



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday 3 August 2023**

Time: **10.00 am**

Venue: **This will be an MS Teams Virtual Meeting**

Members: **Councillors:**  
Angela Piddock (Chair)  
Md Shamsed Chowdhury  
Jim Glen

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

**Email: [scraddock@westminster.gov.uk](mailto:scraddock@westminster.gov.uk) Tel: 07790980186**  
**Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. 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. OKA RESTAURANT, UNITS 1.14 TO 1.16, KINGLY COURT, KINGLY STREET, W1B 5PW

(Pages 1 - 38)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End  * West End  ** None	Oka Restaurant Units 1.14 to 1.16 Kingly Court Kingly Street W1B 5PW	Premises Licence Variation	23/03025/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**2. SOFRA, 11-12 SOUTH MOLTON STREET, W1K 5QL**

**(Pages 39 - 58)**

<b>Ward CIA* SCZ**</b>	<b>Site Name &amp; Address</b>	<b>Application Type</b>	<b>Licensing Reference No.</b>
West End  * None  ** None	Sofra 11-12 South Molton Street W1K 5QL	New Premises Licence	23/03152/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love  
Chief Executive  
27 July 2023**

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:	3 August 2023
Licensing Ref No:	23/03025/LIPV - Premises Licence Variation
Title of Report:	Oka Restaurant Units 1.14 - 1.16 Kingly Court Kingly Street London W1B 5PW
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: <a href="mailto:kabbott@westminster.gov.uk">kabbott@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	9 May 2023		
<b>Applicant:</b>	Oka Restaurants Carnaby Limited		
<b>Premises:</b>	Oka Restaurant Units 1.14 - 1.16		
<b>Premises address:</b>	Kingly Court Kingly Street London W1B 5PW	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates as a restaurant.		
<b>Variation description:</b>	<p>This variation application seeks to permit the following:</p> <ol style="list-style-type: none"> <li>1. To amend, add and delete conditions, following initial pre-application advice ref 23/01260/PREAPS</li> <li>2. Update the plans in line with planned refurbishment work. The change of plans includes.               <ol style="list-style-type: none"> <li>a) Extension of restaurant into neighbouring unit space</li> <li>b) Infill floor of existing staircase and dumbwaiter location</li> <li>c) Relocation of kitchen</li> <li>d) Installation of 4 WCs 3 unisex, 1DDA</li> <li>e) Installation of fire protected lobby by WCs</li> <li>f) Installation of bar counter with perch dining</li> <li>g) Installation and relocation of fixed booths and fixed dining</li> </ol> </li> </ol>		
<b>Premises licence history:</b>	<p>The premises has had the benefit of a premises licence since</p> <p>A full licence and Temporary Event Notice History for the premises appears at <b>Appendix 4</b>.</p>		
<b>Applicant submissions:</b>	<p>The applicant has proposed 5 new conditions to replace the historic conditions found on the licence. These can be found at <b>1D and Appendix 5</b>.</p>		
<b>Applicant amendments:</b>	<p>The applicant has provided submissions below and at <b>Appendix 3</b> in regard to condition 18 of the licence.</p> <p>‘Regarding Condition 18, the application includes the following new condition:</p> <p><i>No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. Such capacity shall not exceed 120 persons, excluding staff.</i></p> <p>If the application is granted, this condition will override existing</p>		



	<p>condition 18 to: (i) prohibit licensable activities until the new capacity is determined; and (ii) apply the new capacity (instead of that in condition 18) once it is determined, making the existing condition 18 otiose and redundant.</p> <p>The capacity has been amended to 90 following discussions with Environmental Health.</p> <p>Copy of the submissions can be found at <b>Appendix 3</b></p>
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1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No Change		Units 1.14 - 1.16	
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	00:00				
Saturday	23:00	00:00				
Sunday	N/A	N/A				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None				

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No Change		Units 1.14 - 1.16	
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None			No Change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	00:00	No Change		Units 1.14 - 1.16	No Change
<b>Tuesday</b>	10:00	00:00				
<b>Wednesday</b>	10:00	00:00				
<b>Thursday</b>	10:00	00:00				
<b>Friday</b>	10:00	00:30				
<b>Saturday</b>	10:00	00:30				
<b>Sunday</b>	12:00	23:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> No Change				<b>Proposed:</b> No Change	

1-C Layout alteration
<p>The change of plans includes.</p> <ol style="list-style-type: none"> <li>Extension of restaurant into neighbouring unit space</li> <li>Infill floor of existing staircase and dumbwaiter location</li> <li>Relocation of kitchen</li> <li>Installation of 4 WCs 3 unisex, 1DDA</li> <li>Installation of fire protected lobby by WCs</li> <li>Installation of bar counter with perch dining</li> <li>Installation and relocation of fixed booths and fixed dining</li> </ol>

1-D Conditions to be added
<b>Condition</b>
<ol style="list-style-type: none"> <li>No licensable activities shall take place until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the licence by the licensing authority.</li> <li>No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. Such capacity shall not exceed 90 persons, excluding staff.</li> <li>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 new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.</li> </ol>

<b>Conditions being varied</b>	
<b>Condition</b>	<b>Proposed variation</b>
<p>11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.</p>	<p>The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.</p>
<p>14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p>	<p>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.</p>

<b>1-D Conditions being removed</b>		
<b>Condition</b>	<b>Proposed variation</b>	
<p>23. The toilets located on the 2nd floor of Kingly Court, marked on the attached plan, and comprising of no less than 3 male toilets and 3 urinals, 5 female toilets and 1 unisex disabled toilets, shall be available free of charge to patrons at all times when then premises is open for business.</p>		
<p>24. A clearly visible and legible sign shall be maintained on the premises at all times to advise patrons that the 2nd floor toilets are freely available for them to use.</p>		
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	No Change

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Kudzaishe Mondhlani
<b>Received:</b>	31 May 2023 ( <b>Withdrawn 8<sup>th</sup> June 2023</b> )
<p>I refer to the application for a Premises Licence variation. <b>The premises are located within the West End Cumulative Impact Zone as stated in the City of Westminster's Statement of Licensing Policy.</b></p> <p>This premises benefits from a current premises licence reference 14/11127/LIPVM. This representation is based on the operating schedule and plans submitted OKA01_03.00 dated 05.04.23.</p> <p>The applicant is seeking to amend the layout of the premises by</p> <ul style="list-style-type: none"><li>- Extending the restaurant into neighbouring unit space</li><li>- Infilling the floor of existing staircase and dumbwaiter location</li><li>- Relocating the kitchen</li><li>- Installing of 4 WCs (3 unisex, 1DDA)</li><li>- Installing a fire protection lobby by WCs</li><li>- Installing a bar counter with perch dining</li><li>- Installing and relocating fixed booths and fixed dining counters</li></ul> <p>2. To remove the following conditions relating to the provision of toilets <i>23. The toilets located on the 2nd floor of Kingly Court, marked on the attached plan, and comprising of no less than 3 male toilets and 3 urinals, 5 female toilets and 1 unisex disabled toilets, shall be available free of charge to patrons at all times when then premises is open for business.</i> <i>24. A clearly visible and legible sign shall be maintained on the premises at all times to advise patrons that the 2nd floor toilets are freely available for them to use.</i></p> <p>I wish to make the following representations in relation to the above application:</p> <ol style="list-style-type: none"><li>1. The change of layout may increase Public Nuisance in the area may impact on Public Safety.</li><li>2. The removal of condition 23 and 24 will have the likely impact of causing an increase in Public Nuisance</li></ol> <p>The granting of the application as presented would have the likely effect of causing an increase in Public Safety within the West End CIZ.</p> <p>Further information has been provided, including proposed conditions. The applicant has sought pre-application ref: 23/01260/PREAPS which has been referenced in the application. Upon a site visit, additional EH conditions may be proposed to uphold the licensing objectives. Should you wish to discuss the matter further please do not hesitate to contact me.</p> <p><b>The Environmental Health Service have withdrawn their representation on the 8<sup>th</sup> June 2023 due to conditions agreed with the applicant. These can be found at Appendix 5.</b></p>	

