first floor	Basement to third floor
Tuesday	09:00	00:00				
Wednesday	09:00	00:00				
Thursday	09:00	00:00				
Friday	09:00	00:00				
Saturday	09:00	00:00				
Sunday	N/A					
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Performance of dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	00:00	No change		Basement to first floor	Basement to third floor
Tuesday	09:00	00:00				
Wednesday	09:00	00:00				
Thursday	09:00	00:00				
Friday	09:00	00:00				
Saturday	09:00	00:00				
Sunday	N/A					
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Anything of a similar description to live music, recorded music or performance of dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	00:00	No change		Basement to first floor	Basement to third floor
Tuesday	09:00	00:00				
Wednesday	09:00	00:00				
Thursday	09:00	00:00				
Friday	09:00	00:00				
Saturday	09:00	00:00				
Sunday	N/A					
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			N/A		On only	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A		11:30	23:00	Basement to first floor	Basement to third floor
Tuesday			11:30	23:00		
Wednesday			11:30	23:00		
Thursday			11:30	23:00		
Friday			11:30	23:00		
Saturday			11:30	23:00		
Sunday			11:30	23:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				None	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	00:00	No change		Basement to first floor	Basement to third floor
Tuesday	09:00	00:00				
Wednesday	09:00	00:00				
Thursday	09:00	00:00				
Friday	09:00	00:00				
Saturday	09:00	00:00				
Sunday	09:00	00:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				None	

1-C	Layout alteration
<p>The applicant has submitted updated layout plans and is seeking to add the second and third floor to the licensable area.</p> <p>A copy of the updated plans appear at appendix 1.</p>	

1-D	Conditions being varied, added or removed	
<p>The applicant is proposing to remove all existing conditions and replace with an update operating schedule as set out in appendix 4</p>		
Adult entertainment:	Current position:	Proposed position:
	None	No change

2.	Representations	
2-A	Responsible Authorities	
Responsible Authority:	Environmental Health	
Representative:	Maxwell Koduah	
Received:	23 August 2022	
<p>I refer to the variation application for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking the following variations:</p> <ol style="list-style-type: none"> 1. Extend the hours for the performance of a play indoors Monday to Sunday 12:00 – 00:00 hours (midnight) 2. To include the exhibition of films indoors Monday to Sunday 12:00 – 23:30 hours 3. To include the supply of alcohol for consumption on the premises Monday to Sunday 11:30 – 23:00 hours 4. Update the plans of the premises <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representation:</p> <ol style="list-style-type: none"> 1. The hours requested to perform a play may have the likely effect of causing an increase in Public Nuisance Safety within the area 2. The hours requested to exhibit films may have the likely effect of causing an increase in Public Nuisance Safety within the area 3. The supply of alcohol and the hours requested to supply alcohol may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area <p>Applicant proposes to increase capacity at the premises from 264 (existing condition 5) to 320 (additional 56 persons). No justification or information was provided within the</p>		

application to support the proposed increase.

It is also noted that there is a proposal to update the plans of the premises with no information. The proposed capacity increase and plans update will form part of further discussion to be had on the premises during a visit to the premises.

The application refers to a smoking area that is to be provided with prominent signage. The designated smoking area has not been cross referenced on the accompanying plans. This shall be discussed further.

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

Conditions to form part of the operating schedule have been proposed below to support the licensing objectives of Prevention of Public Nuisance and Public Safety. Applicant is advised to study these conditions for further discussion during an agreed site visit.

The conditions that have now been agreed appear at appendix 4

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	12 August 2022
According to the application there is an extension of the run of the theatre. I am concerned about the noise disruptions to our neighbourhood. There are already some events on Sundays where the music is very loud, but as it is during the day this is acceptable. However this is not acceptable should this be extended to 23:30.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25 August 2022 (withdrawn 13 September 2022)
Within the supporting documents article 20 under 'the Prevention of Public Nuisance' states that 'No noise generated by the premises... Shall emanate from the premises no vibration be transmitted through the structure' - this is most definitely not the case. Situated directly behind the property, our bedroom and washroom run against the back wall of this address. Performances in the auditorium are clearly audible within our property (particularly the bedroom/washroom) bass vibration from audio equipment is particularly disruptive especially during later hours, disrupting sleep and during day times whilst working from home.	
We have on occasion had to visit the venue to ask them to turn music down after midnight, and when unable to get contact with anyone at the venue revisited the following day to speak with management. Any license variation which extends the period or potential for noise disruption is not supported.	
Following clarification of the application the interested party withdrew their representation on 13 September 2022.	

