



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Thursday 14 December 2023**

Time: **10.00 am**

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

Members: **Councillors:**

Maggie Carman (Chair)
Concia Albert
Jacqui Wilkinson

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

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.30am.

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

An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

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

Email: kstagg@westminster.gov.uk

Corporate Website: www.westminster.gov.uk

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

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

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

Licensing Applications for Determination

1. 1905 CELLAR, 42 MORTIMER STREET, W1W 7RH

(Pages 1 - 24)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * None ** None	1905 Cellar 42 Mortimer Street W1W 7RH	New Premises Licence	23/04264/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

2. WHITE HORSE PUBLIC HOUSE, 45 RUPERT STREET, W1D 7PB

(Pages 25 - 86)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	White Horse Public House 45 Rupert Street W1D 7PB	Premises Licence Variation	23/05538/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

3. 94 QUEENSWAY, LONDON, W2 3RR

(Pages 87 -
118)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Lancaster Gate * None ** Queensway and Bayswater	94 Queensway London W2 3RR	New Premises Licence	23/04772/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

4. TASTE OF LAHORE, 256B EDGWARE ROAD, W2 1DS

**(Pages 119 -
138)**

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Hyde Park * None ** Edgware Road	Taste of Lahore 256B Edgware Road W2 1DS	New Premises Licence	23/02122/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love
Chief Executive
6 December 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



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	14 December 2023
Licensing Ref No:	23/04264/LIPN - New Premises Licence
Title of Report:	1905 Cellar 42 Mortimer Street London W1W 7RH
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	23 June 2023		
Applicant:	1905 Assets Limited		
Premises:	1905 Cellar		
Premises address:	42 Mortimer Street London W1W 7RH	Ward:	West End
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form, the applicant proposes to operate the premises as a wine shop, bar and café, specialising in natural wines.		
Premises licence history:	This is a new premises licence application and therefore no premises licence history exists.		
Applicant submissions:	The applicant proposed a number of conditions in their operating schedule.		
	These can be found in Appendix 4 .		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	N/A	23:00	23:00	N/A
End:	N/A	N/A	N/A	N/A	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		Sundays immediately prior to a bank holiday 23:00 to 00:00					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:00	23:00	23:00	23:00	00:00	00:00	22:00
Seasonal variations/ Non-standard timings:							