<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Kevin Jackaman
<b>Received:</b>	6 June 2023

I write in relation to the application submitted for a new premises licence for Oka Restaurant Units 1.14 - 1.16, Kingly Court, London, W1B 5PW

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

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

The application seeks the following:

Variation of existing licence so as to (i) update the plans in line with planned refurbishment work; and (ii) update licence conditions. The change of plans includes:

- Extension of restaurant into neighbouring unit space
- Infill floor of existing staircase and dumbwaiter location
- Relocation of kitchen
- Installation of 4 WCs (3 unisex, 1DDA)
- Installation of fire protected lobby by WCs
- Installation of bar counter with perch dining
- Installation and relocation of fixed booths and fixed dining counters

It is noted that there are no proposed changes to the licensable activities or timings.

The premises are located within the West End Cumulative Impact Area and The Licensing Authority note that the premises trade as a restaurant and that the existing licence contains the Council's model restaurant condition. As such various policy points must be considered, namely RTN1(B) and CIP1.

Policy RTN1(B) states:

"B. 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”

Policy CIP1 states:

A. It is the Licensing Authority’s policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:

1. Vary the hours within Core Hours under Policy HRS1, and/or
2. Vary the licence to reduce the overall capacity of the premises.

C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.

D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

The Licensing Authority note that there are no proposed variations in respect of the hours or licensable activities permitted by the current premises licence however it is also noted that as part of the variation of layout it is proposed that the premises will be extended into a neighbouring unit, increasing the area for licensable activities.

Currently there is a condition on the premises licence which restricts the capacity at the premise to no more than 30 persons excluding staff. The capacity condition proposed in the variation application would increase the capacity to no more than 120 persons excluding staff.

As the premise fall with the West End cumulative impact area, it is for the applicant to demonstrate how a potential increase of 90 people will have no adverse impact within 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

### 3. Policy & Guidance

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

<b>Policy CIP1 applies</b>	A. It is the Licensing Authority’s policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to: 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact. D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.
<b>Policy RNT1 applies</b>	A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to: 1. The application meeting the requirements of

	<p>policies CD1, PS1, PN1 and CH1.</p> <p>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</p> <p>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.</p> <p>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</p> <p>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</p> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <p>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</p> <p>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</p> <p>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.</p> <p>4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</p> <p>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</p> <p>C. For the purposes of this policy a restaurant is defined as:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
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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

<b>Appendix 1</b>	Current Premises Licence 14/11127/LIPVM
<b>Appendix 2</b>	Plans
<b>Appendix 3</b>	Applicant supporting documents
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Karyn Abbott
<b>Contact:</b>	Telephone: 020 7641 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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Environmental Health Service <b>(Withdrawn 8<sup>th</sup> June 2023)</b>	31 May 2023
<b>5</b>	Licensing Authority	6 June 2023





Schedule 12  
Part A

WARD: West End  
UPRN: 010033524384

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

Premises licence

Regulation 33, 34

Premises licence number:	14/11127/LIPVM
Original Reference:	14/03529/LIPN

**Part 1 – Premises details**

**Postal address of premises:**  
Oka Restaurant  
Units 1.14 - 1.16  
Kingly Court  
Kingly Court  
London  
W1B 5PW

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

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

<b>Late Night Refreshment</b>	
Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
<b>Sale by Retail of Alcohol</b>	
Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

**The opening hours of the premises:**

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

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

Alcohol is supplied for consumption on the Premises.

**Part 2**

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

Oka Restaurants Carnaby Limited  
71 Regents Park Road  
London  
NW1 8UY

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

09239920

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

**Name:** Ohad Kastro

*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:** PER-0895  
**Licensing Authority:** Hertsmere Borough Council

**Date:** \_\_\_\_\_ 21 January 2015 \_\_\_\_\_

This licence has been authorised by Mrs Taruna Adnath on behalf of the Operational Director - Premises Management.

#### **Annex 1 – Mandatory conditions**

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

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

7. The responsible person must ensure that -

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

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

## Annex 2 – Conditions consistent with the operating Schedule

9. The premises shall only operate as a restaurant:
- (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
- Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal
10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of 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.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. 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
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system or searching equipment or scanning equipment
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