Name:	Mr Pasquale Marioni
Address and/or Residents Association:	180 Gloucester Place First floor flat London NW16DS
Received:	30 August 2022
<p>Playing music of any kind until 12.00 is absolutely out of the question.</p> <p>Bedrooms back on to the building and currently are hugely disturbed when music is being played, normally weekends afternoon and evening. To extend the hours that music is being played is absolutely to be rejected.</p> <p>Tenants need to get up and go to work and being hugely disturbed by music until midnight is bordering on the criminal. Under no circumstances should the playing of music go on beyond 21.00</p>	

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

	<p>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>Policy CCSOS1(A) applies</p>	<p>A. Applications outside the End Cumulative Zones 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 are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinemas, cultural and live sporting venues and outdoor space. 5. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated area. 6. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C. <p>C. For the purposes of this policy the primary function of a cinema, cultural venue and live sporting premises is defined as:</p> <ol style="list-style-type: none"> 1. Cinema For the exhibition of feature or shorts films to an audience. 2. Cultural Venues <ol style="list-style-type: none"> a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience. b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues. c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment. 3. Live sporting premises: the premises or the use to which the licence is intended for <ol style="list-style-type: none"> a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience. b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building.

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.

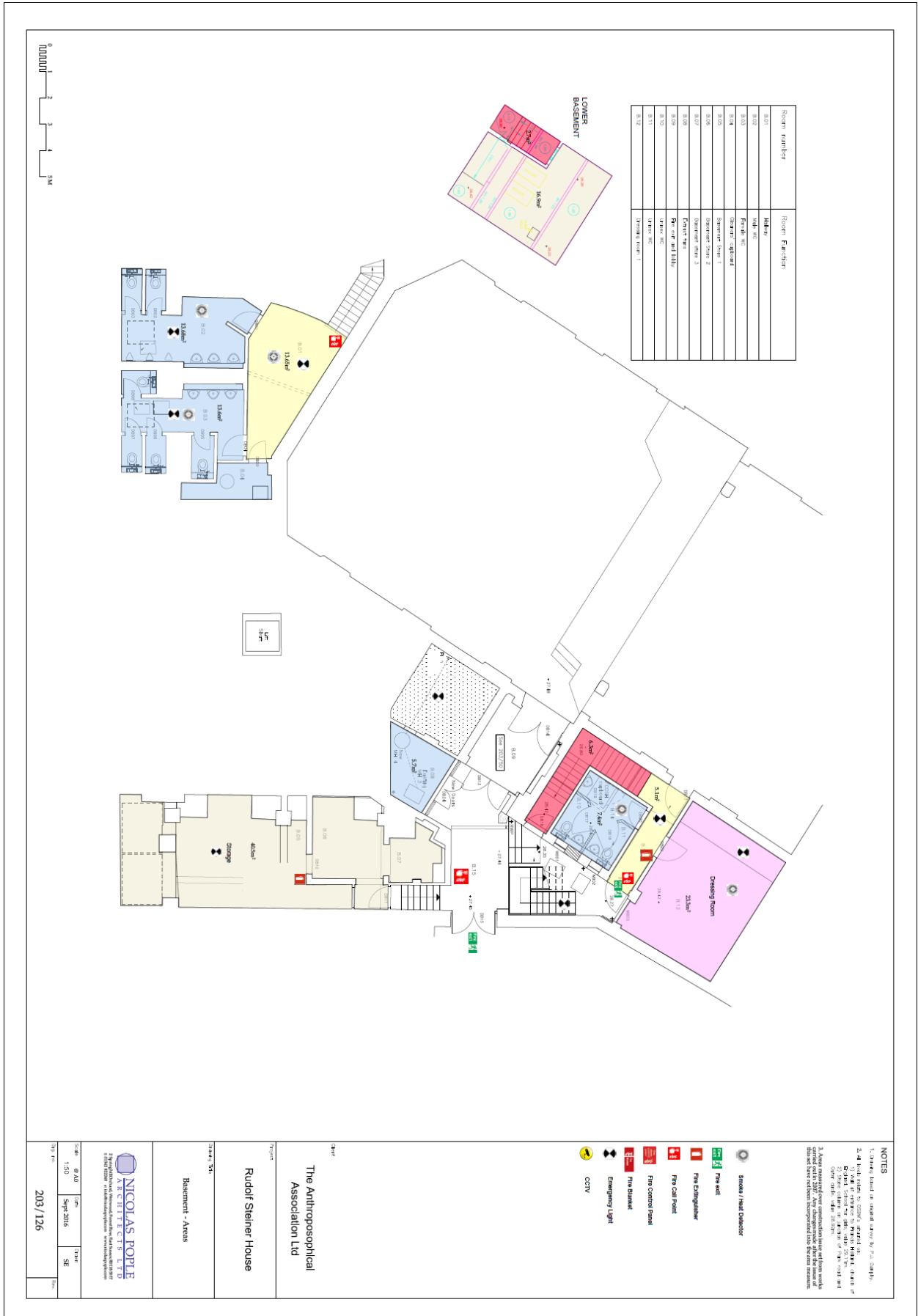
5.	Appendices
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