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:30	23:30	23:30	23:30	00:30	00:30	22:30
Seasonal variations/ Non-standard timings:		Sundays immediately prior to a bank holiday 09:00 to 00:30 hours.					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	21 July 2023
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The applicant has submitted plans of the premises showing the ground floor, reference drawing no A1, dated June 2023 and lower ground floor, reference drawing no A2, dated June 2023.</p> <p>The following licensable activities are being sought:</p> <ol style="list-style-type: none">1. Supply of Alcohol 'On' and 'Off' the premises between 09:00 to 23:00 hours Monday to Thursday, 09:00 to 00:00 hours Friday and Saturday and 09:00 to 22:00 hours Sunday. (Off sales ceasing at 23:00 hours.) Sundays immediately prior to a bank holiday 09:00 to 00:002. Provision of Late-Night Refreshment 'Indoors' and 'Outdoors' between 23:00 to 00:00 hours Friday and Saturday. Sundays immediately prior to a bank holiday 23:00 to 00:00 <p>I wish to make the following representations based on the plans and operating schedule submitted:</p> <ol style="list-style-type: none">1. The Supply of Alcohol 'On' and 'Off' the premises and for the hours requested may impact on Public Safety and lead to an increase in Public Nuisance in the area.2. The Provision of Late-Night Refreshment 'Indoors' and 'Outdoors' may lead to an increase in Public Nuisance in the area <p>Environmental Health also makes the following further comments:</p> <ul style="list-style-type: none">• Westminster's Statement of Licensing Policy – see on the Council's website – requires licensed premises demonstrating compliance with policy CH1, Protection of Children from Harm. Free advice on complying with this can be found on page 36 of policy.• Some conditions have been offered and these are under consideration to see if they are sufficient to allay Environmental Health concerns.• The provision of sanitary accommodation should be at least in line with BS6465 for any proposed capacity. Also separate provision for food handling staff is advised.• An assessment will need to be made as to how the plant and machinery employed for any cooking of food will not result in odour or noise nuisance• It is unclear if the premises have already been refurbished for the proposed use and if this use will result in nuisance from the internal transfer of noise to other users within the building block. Standards to be achieved are outlined in Appendix 11 of the Statement of Licensing Policy <p>The applicant is therefore requested to contact the undersigned to discuss the above and arrange a site visit after which Environmental Health may propose additional conditions for the proposed use.</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	20 July 2023
<p>The proposal constitutes the granting of a license to make the unit a drinking establishment. The unit sits directly below a residential property so the proposed use and proposed hours seem unconscionable. [REDACTED]</p> <p>[REDACTED] we object to this license on the grounds that the noise that would be generated by the establishment represents nuisance. It would disrupt our right to enjoyment of [REDACTED] by emitting noise which would impede our ability to live, work and sleep. It would also increase the chances of anti-social behaviour and public nuisance [REDACTED] [REDACTED] inebriated customers.</p> <p>Previously this unit was a florist operating within daytime business hours. A drinking establishment would require different planning use-class designation to a florist. I query whether this unit has the correct use-class to facilitate an alcohol license being granted to create a drinking establishment open until midnight sitting directly below a residential building.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	20 July 2023
<p>The proposal constitutes the granting of a license to make the unit a drinking establishment. The unit sits directly below a residential property so the proposed use and proposed hours seem unconscionable. [REDACTED]</p> <p>[REDACTED], we object to this license on the grounds that the noise that would be generated by the establishment represents nuisance. It would disrupt our right to enjoyment of [REDACTED] by emitting noise which would impede our ability to live, work and sleep. It would also increase the chances of anti-social behaviour and public nuisance [REDACTED] [REDACTED] to inebriated customers.</p> <p>Previously this unit was a florist operating within daytime business hours. A drinking establishment would require different planning use-class designation to a florist. I query whether this unit has the correct use-class to facilitate an alcohol license being granted to create a drinking establishment open until midnight sitting directly below a residential building.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	20 July 2023
<p>I strongly object to the granting of an alcohol and late license to premises at 42 Mortimer Street, formerly a shop. There are already a number of premises in the immediate vicinity with such licenses and this would add to the existing problem of noise and anti-social behaviour that the [REDACTED]. I have made a number of complaints to the noise control officers about people flowing into the street after midnight from premises opposite [REDACTED] and adding another bar under our building will only exacerbate</p>	

this problem. There is little control of the licenses and little consideration for local residents. Two weeks ago people were still drinking outside 1905, 40 Mortimer Street recently granted a late licence, well after midnight.

Further Submissions received on 25th November 2023

I would like to submit the following statement concerning this application. I have been unable to do so on-line.

[REDACTED] premises associated with this application and directly opposite the sister premises mentioned - the restaurant 1905. I am very concerned about the application to set up a wine shop, cafe and bar [REDACTED] premises which have formerly been occupied by shops operating between the hours of 9.00 - 5.00. [REDACTED] and have witnessed the development of Little Titchfield Street over the years which has included new restaurants and cafes, most recently 1905 which is situated on the corner of Little Titchfield Street and Mortimer Street [REDACTED]

This rise in the number of local restaurants and cafes has already increased the number of people in the area late at night and I have been forced to make numerous complaints about noise in the street after midnight to the Westminster noise control officers. This is a particular problem during the summer months when people are sitting outside and continue to eat, drink or smoke in the street when the actual premises should be closed and [REDACTED]. There is a fairly constant problem with people hanging around in the street, sometimes well past midnight, either ringing for taxis/uber drivers or waiting for them to arrive. People leaving cafes and restaurants don't appreciate that there are local residents nearby and they talk loudly or shout to each other as they make their way home. The nature of the street and the buildings amplifies the sound and causes disturbance to the residents. There have also been incidents of empty glasses [REDACTED]