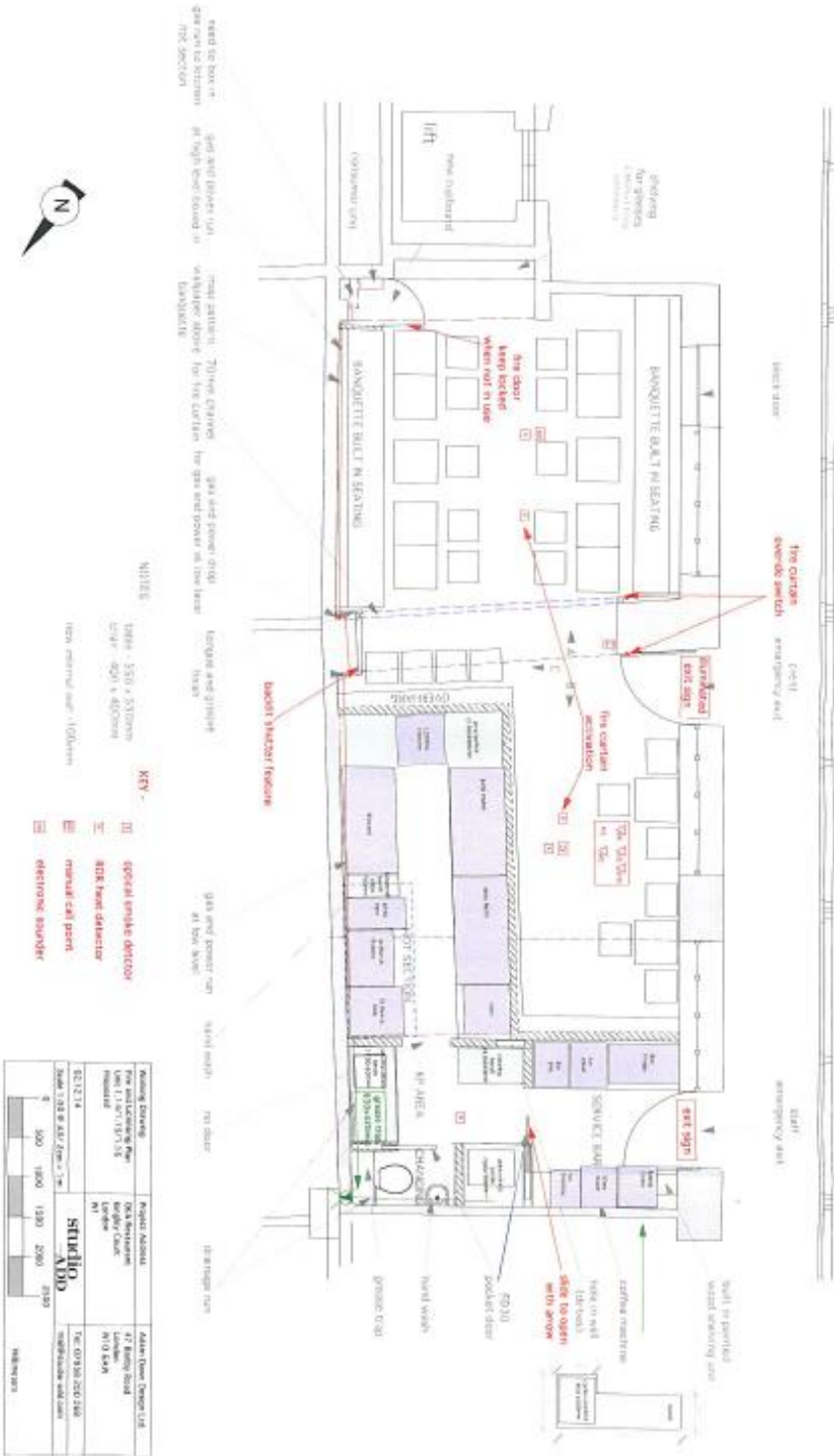
17. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
18. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.
19. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
20. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
21. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
22. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
23. The toilets located on the 2nd floor of Kingly Court, marked on the attached plan, and comprising of no less than 3 male toilets and 3 urinals, 5 female toilets and 1 unisex disabled toilets, shall be available free of charge to patrons at all times when then premises is open for business.
24. A clearly visible and legible sign shall be maintained on the premises at all times to advise patrons that the 2nd floor toilets are freely available for them to use.
35. The hours for late night refreshment and the 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 3 – Conditions attached after a hearing by the licensing authority**

None.



Annex 4 – Plans





Schedule 12  
Part B

WARD: West End  
UPRN: 010033524384

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

Premises licence  
summary

Regulation 33, 34

Premises licence number:

14/11127/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

Oka Restaurant  
Units 1.14 - 1.16  
Kingly Court  
Kingly Court  
London  
W1B 5PW

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

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

**Sale by Retail of Alcohol**

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

**The opening hours of the premises:**

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

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

Alcohol is supplied for consumption on the Premises.

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

Oka Restaurants Carnaby Limited  
71 Regents Park Road  
London  
NW1 8UY

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

09239920

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

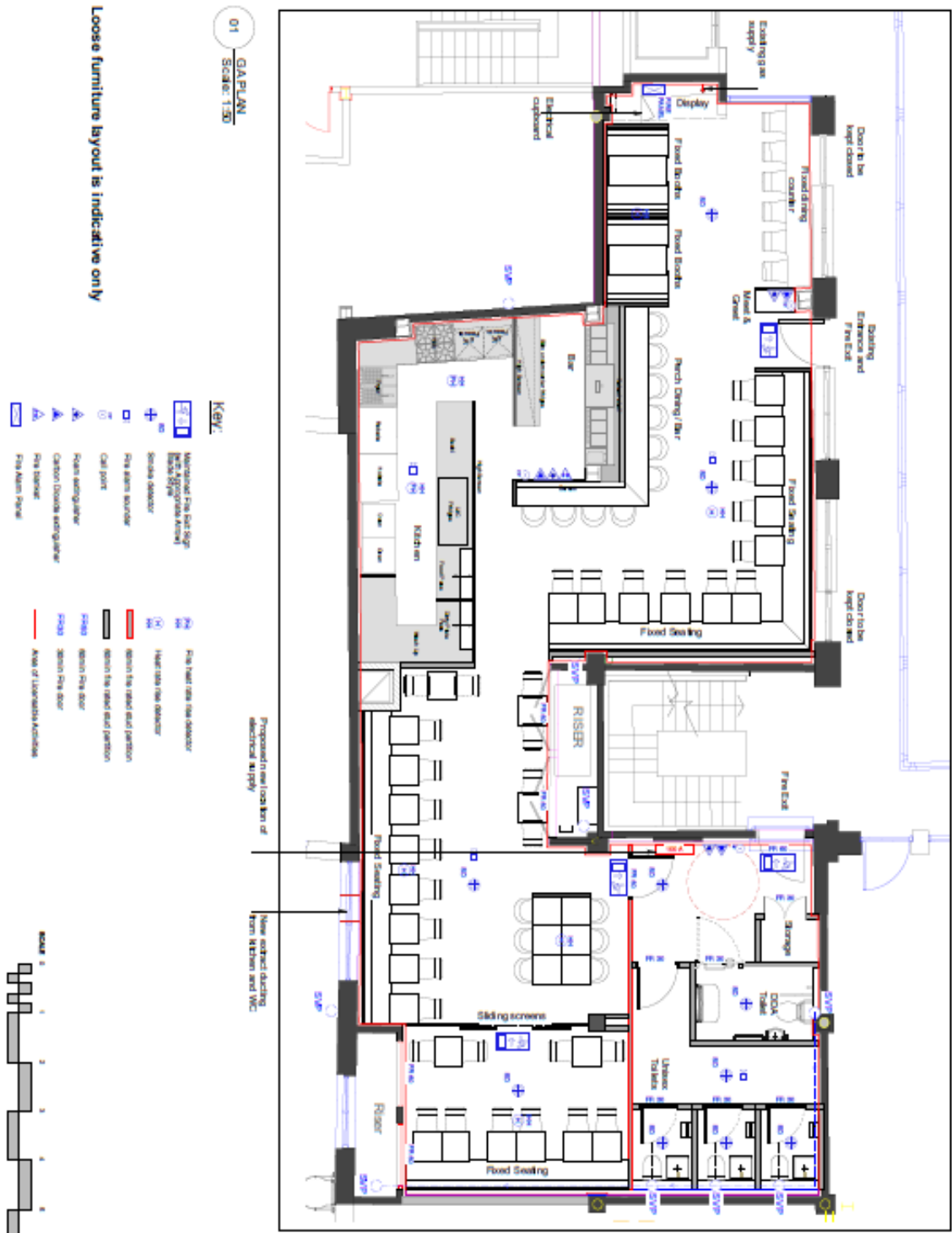
**Name:** Ohad Kastro

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

Restricted

**Date:** \_\_\_\_\_ 21 January 2015 \_\_\_\_\_

**This licence has been authorised by Mrs Taruna Adnath on behalf of the Operational Director - Premises Management.**



**DISCLAIMER:**  
DO NOT scale from this drawing.  
All dimensions to be checked on site and any discrepancies reported to Innovate Design immediately. Any alterations or variations without permission.  
All drawings are indicative. Contractor to provide NCD drawings prior to construction for approval.