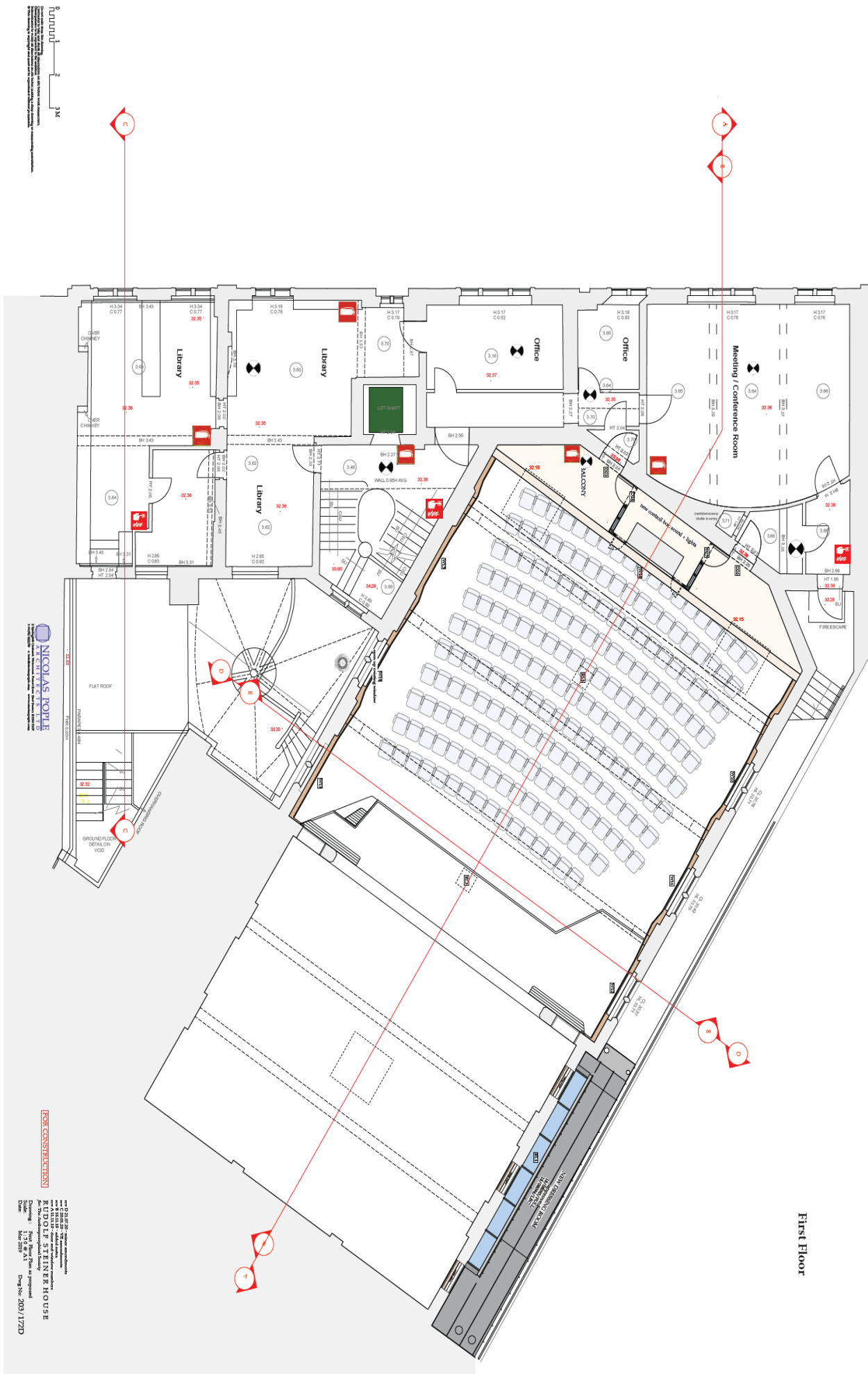
Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health representation	23 August 2022
5	Interested party representation (1)	12 August 2022
6	Interested Party representation (2)	25 August 2022 (withdrawn 13 September 2022)
7	Interested party representation (3)	30 August 2022