I object to a further premises being granted a licence to sell food and drink to customers up to 23.30 Monday to Thursday, past midnight on Fridays and Saturdays, up to 22.30 on Sundays and beyond midnight on Sundays prior to public bank holidays in this area. I do not believe that these opening hours are reasonable given the nature of the neighbourhood and the fact that this would undoubtedly result in a significant increase in noise in the street which will affect local residents and adversely affect our ability to enjoy our flats, relax and sleep. It will also increase traffic coming into the area further increasing noise and causing more air pollution in an already polluted area.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	21 July 2023

[REDACTED] and object to the application.

The proposal constitutes the granting of a license to make the unit a drinking establishment. The unit sits directly below a residential property, so the proposed use and proposed hours seem unconscionable. We object to this license on the grounds that the noise that would be generated by the establishment represents nuisance. It would disrupt our right to enjoyment of our property by emitting noise which would impede our ability to live, work and sleep. It would also increase the chances of anti-social behaviour and public nuisance of [REDACTED] [REDACTED] to inebriated customers.

Previously this unit was a florist operating within daytime business hours. A drinking establishment would require different planning use-class designation to a florist. I query whether this unit has the correct use-class to facilitate an alcohol license being granted to create a drinking establishment open until midnight sitting directly below a residential building.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	20 July 2023

I strongly object to this proposal to grant an alcohol license [REDACTED], which intends to convert into a bar with extended opening hours until 11 pm during the week and midnight at weekends. [REDACTED], I am deeply concerned about the potential negative impacts this establishment could have on our community as follows:

1. The bar's extended hours of operation will disrupt the peace and tranquility of the building. Previously, the unit served as a florist operating within daytime business hours, causing minimal disturbance to the residents. With the proposed changes, the noise level is bound to increase substantially, causing significant distress to our elderly residents, those with health conditions, and those sensitive to loud noises. The distress brought about by excessive noise and disturbance could have severe consequences on their mental and physical health.
2. Our building, being very old, suffers from poor noise insulation. This exacerbates the potential noise disturbances from the bar below, and will have adverse effects on the quality of life for all residents.
3. A bar with late-night operating hours will inevitably lead to patrons socialising outside the premises, resulting in further noise, litter, and potential safety issues. We already have issues with security and people urinating in the doorway, and these would likely increase should this proposal be granted.
4. The area already has a plethora of restaurants and bars, making the addition of another one entirely unnecessary. The saturation of such establishments has already led to increased noise and foot traffic. The addition of yet another bar will only exacerbate these problems and may negatively impact local businesses that are struggling to thrive following the pandemic.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	21 July 2023

I am hoping that it is not too late to add my voice to those of my neighbours to object very strongly to this application. The reference number is 23/04264/LIPN and you have my name but [REDACTED].

Two of my neighbours [REDACTED] have already objected strongly to this application and I just wanted to add my own voice to what they have said. I agree entirely with the things that they have both said and for the same reasons.

I hope you will bear our objections in mind when considering this application.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]