**DATE:** 12/01/2024  
**TIME:** 10:30 AM  
**PROJECT:** [REDACTED]

**DESIGNER:** [REDACTED]  
**CLIENT:** [REDACTED]  
**PROJECT LOCATION:** [REDACTED]  
**PROJECT NO.:** [REDACTED]  
**DATE:** 12/01/2024  
**SCALE:** 1:50

**INNOVATE**

**CONTACT:** [REDACTED]  
**PHONE:** [REDACTED]  
**EMAIL:** [REDACTED]  
**WEBSITE:** [REDACTED]

**From:** [Alun Thomas](#)  
**To:** [Abbott, Karyn: WCC](#)  
**Cc:** [Will Robinson](#); [Holly McColgan](#)  
**Subject:** Re: LSC 3rd August 2023 - 23/03025/LIPV - Oka Restaurant Units 1.14 - 1.16 - Kingly Court, Kingly Street, London [OKA.1.1]  
**Date:** 24 July 2023 17:25:19

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Hi Karyn

Good to speak earlier.

Regarding Condition 18, the application includes the following new condition:

*No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. Such capacity shall not exceed 120 persons, excluding staff.*

If the application is granted, this condition will override existing condition 18 to: (i) prohibit licensable activities until the new capacity is determined; and (ii) apply the new capacity (instead of that in condition 18) once it is determined, making the existing condition 18 otiose and redundant.

(The proposed new capacity has of course now been reduced to 90, following discussions with Environmental Health.)

Hope that helps.

Kind regards,

Alun

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
14/03529/LIPN	<p>Application for a New Premises Licence</p> <p><b>Late Night Refreshment</b> Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00</p> <p><b>Sale by Retail of Alcohol</b> Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30</p>	16 June 2014	Granted under Delegated Authority
14/10703/LIPT	Transfer Premises Licence Holder from Shaftesbury Carnaby Ltd to Oka Restaurants Carnaby Limited	22 December 2014	Granted under Delegated Authority
14/10711/LIPDPS	Premises Licence – Vary DPS	22 December 2014	Granted under Delegated Authority
14/11127/LIPVM	Minor Variation – Change Plans Layout	08 January 2015	Granted under Delegated Authority

**There is no appeal history**

**No Temporary Event Notices in past five years**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

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

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

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



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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

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

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

10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of 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.

### **Condition 11 proposes to be amended to the below by the applicant**

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

### **Condition 14 proposes to be amended to the below by the applicant**

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.

15. 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
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system or searching equipment or scanning equipment
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
18. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.
19. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
20. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
21. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
22. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

**Condition 23 proposed to be removed by the applicant**

23. The toilets located on the 2nd floor of Kingly Court, marked on the attached plan, and comprising of no less than 3 male toilets and 3 urinals, 5 female toilets and 1 unisex disabled toilets, shall be available free of charge to patrons at all times when the premises is open for business.

**Condition 24 proposed to be removed by the applicant**

24. A clearly visible and legible sign shall be maintained on the premises at all times to advise patrons that the 2nd floor toilets are freely available for them to use.
35. The hours for late night refreshment and the 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 3 – Conditions attached after a hearing by the licensing authority**

None

#### **Conditions proposed by the applicant to form part of the operating schedule**

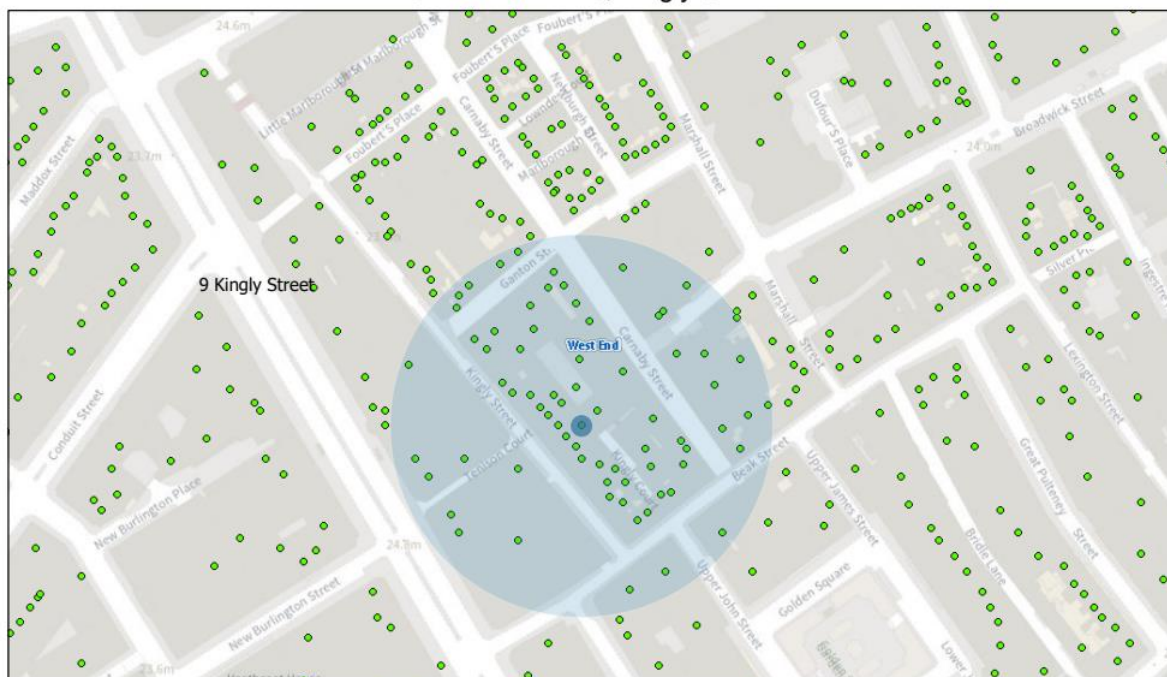
36. No licensable activities shall take place until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the licence by the licensing authority.
37. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. Such capacity shall not exceed 120 persons, excluding staff.

#### **Condition 37 proposed by Environment Health to be amended and agreed with the applicant to form part of the operating schedule.**

No licensable activities shall take place at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. Such capacity shall not exceed 90 persons, excluding staff.