First Floor

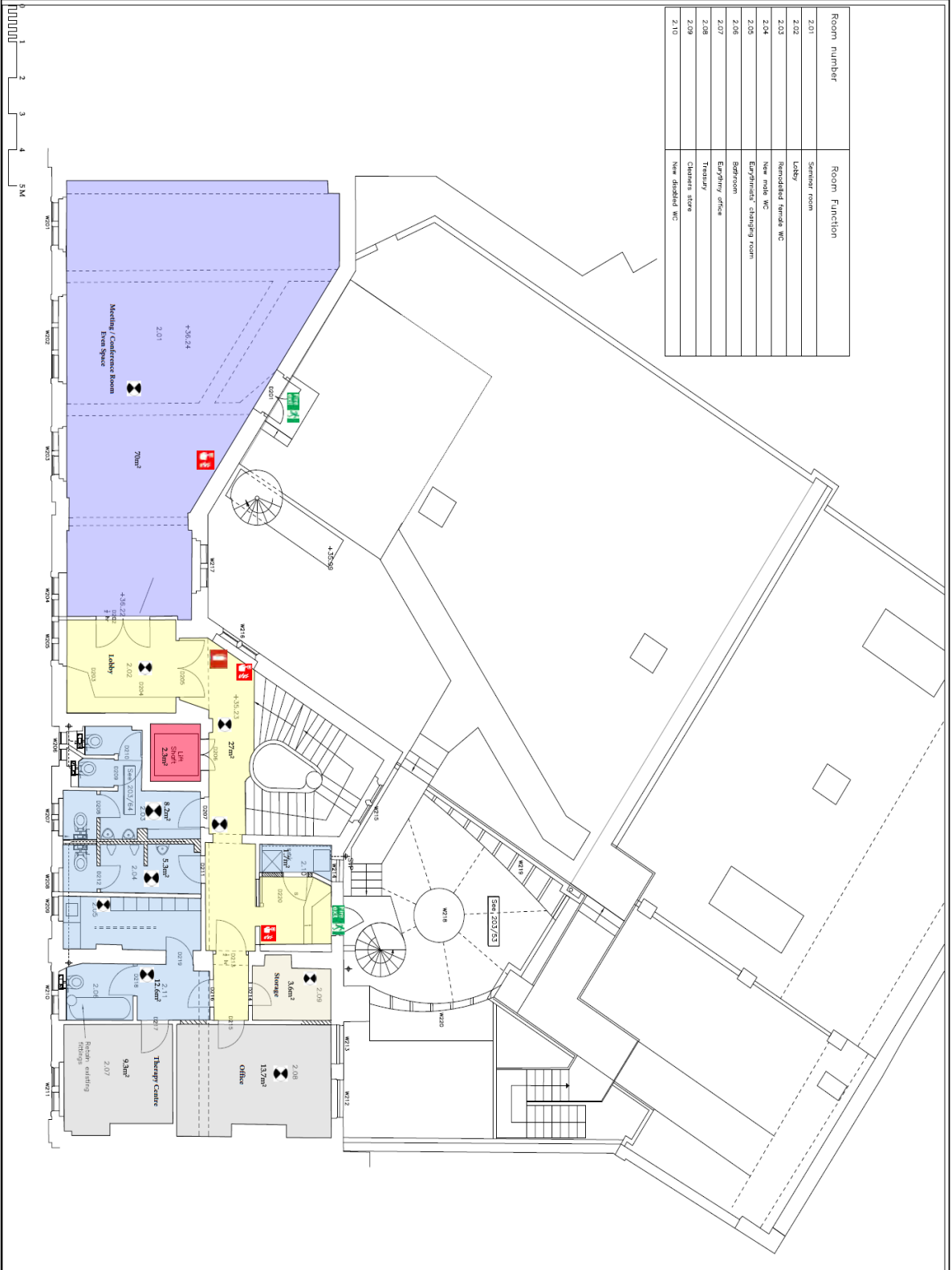


NICOLAS POPPE
 Architectural Services
 100, rue de la Chapelle, 1050 Brussels, Belgium
 Tel: +32 (0)2 737 12 34
 Fax: +32 (0)2 737 12 35
 Email: nicolas.poppe@nicolaspoppe.be

FOR CONSTRUCTION

Scale: 1:500
 Date: 20/03/2015
 Drawn by: J. Steiner
 Checked by: J. Steiner
 Project: First Floor of Paris proposed
 Client: **UDOLPH STEINER HOUSE**
 Date: 20/03/15
 Draw No: 203/172D

Room number	Room Function
2.01	Senior room
2.02	Lobby
2.03	Remodified female WC
2.04	New male WC
2.05	Equipment changing room
2.06	Bedroom
2.07	Equipment office
2.08	Treasury
2.09	Chairmen suite
2.10	New disabled WC



NOTES

1. Drawing based on original survey by P.J. Dwyer.
2. All levels relate to 2006.6's finished floor level. All levels of Equipment Storage for site value 2016.
3. All room numbers in brackets of floor, room and site value.
4. All room numbers of new construction items set from work level.
5. All room numbers of existing construction items set from work level but have not been incorporated into the main structure.

The Anthroposophical Association Ltd
Rudolf Steiner House

Client: The Anthroposophical Association Ltd
 2006.6
 2016.6

Architect: **NICOLAS POPPE ARCHITECTS LTD**
 2016.6
 2016.6

Scale: 1:50
 Date: Sep 2016
 Sheet: SE

203 / 129
 ORIGINAL DRAWING SHEET 241 x 344



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

Schedule 12
Part A

WARD: Bryanston And
Dorset Square
UPRN: 999000089909

Premises licence

Regulation 33, 34

Premises licence number:

07/01394/WCCMAP

Part 1 – Premises details

Postal address of premises:

Rudolf Steiner Bookshop
Ground Floor
35 Park Road
London
NW1 6XT

Telephone Number: 0207 723 4400

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Regulated Entertainment:

- Performance of a Play
- Performance of Live Music
- Playing of Recorded Music
- Performance of Dance
- Anything of a similar description to Live Music, Recorded Music or Performance of Dance
- Provision of facilities for Dancing
- Provision of facilities for making Music
- Provision of facilities for entertainment of a similar description to making music or dancing

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

Regulated Entertainment:

- Performance of a Play: Monday to Saturday 09:00 to 00:00
- Performance of a Play: Sunday 14:00 to 00:00
- Performance of Live Music: Monday to Saturday 09:00 to 00:00
- Playing of Recorded Music: Monday to Saturday 09:00 to 00:00
- Performance of Dance: Monday to Saturday 09:00 to 00:00
- Anything of a similar description to Live Music, Recorded Music or Performance of Dance: Monday to Saturday 09:00 to 00:00
- Provision of facilities for Dancing: Monday to Saturday 09:00 to 00:00
- Provision of facilities for making Music: Monday to Saturday 09:00 to 00:00
- Provision of facilities for entertainment of a similar description to making music or dancing: Monday to Saturday 09:00 to 00:00

MLR - Amended - 22/04/07

The opening hours of the premises:

Monday to Sunday - 09:00 to 00:00

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

N/A

Part 2

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

Ms Gillian Brand
The Mount
Fairclough Lane
WADHURST
Sussex
TN5 6PT

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

209494

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

Name: T.A.J. Goodfellow
Address: Rudolf Steiner House, 35 Park Road, London, NW1 6XT
Phone: 0207 723 4400

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

Licence Number: Not Supplied
Licensing Authority: Not Supplied

Date:

22 April 2007

Signed:

[Signature]
Director of Legal & Administrative Services

Annex 1 – Mandatory conditions

None

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

Conditions relating to regulated entertainment

1. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
2. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm to midnight on every day of the week

Plays:

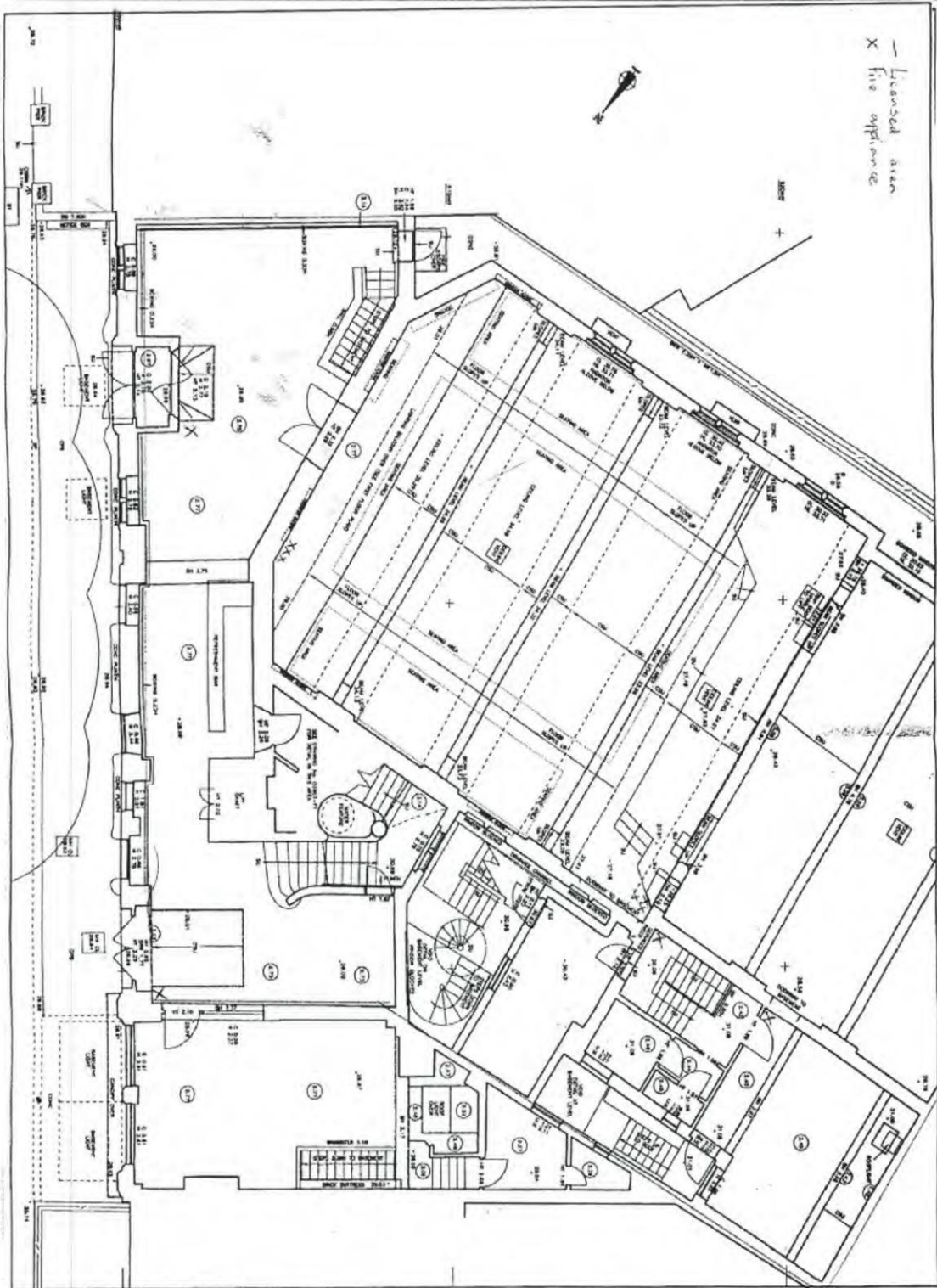
3. The public shall not be admitted to the gallery.
4. Any scenery to be kept or used on the premises shall be constructed from such materials as the Council accepts for use on open stages except that not more than 1,500 sq. ft. (138 square metres) of non durable flame-proofed scenery may be used on the stage only.
5. The number of persons accommodated at any one time (excluding staff) shall not exceed 264..
7. Except with the consent of the Council in writing and subject to any conditions which may be attached to any such consent, explosive or highly flammable substances shall not be brought on to or used at the premises.
8. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.