Received:	30 June 2023
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I live on the very next street to the proposed bar, [REDACTED], where residents' quiet enjoyment of their homes - and indeed their sleep - is already regularly interrupted by drunken revellers passing by, on their way home or going between the already many bars and restaurants serving alcohol in the immediate area. This area is already vastly oversubscribed with drinking establishments, the last thing residents need is yet another bar. The summer is particularly bad when revellers congregate outside pubs and bars - ignoring the ineffectual roped-off areas put there by the owners - therefore constantly blocking the pavements. Every time I've passed eg., The George Tavern (the closest bar to 42 Mortimer, on the same north side by the junction of Gt Portland St) in the evening his week I've had to go into the road to get around the thick crowds. This is a busy road, being THE main west-east traffic route into Fitzrovia and unsuitable for having pavements blocked by revellers. There is already such little room for wheelchair users and parents with prams on the already narrow pavements of Mortimer Street, with this corner at 42 Mortimer St a busy left turn for vehicles heading north, many of them large delivery vans. It's asking for traffic accidents nevermind blocking the pavements for passers-by and having drinkers spill out into this part of Fitzrovia, which is quite residential, many of the people living here being elderly, including many of my immediate neighbours, as well as busy professionals who need their rest due to busy, demanding jobs. This why I am writing on behalf of Furnival Mansions Residents Association, a [REDACTED] [REDACTED] of Furnival Mansions Residents Association.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]

Received:	20 July 2023
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The proposal involves the granting of a license to make the groundfloor unit a drinking establishment. The unit sits directly below a residential property comprising nine flats, so the proposed use and hours seem unconscionable. [REDACTED] and we object to this license on the grounds that the noise the establishment would generate represents a nuisance. It would disrupt our right to the quiet enjoyment of our property by producing noise which would impede our ability to live, work and sleep. It would also significantly increase the chances of anti-social behaviour and public nuisance [REDACTED] to inebriated customers. Previously this unit was a florist operating within daytime business hours. A drinking establishment would require a different planning use-class designation to a florist. I query whether this unit has the correct use-class to facilitate an alcohol license being granted to create a drinking establishment open until midnight sitting directly below a residential building.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Received:	20 July 2023
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We strongly oppose this application.
 If granted this will be very disruptive to all residents in the building and in case there are several premises nearby which serves alcohol and there is no need or requirement for another such business.
 The local authority should be supporting other businesses.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

Received:	21 July 2023
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We [REDACTED] and object to the application.

The proposal constitutes the granting of a license to make the unit a drinking establishment. The unit sits directly below a residential property, so the proposed use and proposed hours seem unconscionable. We object to this license on the grounds that the noise that would be generated by the establishment represents nuisance. It would disrupt our right to enjoyment of our property by emitting noise which would impede our ability to live, work and sleep. It would also increase the chances of anti-social behaviour and public nuisance [REDACTED] [REDACTED] due to inebriated customers.

Previously this unit was a florist operating within daytime business hours. A drinking establishment would require different planning use-class designation to a florist. I query whether this unit has the correct use-class to facilitate an alcohol license being granted to create a drinking establishment open until midnight sitting directly below a residential building.

3. Policy & Guidance

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

Policy HRS1 applies

- 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.
- 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:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
 5. The proposed hours when any music, including incidental music, will be played.
 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
 9. The capacity of the premises.
 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days

	<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 for each premises use type as defined within this policy are:</p> <p>11a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>11b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p>
<p>Policy SHP1 applies</p>	<p>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C. <p>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1. 4. The applicant having 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 shop in Clause C. <p>C. For the purposes of this policy:</p> <ol style="list-style-type: none"> 1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment. 2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop. 3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the

	premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.
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4. Equality Implications