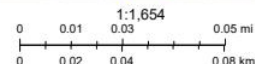
38. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

**Units 1.14 - 1.16, Kingly Court**



21/07/2023, 15:21:39

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



Resident Count = 25

<b>Licensed premises within 75 metres of Units 1.14 – 1.16, Kingly Court, Kingly Street London</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
19/09764/LIPCH	Shoryu	Ground Floor Unit 3-5 Kingly Court Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
21/10252/LIPDPS	Korean Dinner Party	Kingly Court Kingly Street London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
23/00218/LIPDPS	Marsha	Ground Floor Unit 2 And First Floor Units 4-6 Kingly Court Kingly Court London W1B 5PW	Restaurant	Sunday; 07:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00
22/10975/LIPVM	Unit 2.1-2.4 Kingly Court	Second Floor Units 1 And 2 Kingly	Restaurant	Sunday; 09:00 - 22:30   Monday to

		Court Kingly Street London W1B 5PW		Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00
18/08932/LIPDPS	Senor Ceviche	First Floor Units 1-3 Kingly Court Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
20/00137/LIPN	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Street London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
20/09859/LIPT	Imad's Syrian Kitchen Ltd	Second Floor Unit 14 Kingly Court Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
14/11127/LIPVM	Oka Restaurant Units 1.14 - 1.16	Kingly Court Kingly Street London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
15/11467/LIPDPS	Le Bab (Units 2.10 And 2.11)	Kingly Court Kingly Street London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
23/01272/LIPVM	Imad's Syrian Restaurant	Second Floor Unit 14 Kingly Court Kingly Court London W1B 5PW	Restaurant	Sunday; 09:00 - 22:30   Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00
19/14857/LIPT	The Good Egg	Unit G9 Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30   New Year's Day; 00:00 - 00:00
14/06042/LIPDPS	Life Goddess	Former Unit 1.9 Kingly Court London	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
22/09532/LIPDPS	Cahoots Ticket Hall & Control Room	5 Kingly Street London W1B 5PF	Restaurant	Sunday; 09:00 - 01:00   Monday to Saturday; 09:00 - 01:10

22/09921/LIPT	The Court	9 Kingly Street London W1B 5PH	Club or institution	Saturday; 09:00 - 00:30   Sunday; 12:00 - 23:00   Monday to Friday; 09:00 - 03:30
22/05147/LIPN	Shadow Licence	9 Kingly Street London W1B 5PH	Night clubs and discos	Saturday; 09:00 - 00:30   Sunday; 12:00 - 23:00   Monday to Friday; 09:00 - 03:30
22/00139/LIPT	Shampers Wine Bar	Ground Floor 4 Kingly Street London W1B 5PE	Wine bar	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/02115/LIPN	3 And 4 Kingly Street, London, W1B 5PD	4 Kingly Street London W1B 5PE	Not Recorded	Monday; 09:00 - 23:30   Tuesday; 09:00 - 23:30   Wednesday; 09:00 - 23:30   Thursday; 09:00 - 23:30   Friday; 09:00 - 00:00   Saturday; 09:00 - 00:00   Sunday; 09:00 - 22:30
15/00525/LIPN	Pizza Pilgrims Kiosk	11 Kingly Street London W1B 5PL	Shop	Saturday; 10:00 - 23:00   Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
22/06910/LIPDPS	Pizza Pilgrims	11 Kingly Street London W1B 5PL	Shop	Monday to Sunday; 08:00 - 00:30
11/07877/LIPDPS	Open Space	Kingly Court London	Park / Open Space	Monday to Sunday; 00:00 - 00:00
21/14225/LIPDPS	Two Floors	Ground Floor 3 Kingly Street London W1B 5PD	Shop	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
22/09539/LIPDPS	Cahoots	Unit G 13 Kingly Court London W1B 5PW	Night clubs and discos	Sunday; 09:00 - 00:00   Monday to Wednesday; 09:00 - 03:00   Thursday to Saturday; 09:00 - 03:30
22/03201/LIPDPS	Rum Kitchen, First Floor, Units 1.12 And 1.13	First Floor 12 Kingly Court London W1B 5PW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
20/06816/LIPRW	Not Recorded	49-51 Carnaby Street London W1F 9PY	Not Recorded	Sunday; 08:00 - 23:00   Monday to Thursday; 08:00 -

				00:00   Friday to Saturday; 08:00 - 00:30
21/13442/LIPVM	Fifty Carnaby	49-51 Carnaby Street London W1F 9PY	Night clubs and discos	Sunday; 08:00 - 00:00   Monday to Wednesday; 08:00 - 02:00   Thursday to Saturday; 08:00 - 03:00
23/02309/LIPDPS	Disrepute	Basement And Ground Floor 4 Kingly Court London W1B 5PW	Night clubs and discos	Sunday; 09:00 - 01:00   Monday to Saturday; 09:00 - 03:30   Sundays before Bank Holidays; 09:00 - 01:30
22/11342/LIPDPS	Wright Brothers Soho	12 - 13 Kingly Street London	Restaurant	Sunday; 08:00 - 23:00   Monday to Saturday; 08:00 - 00:00
22/10166/LIPDPS	Red Lion Public House	14 Kingly Street London W1B 5PR	Public house or pub restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
23/00964/LIPCHT	Kroketa	21 Beak Street London W1F 9RR	Cafe	Sunday; 09:00 - 23:00   Monday to Thursday; 09:00 - 00:00   Friday to Saturday; 09:00 - 00:30
22/11500/LIPDPS	Soho Grind	Basement And Ground Floor 19 Beak Street London W1F 9RP	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
23/01912/LIPCH	Flat Iron	17 Beak Street London W1F 9RW	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
06/06301/WCCMAP	Myung Ga Restaurant	15 Beak Street London W1F 9SX	Cafe	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/04384/LIPVM	Jinjuu	Basement And Ground Floor 15 - 16 Kingly Street London W1B 5PT	Restaurant	Monday; 10:00 - 01:30   Tuesday; 10:00 - 01:30   Wednesday; 10:00 - 01:30   Thursday; 10:00 - 01:30   Friday; 10:00 - 01:30   Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00
19/12271/LIPCH	Rosas	23A Ganton Street	Cafe	Sunday; 12:00 -



		London W1F 9BW		23:00   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Christmas Eve; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00   Christmas Eve; 12:00 - 00:00
18/07664/LIPDPS	Cirque Le Soir	Basement 15-21 Ganton Street London W1F 9BN	Night clubs and discos	Monday; 00:00 - 00:00   Wednesday to Saturday; 00:00 - 00:00
17/09470/LIPV	Pastaio	19 Ganton Street London W1F 9BN	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
22/12065/LIPVM	Cirque Le Soir	Basement 15-21 Ganton Street London W1F 9BN	Night clubs and discos	Monday; 00:00 - 00:00   Wednesday; 00:00 - 00:00   Thursday; 00:00 - 00:00   Friday; 00:00 - 00:00   Saturday; 00:00 - 00:00   Wednesday to Saturday; 00:00 - 00:00
19/16795/LIPVM	Dehesa	17 Kingly Street London W1B 5PU	Restaurant	Monday; 10:00 - 00:00   Tuesday; 10:00 - 00:00   Wednesday; 10:00 - 00:00   Thursday; 10:00 - 00:00   Friday; 10:00 - 00:30   Saturday; 10:00 - 00:30   Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
17/14852/LIPN	Sweaty Betty	1 - 2 Carnaby Street London W1F 9QG	Shop	Monday to Sunday; 08:00 - 20:00
23/03675/LIPVM	El Pollote	13 Ganton Street London W1F 9BL	Cafe	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
22/03017/LIPVM	Byron	Hardy House 16-18 Beak Street	Restaurant	Monday; 08:00 - 23:30   Tuesday;