Annex 2 – Conditions consistent with the operating Schedule

None

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

None

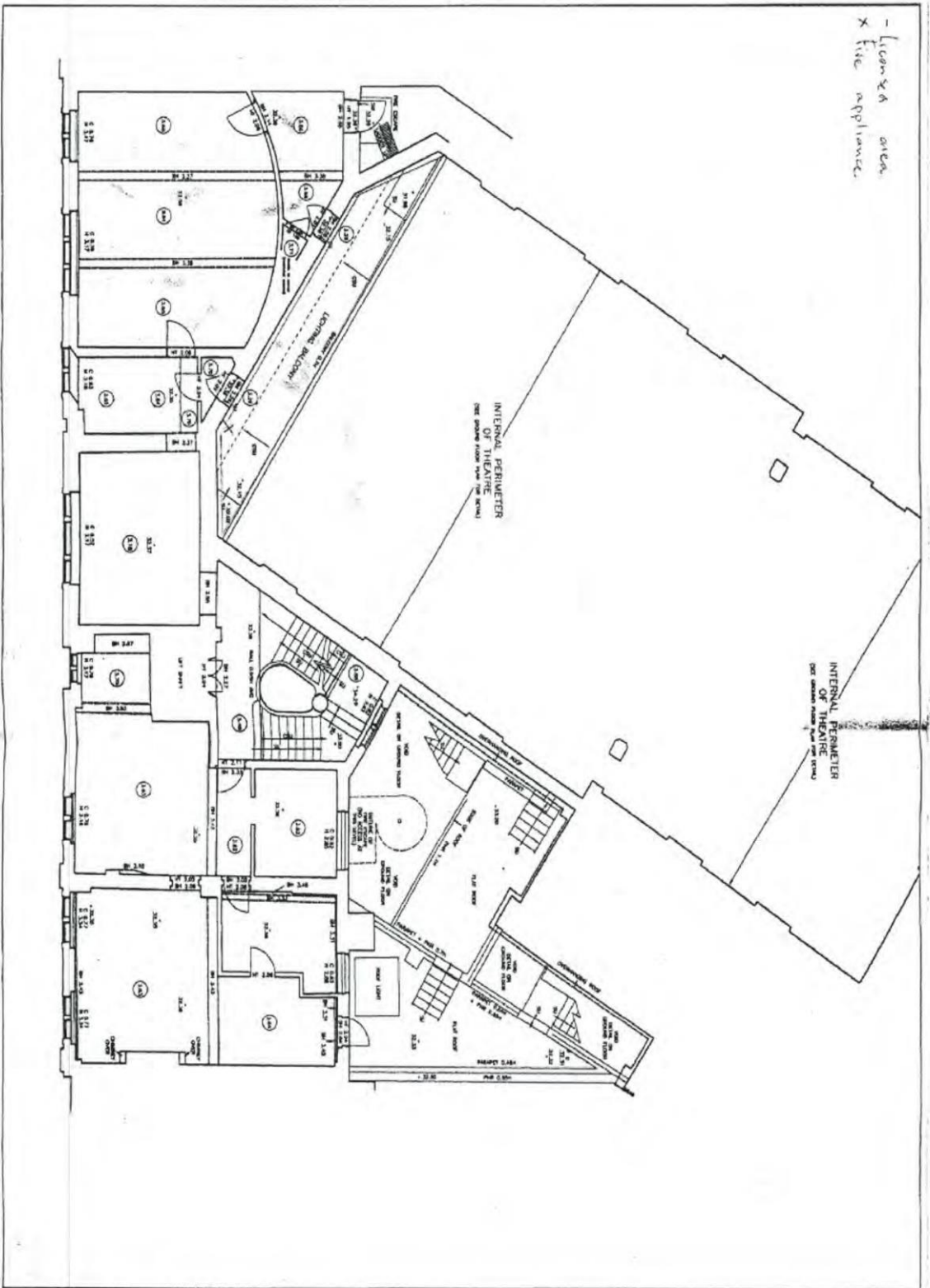


— Leased area
 X Fire appliance

Revision	5
Date	OCT 2001
By	11001
Drawn	5
Checked	5
Drawn	5
Checked	5

THE ANTIPOPOGRAPHIC ASSOCIATION LTD.
 25 PARK ROAD, LONDON
 W1P 6AA
 TEL: 020 7462 1100
 FAX: 020 7462 1101
 WWW: WWW.ANTIPOPOGRAPHIC.CO.UK

MLR - Amended - 17/04/07



- Clean & fire appliance

INTERNAL PERIMETER OF THEATRE (SEE DRAWING FROM PLAN 17/04/07)