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

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

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

5. Appendices

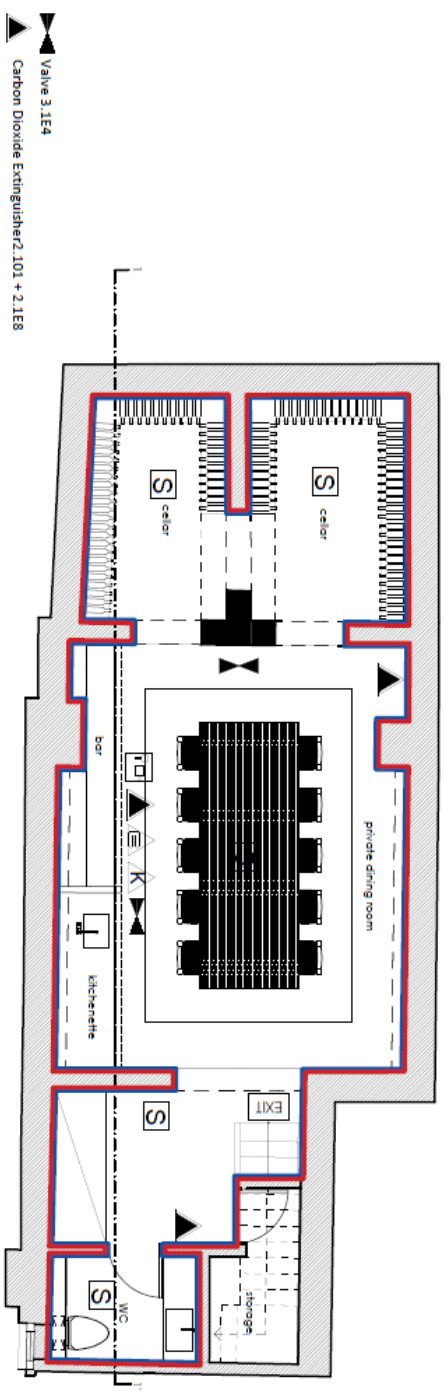
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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

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

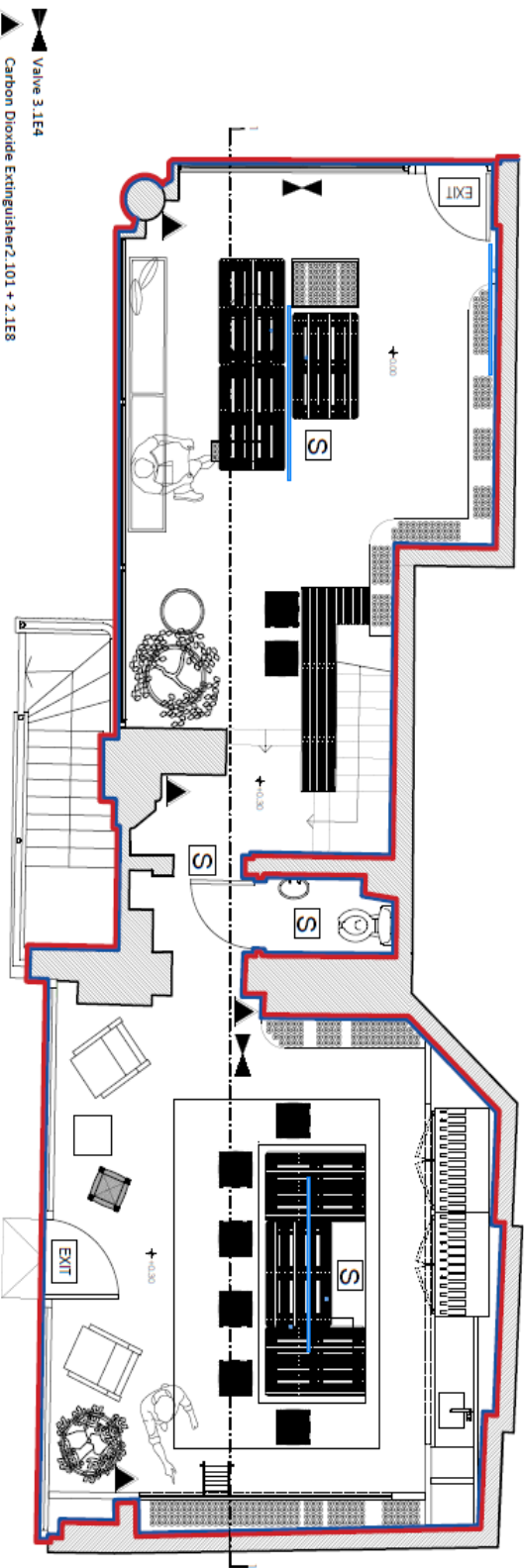
Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	July 2023
4	Environmental Health Service	21 July 2023
5	Representation 1	20 July 2023
6	Representation 2	20 July 2023
7	Representation 3	20 July 2023
8	Representation 4	21 July 2023
9	Representation 5	21 July 2023
10	Representation 6	20 July 2023
11	Representation 7	21 July 2023
12	Representation 8	30 June 2023
13	Representation 9	20 July 2023
14	Representation 10	20 July 2023
15	Representation 11	21 July 2023