		London W1F 9RD		08:00 - 23:30   Wednesday; 08:00 - 23:00   Thursday; 08:30 - 23:00   Friday; 08:00 - 00:00   Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00   Sundays before Bank Holidays; 08:00 - 00:00
23/04627/LIPRW	Mountain	Hardy House 16- 18 Beak Street London W1F 9RD	Restaurant	Monday; 08:00 - 23:30   Tuesday; 08:00 - 23:30   Wednesday; 08:00 - 23:00   Thursday; 08:30 - 23:00   Friday; 08:00 - 00:00   Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00   Sundays before Bank Holidays; 08:00 - 00:00
23/02579/LIPSL	Shadow Licence	Hardy House 16- 18 Beak Street London W1F 9RD	Not Recorded	Monday; 08:00 - 23:30   Tuesday; 08:00 - 23:30   Wednesday; 08:00 - 23:30   Thursday; 08:00 - 23:30   Friday; 08:00 - 00:00   Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30
22/01472/LIPDPS	Be At One	10 Beak Street London W1F 9RA	Restaurant	Monday; 09:00 - 03:00   Monday; 09:00 - 01:30   Sunday; 09:00 - 01:00   Tuesday to Thursday; 09:00 - 03:30   Friday to Saturday; 09:00 - 04:30   Sundays before Bank Holidays; 09:00 - 03:00
23/03289/LIPDPS	Blue Posts	18 Kingly Street	Public house	Sunday; 08:00 -

	Public House	London W1B 5PX	or pub restaurant	23:00   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00   Sundays before Bank Holidays; 08:00 - 00:00
14/03870/LIPT	Mother Mash	26 Ganton Street London W1F 7QZ	Public house or pub restaurant	Monday to Friday; 08:00 - 23:00   Saturday to Sunday; 10:00 - 23:00
23/02692/LIPDPS	Pix	Basement And Ground Floor 24 Ganton Street London W1F 7QY	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 12:00 - 23:30   Friday to Saturday; 12:00 - 00:00
22/01668/LIPDPS	The Ganton Arms	18 - 20 Ganton Street London W1F 7BX	Restaurant	Sunday; 12:00 - 00:00   Monday to Friday; 10:00 - 00:30
21/02690/LIPDPS	Flare	14 - 22 Ganton Street London W1F 7BS	Public house or pub restaurant	Sunday; 12:00 - 22:30   Sunday; 12:00 - 23:30   Monday to Wednesday; 09:00 - 00:00   Monday to Thursday; 10:00 - 23:30   Thursday to Saturday; 09:00 - 01:00   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
14/11059/LIPVM	Zebrano	14-22 Ganton Street London W1F 7QU	Pub or pub restaurant with lodge	Sunday; 12:00 - 00:00   Sunday; 12:00 - 22:30   Monday to Wednesday; 09:00 - 00:00   Monday to Thursday; 10:00 - 23:30   Thursday to Saturday; 09:00 - 01:00   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
21/10774/LIPT	Polpo	Ground Floor 41 - 43 Beak Street London W1F 9SB	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00





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

3 August 2023

23/03152/LIPN - New Premises Licence

Sofra  
11-12 South Molton Street  
London  
W1K 5QL

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](mailto:kjackaman@westminster.gov.uk)

<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	12 May 2023		
<b>Applicant:</b>	Sofra International Limited		
<b>Premises:</b>	Sofra		
<b>Premises address:</b>	11-12 South Molton Street London W1K 5QL	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application form the premises intend to operate as a restaurant with seated customers and waiter/waitress service.		
<b>Premises licence history:</b>	The premises have previously held a premises licence (Licence number 16/11373/LIPRW) however the licence lapsed in March 2018 when the company premises licence holder was dissolved.		
<b>Applicant submissions:</b>	Sofra is fronted by renowned patron-chef Huseyin Ozer.  The premises are outside the Cumulative Impact Zone and the application is for Core Hours. A number of conditions commensurate with the Westminster Licensing Policy are offered.		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	
<b>Seasonal variations/ Non-standard timings:</b>			None				

<b>Recorded music</b>				<b>Indoors, outdoors or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:0	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			None				

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:30	00:30	00:00
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Kudzaishe Mondhlani
<b>Received:</b>	06 June 2023

I refer to the application for a Premises Licence.

This representation is based on the operating schedule and plans submitted basement floor plans ref:03 and ground floor plans ref:04.

The applicant is seeking the following.

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday between 10:00 and 23.30, Friday to Saturday between 10:00 and 00:00 hours and Sunday between 12:00 to 22.30 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Thursday between 23.00 and 23:30 hours and Friday to Saturday between 23.00 to 00.00 hours.
3. To provide Recorded Music indoors Monday to Thursday between 10.00 and 23.30 hours, Friday to Saturday between 10:00 and 00:00 hours and Sunday between 12.00 to 22.30 hours.

I wish to make the following representation.

1. The supply of alcohol would have the likely effect of causing an increase in Public Nuisance in the area and may also impact on Public Safety.
2. The provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety.
3. The provision of regulated entertainment will have the likely effect of causing an increase in

Public Nuisance and impact on Public Safety.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance in the area and may also impact on Public Safety.

Upon a site visit, additional EH conditions may be proposed to uphold the licensing objectives. Should you wish to discuss the matter further please do not hesitate to contact me.

**2-B Other Persons**

**Name:**

[REDACTED]

**Address and/or Residents Association:**

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

**Received:**

17 May 2023

[REDACTED] are the tenant of the [REDACTED] and object to the above application on the following grounds:-

- The application will result in disturbance to the offices at first, second and third floor levels due to the potential for noise adjacent to the office windows facing South Molton Street during office hours caused by the playing of recorded music as well as the customers to the restaurant,
- The application will result in noxious smells and does not include an odour assessment which is critical as substantial smells will be released by activity which could cause a serious nuisance to nearby offices especially in the summer when external air flow is limited,
- In the summer office windows are open as there is no air conditioning in the building (due to its age and character) and the potential disturbance is therefore accentuated,
- The external tables and chairs in front of the building adjacent to the entrance to the offices will accentuate all of the above noise and smells disturbance and nuisance,
- The entrance to the offices may be impeded by restaurant customers and staff as employees and clients trying to access the offices will have to walk between tables in front of both 11 and 12 South Molton Street which will create a detrimental value to the image of the building as an office building.