INTERNAL PERIMETER OF THEATRE (SEE DRAWING FROM PLAN 17/04/07)

Drawn: OCT 2003
 Scale: 1:100
 Date: 17/04/07
 Project No: 17/04/07
 Client: THE ANTHROPOPOPHILIC ASSOCIATION LTD.
 Project Title: FIRST FLOOR PLAN
 Project Name: ROUDOT STEINER HOUSE, 35 VERN ROAD, LONDON
P.J. DUNPHY
 CONSULTING SERVICES LTD
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

MLR - Amended - 17/04/07



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

Schedule 12
Part B

Premises licence
summary

**WARD: Bryanston And
Dorset Square
UPRN: 999000089909**

Regulation 33, 34

Premises licence number:

07/01394/WCCMAP

Part 1 – Premises details

Postal address of premises:

Rudolf Steiner Bookshop
Ground Floor
35 Park Road
London
NW1 6XT

Telephone Number: 0207 723 4400

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Regulated Entertainment:

- Performance of a Play
- Performance of Live Music
- Playing of Recorded Music
- Performance of Dance
- Anything of a similar description to Live Music, Recorded Music or Performance of Dance
- Provision of facilities for Dancing
- Provision of facilities for making Music
- Provision of facilities for entertainment of a similar description to making music or dancing

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

Regulated Entertainment:

- Performance of a Play: Monday to Saturday 09:00 to 00:00
- Performance of a Play: Sunday 14:00 to 00:00
- Performance of Live Music: Monday to Saturday 09:00 to 00:00
- Playing of Recorded Music: Monday to Saturday 09:00 to 00:00
- Performance of Dance: Monday to Saturday 09:00 to 00:00
- Anything of a similar description to Live Music, Recorded Music or Performance of Dance: Monday to Saturday 09:00 to 00:00
- Provision of facilities for Dancing: Monday to Saturday 09:00 to 00:00
- Provision of facilities for making Music: Monday to Saturday 09:00 to 00:00
- Provision of facilities for entertainment of a similar description to making music or dancing: Monday to Saturday 09:00 to 00:00

MLR - Amended - 22/04/07

The opening hours of the premises:
Monday to Sunday - 09:00 to 00:00

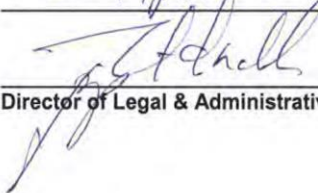
Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
N/A

Name and (registered) address of holder of premises licence:
Ms Gillian Brand
The Mount
Fairclough Lane
WADHURST
Sussex
TN5 6PT

Registered number of holder, for example company number, charity number (where applicable)
209494

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:
Name: T.A.J. Goodfellow

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

Date: 22 April 2007
Signed: 
Director of Legal & Administrative Services

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/02840/LIPC	Conversion	12.06.2005	Granted under delegated authority
07/01394/WCCMAP	Master licence	12.06.2005	Granted under delegated authority

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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.

10. 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.

Annex 2 – Conditions consistent with the operating Schedule

11. Appropriate induction training shall be undertaken with all relevant staff who do not hold a Personal Licence to cover appropriate subjects for their role including:
 - a. The responsible sale of alcohol.
 - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
 - c. The responsibility to refuse the sale of alcohol to any person who is drunk.
 - d. Fire safety & emergency evacuation procedures

All training shall be recorded and training records made available on request to an authorised officer of the Licensing Authority or the Police.

12. Recording Practices - An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning any of the Licensing Objectives
 - d. any incidents of disorder
 - e. all seizures of drugs or offensive weapons
 - f. any faults in the CCTV system or searching equipment or scanning equipment.
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
15. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs shall be adopted and enforced.
16. The Premises Licence holder shall risk assess any event taking place at the premises which involves Licensable Activities, to identify the requirements for door supervisors:
 - a. Where a requirement for door supervisor is identified a minimum of one SIA Registered Door Supervisor per 100 customers or part thereof shall be employed.
 - b. Where a requirement for door supervisor is identified, a register of door supervisors employed shall be maintained. This register shall record their name, SIA Door Supervisor Licence number, contact details and be signed by the Door Supervisor as well as an authorised member of the premises management team.
17. Fire Safety -A fire risk assessment shall be conducted and regularly reviewed. In- line with the Fire Risk Assessment:

- a. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.
 - b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
 - c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
 - d. All emergency exits are marked on the premises plan.
18. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 320 persons.
 19. Adequate & suitable first aid boxes shall be maintained and signage to identify their location and the location of first aiders shall be displayed.
 20. 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.
 21. 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.
 22. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
 23. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
 14. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
 15. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
 16. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
 17. No commercial waste shall be left on the street, all waste shall be stored in the commercial bins provided, prior to collection
 18. Glass set aside for recycling shall not be emptied from one receptacle into another in any external area of the premises between the hours of 22.00 and 09.00 on any day
 19. The area immediately outside the premises shall be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared
 20. 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.
 21. Telephone contact details for the premises shall be made publicly available on the company's website and made readily available marketing materials.
Telephone contact details for the premises shall be provided to residents and the Responsible Authorities on request.