- Valve 3.1E4
- Carbon Dioxide Extinguisher 2.101 + 2.1E8
- Smoke Detector 4.201 + 4.2E1
- Fire Blanket 2.101 + 2.1E11
- Heat Detector 4.201 + 2.2E10
- Control Panel Sounders and Illuminated Signals 4.1E1 + 4.1E2
- Portable Free standing Water Extinguisher 2.101+2.1E1
- Blue Line - Extent of the Demise
- Red Line - Extent of the Licensable activity
- EXIT Emergency exit

<p>Petros Fragopoulos design & architecture group</p> <p><small>110 Whitehall, London, EC4A 3DF Tel: +44 (0)20 7493 8888 www.petrosfragopoulos.co.uk</small></p>	<p>project title cellar 1905 London</p>	<p>drawing no. A2</p>	<p>subject LOWER GROUND FLOOR PLAN</p>	<p>scale 1:50</p>	<p>date June 2023</p>	<p>notes</p>
	<p>ownership Nikos Myrouts</p>	<p>Preliminary Study</p>	<p>Paper size A3</p>			



- ▲ Valve 3.1E4
- ▲ Carbon Dioxide Extinguisher 2.101 + 2.1E8
- ▲ Smoke Detector 4.201 + 4.2E1
- ▲ Fire Blanket 2.101 + 2.1E11
- ▲ Heat Detector 4.201 + 2.2E10
- ▲ Control Panel Sounders and Illuminated Signals 4.101 + 4.1E1 + 4.1E2
- ▲ Portable Free standing Water Extinguisher 2.101+2.1E1
- Blue Line - Extent of the Demise
- Red Line - Extent of the Licensable activity
- EXIT Emergency exit

GROUND FLOOR PLAN

 Petros Fragopoulos design & architecture group	project title cellar 1905 London	drawing no. A1	subject GROUND FLOOR PLAN	scale 1:50	date June 2023	notes
	commissioning Nikos Nifourdis					

None

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule

9. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping. (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. 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.
12. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
13. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
16. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
17. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
19. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
20. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 35 persons.
21. 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.
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