**Name:**

[REDACTED]

**Address and/or Residents Association:**

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

**Received:**

28 May 2023

On behalf of [REDACTED] I would like to register an objection based on public nuisance. There are two grounds for this and both are fairly minor.

Firstly it would be appreciated if condition 11 could be expanded to all deliveries and collections. I don't imagine this to be a problem because of the restricted hours for vehicle movement in the street.

Secondly could condition 17 be expanded so as not to permit smokers to take alcohol or glass containers with them when leaving the premises to smoke.



3.	<b>Policy &amp; Guidance</b>
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<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"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>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.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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</li> </ol>

	<p>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 This application as defined within this policy is:  <b>8. Restaurants:</b> 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><b>Policy RNT1 (A) applies</b></p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>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.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>

#### 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.

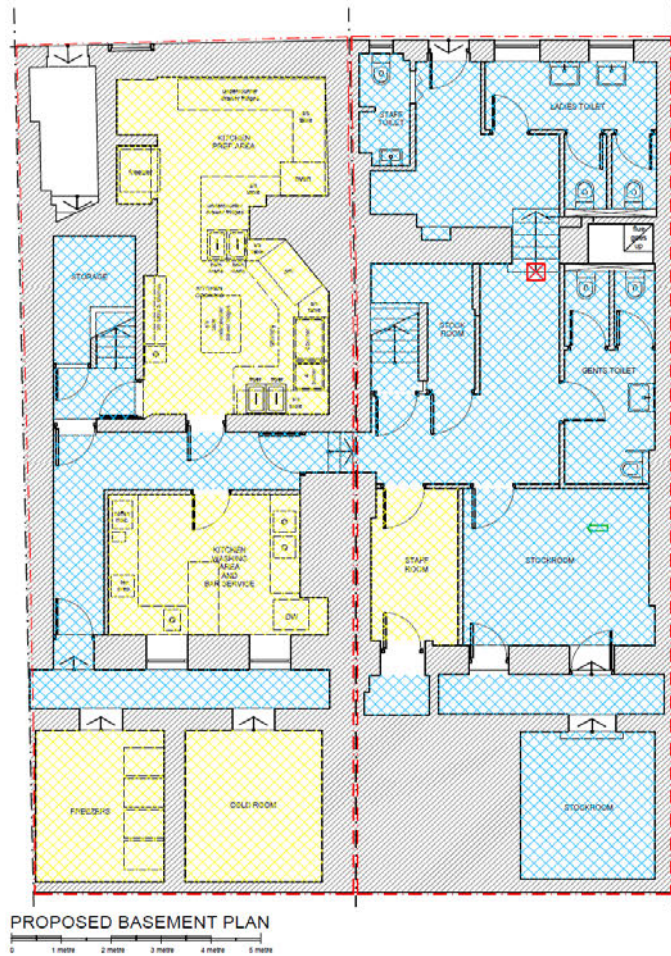
Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.





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

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: kjackaman@westminster.gov.uk

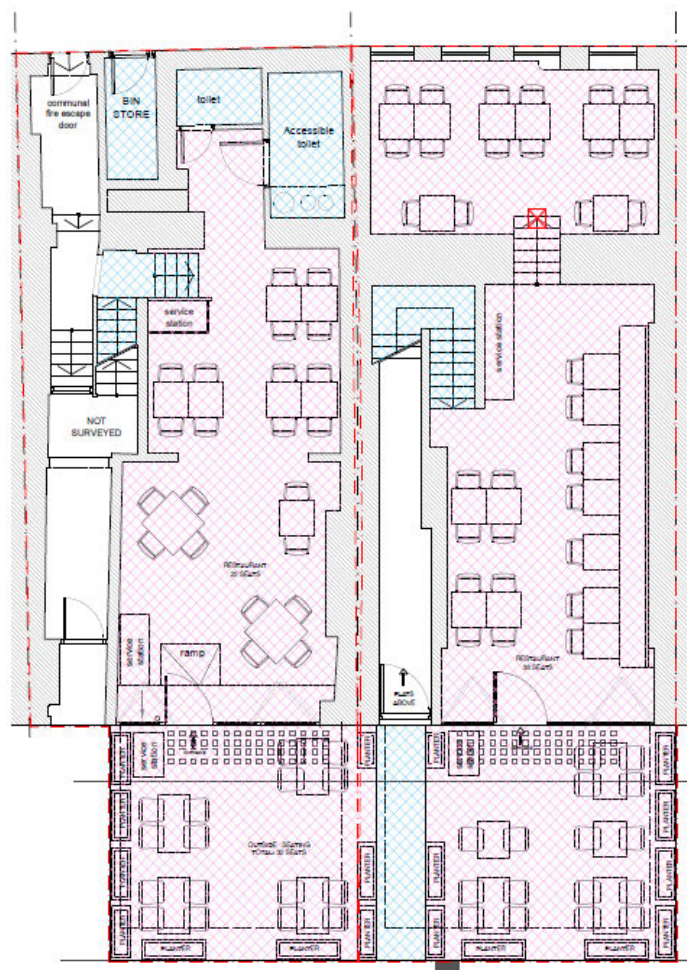
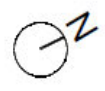
**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

<b>Background Documents – Local Government (Access to Information) Act 1972</b>		
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health representation	06 June 2023
<b>5</b>	Interested party representation (1)	17 May 2023
<b>6</b>	Interested party representation (2)	28 May 2023

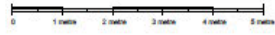


-  PUBLIC EATING&DRINKING AREA
-  KITCHEN AND STAFF AREA
-  WC,PASSAGEWAY,STORAGE , ETC
-  CAUTION MIND YOUR HEAD SIGN

<b>IK</b> INTERIOR KNIGHTSBRIDGE LTD. www.interiorknightsbridge.com info@interiorknightsbridge.com	
11 &12 SOUTH MOLTON STREET, LONDON, W1K 5QL	
PROPOSED BASEMENT FLOOR PLANS LICENCE DRAWING	
DRAWN BY :	DATE : 16/02/2023
SCALE: 1/100@A3	PROJECT NO : 01/02/23 REF: 03



PROPOSED UPPER GROUND FLOOR PLAN



- PUBLIC EATING&DRINKING AREA
- KITCHEN AND STAFF AREA
- WC,PASSAGEWAY,STORAGE , ETC
- CAUTION MIND YOUR HEAD SIGN

<b>INTERIOR KNIGHTSBRIDGE LTD.</b>	
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<b>11 &amp;12 SOUTH MOLTON STREET,          LONDON, W1K 5QL</b>	
<b>PROPOSED GROUND FLOOR PLANS          LICENCE DRAWING</b>	
DRAWN BY :	DATE : 16/02/2023
SCALE: 1/100@A3	PROJECT NO : 01/02/23 REF: 04

**Applicant Supporting Documents**

**Appendix 2**

None

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
10/03054/LIPN	New premises licence permitting the Sale of alcohol – 10:00 to 23:00 Monday to Saturday, 12:00 to 22:30 Sunday	21.05.2015	Granted by Licensing Sub Committee
15/08088/LIPV	Variation – amendment of plans	08.01.2016	Granted under delegated authority
16/11373/LIPRW	Removal of works condition	10.12.2017	Granted under delegated authority  <b>Licence lapsed 20.03.2018</b>

**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 necessary for the promotion of the licensing objectives.

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

**Mandatory Conditions**

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



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

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

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

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

## Conditions consistent with the operating schedule

9. The 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 or at the external tables and chairs 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.

Customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

10. 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.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (f) any faults in the CCTV system
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
14. 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.

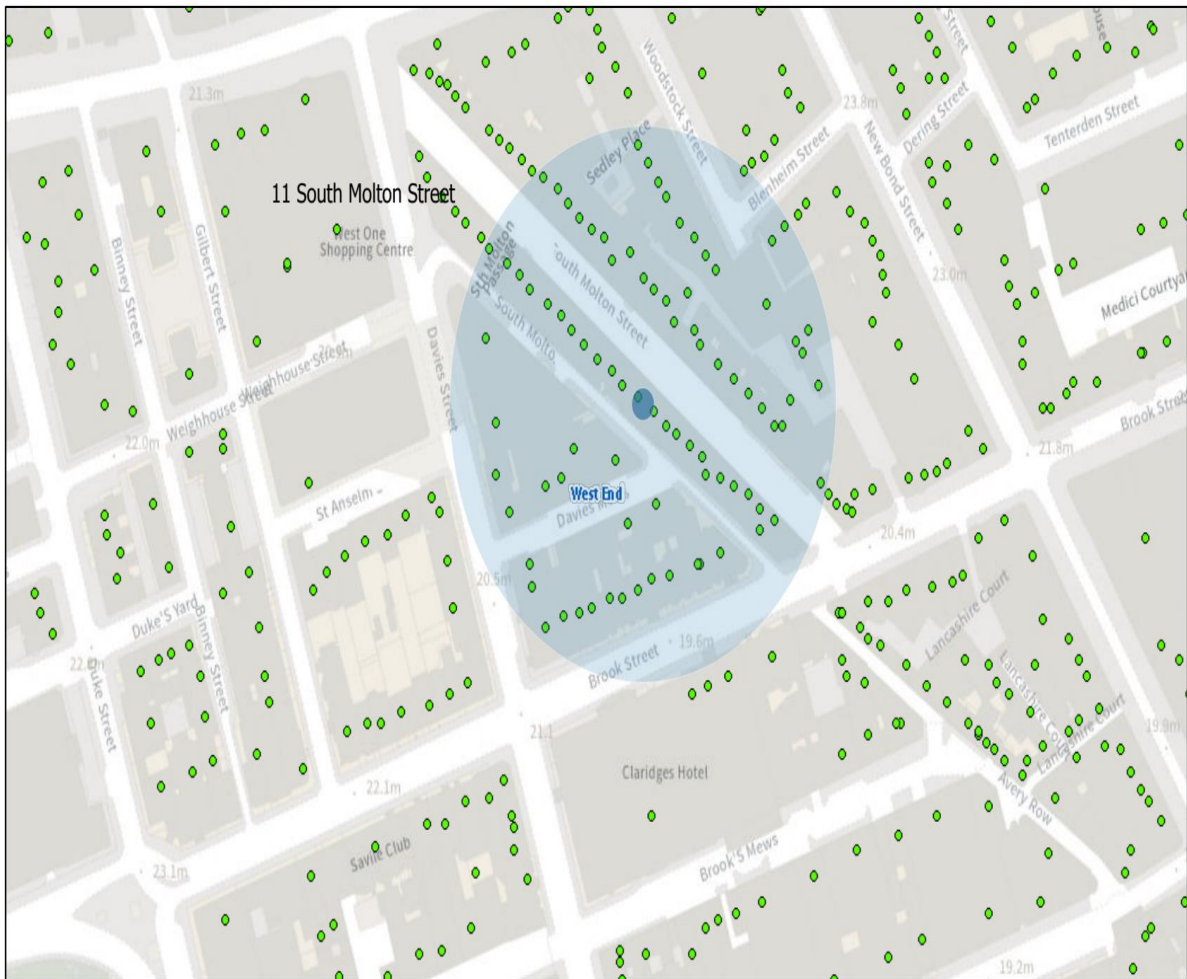
15. The hours for licensable activities and the opening times may be extended on New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.
16. All sales of alcohol for consumption off the premises shall be in sealed containers only, except for consumption off the premises by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
19. No deliveries of alcohol to the premises shall take place between 23.00 and 07.00 hours on the following day.
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. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
22. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
24. 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.
25. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
26. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
27. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
30. All fabrics, curtains, drapes and similar features shall be either non-combustible or be durably or inherently flame retarded fabric.

31. No licensable activities shall take place at the premises until the Environmental Health Consultation Team has determined the capacity of the premises and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined.
32. 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 there are minor changes to the premises layout during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
33. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

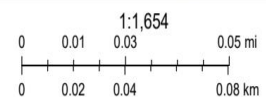
**Conditions proposed by the Environmental Health**

34. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

11-12 South Molton Street



24/07/2023, 09:26:31



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

Resident count: 21

Licensed premises within 75m of 11-12 Molton Street, London, W1				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/10973/LIPDPS	1-8 Davies Mews	1-7 Davies Mews London W1K 5AB	Theatre	Sunday; 07:30 - 23:00   Monday to Saturday; 07:30 - 23:30

16/14245/LIPDPS	Chisou	Basement And Ground Floor 22 Woodstock Street London W1C 2AP	Restaurant	Sunday; 10:00 - 00:00   Monday to Saturday; 10:00 - 01:30
14/01662/LIPVM	Bonhams	Blenstock House 7 Blenheim Street London W1S 1LG	Auction Rooms	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
22/02758/LIPN	Mr Foggs Apothecary	Basement 34 Brook Street Mayfair London W1K 5DN	Public house or pub restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 07:00 - 02:00
12/03704/LIPN	The Refinery	60 Brook Street Mayfair London W1K 5DU	Hairdresser or beauty salon	Saturday; 09:00 - 18:00   Sunday; 11:00 - 17:00   Monday to Tuesday; 10:00 - 19:00   Wednesday to Friday; 10:00 - 20:00
19/03325/LIPDPS	Bonhams	3 Haunch Of Venison Yard London W1K 5SS	Auction Rooms	Sunday; 12:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00
22/10265/LIPDPS	Yo! Sushi @ Riverside	15 Woodstock Street London W1C 2AQ	Restaurant	Sunday; 12:00 - 22:30   Monday to Saturday; 12:00 - 23:00
18/15649/LIPDPS	Ristorante Semplice	9 Blenheim Street London W1S 1LH	Restaurant	Sunday; 10:00 - 00:00   Monday to Saturday; 10:00 - 00:30

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