22. No amplification system or speakers shall be used in the external areas of the premises.
23. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by suitably trained member of staff, so as to ensure that there is no public nuisance or obstruction to the public highway.
24. Smoking Area - An ashtray shall be affixed to the wall outside and staff shall be trained to clear any litter generated by smokers on a regular basis.
25. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
26. Alcoholic drinks shall not be permitted to leave the premises at any time, including for those leaving for the purpose of smoking.
27. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
28. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and / or an authorised officer of Westminster City Council.
29. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
30. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

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

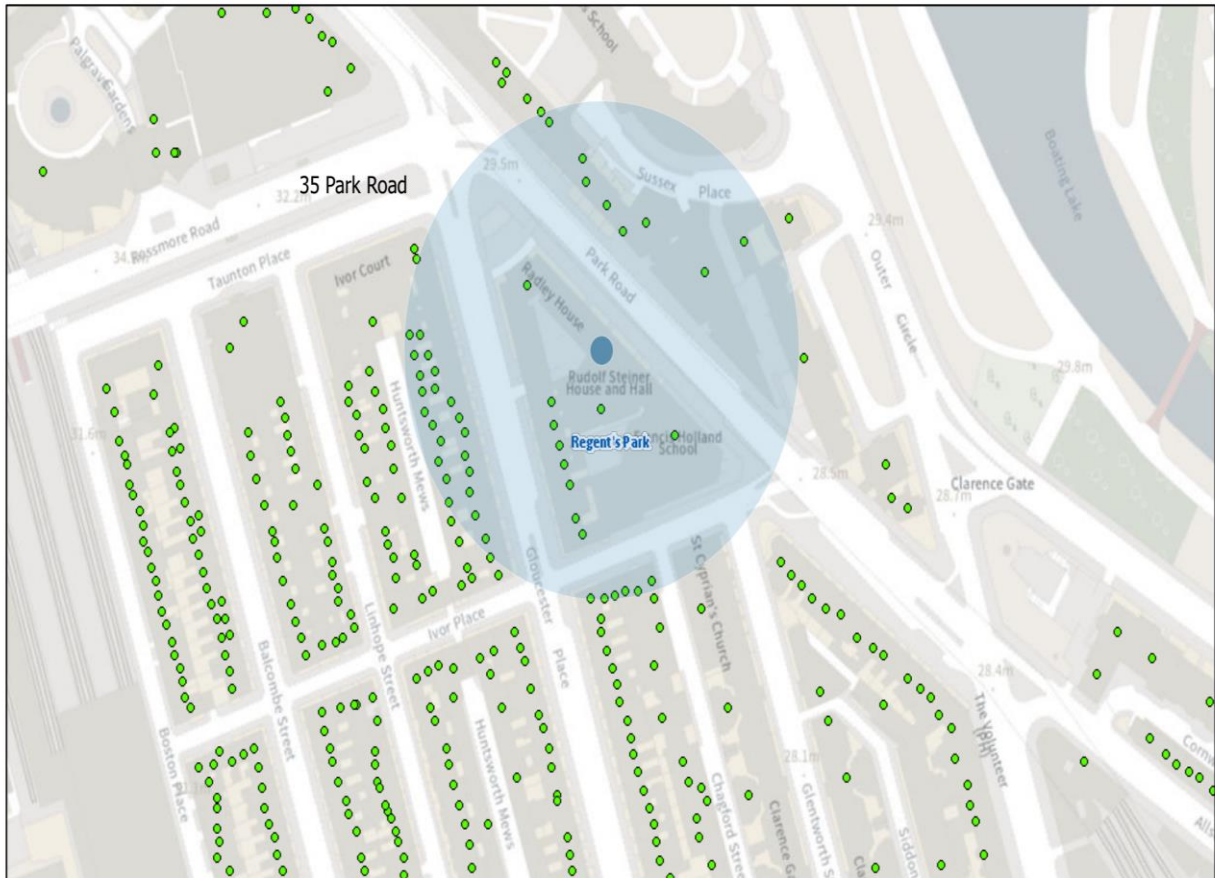
31. All external doors and those windows in rooms where any regulated entertainment or amplified music is taking place, shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons
32. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
33. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 22.00 hours and 06.30 hours on the following day
34. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22.00 and 07.00 hours on the following day
35. No deliveries to the premises shall take place between 22.00 and 08.00 hours on the following day
36. 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
37. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building

38. A direct telephone number for the duty manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity upon request.
39. 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.

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

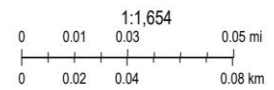
None

35 Park Road, London



06/10/2022, 11:47:13

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



Resident count: 212

Licensed premises within 75m of 35 Park Road, London, NW1

Licence Number	Trading Name	Address	Premises Type	Time Period
07/00863/WCCMAP	Mumtaz Restaurant	Ground Floor 4-10 Park Road London NW1 4SH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/13071/LIPDPS	Co-operative Food	18-22 Park Road London NW1 4SH	Food store (large)	Monday to Sunday; 07:00 - 23:00

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