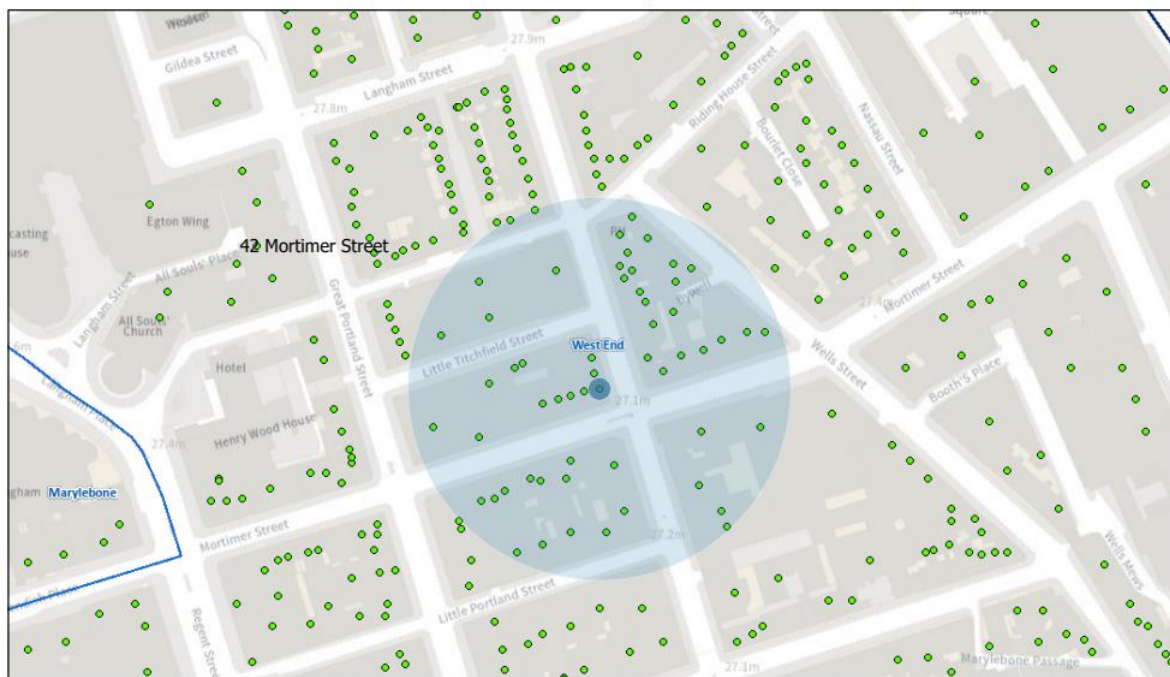
swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

23. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
24. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

Conditions proposed by the Environmental Health

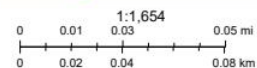
None

42 Mortimer Street, London



25/09/2023, 10:29:10

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



Resident Count = 84

Licensed premises within 75 metres of 42 Mortimer Street, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/11549/LIPV	Not Recorded	41 Great Titchfield Street London W1W 7PG	Cafe	Monday to Sunday; 08:00 - 21:00
21/09029/LIPN	Kalon Parlour	42-44 Great Titchfield Street London W1W 7PY	Hairdresser or beauty salon	Sunday; 10:30 - 18:00 Monday to Wednesday; 09:30 - 19:00 Thursday to Saturday; 09:30 - 20:00
22/10168/LIPRW	Nineteen-O-Five	Basement And Ground Floor 40 Mortimer Street London W1W 7RQ	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:30 Sundays before Bank Holidays; 09:00 - 00:30
22/11439/LIPT	Naroon	60 Great Titchfield Street London	Restaurant	Monday to Sunday; 06:00 - 23:00
21/02071/LIPDPS	Riding House Cafe	43 Great Titchfield Street London W1W 7PQ	Restaurant	Sunday; 12:00 - 23:30 Monday to Thursday; 09:30 - 00:00 Friday to Saturday; 09:30 -

				01:00 Sundays before Bank Holidays; 12:00 - 00:00
18/07713/LIPN	University Of Westminster	4 - 12 Little Titchfield Street London W1W 7BY	University	N/A
23/01274/LIPDPS	Pahli Hill Bandra Bhai	79-81 Mortimer Street London W1W 7SJ	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 10:00 - 01:30
20/04446/LIPDPS	Quintessential Brands	Third Floor 3 - 4A Little Portland Street London W1W 7JB	Not Recorded	Monday to Friday; 09:00 - 17:30
17/05643/LIPDPS	Homeslice	Basement And Ground Floor 52 Wells Street London W1T 3PR	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/11637/LIPRW	The Social	5 Little Portland Street London W1W 7JD	Night clubs and discos	Monday to Sunday; 00:00 - 00:00
09/05884/LIPDPS	The Social	5 Little Portland Street London W1W 7JD	Night clubs and discos	Monday to Sunday; 09:00 - 00:30
17/06354/LIPN	Engine Partners UK Ltd	60 Great Portland Street London W1W 7RT	Office	N/A
21/05235/LIPVM	The Kings Arms	68 Great Titchfield Street London W1W 7QL	Public house or pub restaurant	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 23:30
22/02341/LIPDPS	Burger & Lobster	Basement And Ground Floor 6 Little Portland Street London W1W 7JE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	14 December 2023
Licensing Ref No:	23/05538/LIPV - Premises Licence Variation
Title of Report:	White Horse Public House 45 Rupert Street London W1D 7PB
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	22 August 2023		
Applicant:	Samuel Smith (Southern)		
Premises:	White Horse Public House		
Premises address:	45 Rupert Street London W1D 7PB	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises operate as a public house.		
Variation description:	<p>The application is to permit late night refreshment and extend opening hours on Friday and Saturday until 00:00 hours and sale of alcohol on Friday and Saturday until 23:30. To remove all conditions currently attached to the Premises Licence and replace with the attached Annex A and to add non-standard timings for all licensable activities (including opening hours) to extend for New Year's Eve.</p>		
Premises licence history:	<p>The premises has had the benefit of a premises licence since August 2005.</p> <p>The current premises licence () can be viewed at Appendix 1 of this report.</p>		
Applicant submissions:	<p>The White Horse is a traditional Samuel Smith pub.</p> <p>Whilst the pub is located within the West End Cumulative Impact Zone the policy to refuse a variation of hours does not apply when they are within the Core Hours.</p> <p>The applicant believes that the pub is not associated with any crime and disorder or public nuisance and hence considers that the new conditions will uphold the licensing objectives, but would be happy to consider any further conditions suggested by the statutory authorities or interested parties.</p>		
Applicant amendments:	None		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Ground and first floors	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal Variations/Non-standard timings:	Current:				Proposed:	
	None				No change	

Late night refreshment								
Indoors, outdoors or both			Current :		Proposed:			
			Both		No change			
	Current Hours		Proposed Hours		Licensable Area			
	Start:	End:	Start:	End:	Current:	Proposed:		
Monday	23:00	23:30	No change		Ground and first floors	No change		
Tuesday	23:00	23:30						
Wednesday	23:00	23:30						
Thursday	23:00	23:30						
Friday	23:00	23:30					23:00	00:00
Saturday	23:00	23:30					23:00	00:00
Sunday	N/A		No change					
Seasonal variations/Non-standard timings:	Current:				Proposed:			
	The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day				From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	No change		Ground and first floors	No change
Tuesday	10:00	23:00				
Wednesday	10:00	23:00				
Thursday	10:00	23:00				
Friday	10:00	23:00	10:00	23:30		
Saturday	10:00	23:00	10:00	23:30		
Sunday	12:00	22:30	No change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	<p>Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00</p> <p>(b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30</p> <p>(c) On Good Friday, 12:00 to 22:30</p> <p>(d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30</p> <p>(e) On New Year's Eve, except on a Sunday, 10:00 to 23:00</p> <p>(f) On New Year's Eve on a Sunday, 12:00 to 22:30</p> <p>(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p>				<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No change		Ground and first floors	No change
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	23:30	10:00	00:00		
Saturday	10:00	23:30	10:00	00:00		
Sunday	12:00	23:00	No change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	

1-C Layout alteration
No change of layout is proposed

1-D Conditions being removed
<p>9. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00</p> <p>(b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30</p> <p>(c) On Good Friday, 12:00 to 22:30</p> <p>(d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30</p> <p>(e) On New Year's Eve, except on a Sunday, 10:00 to 23:00</p> <p>(f) On New Year's Eve on a Sunday, 12:00 to 22:30</p> <p>(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>NOTE - The above restrictions do not prohibit:</p> <p>(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;</p> <p>(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;</p> <p>(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;</p> <p>(d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;</p> <p>(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</p> <p>(f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;</p> <p>(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;</p>

- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

11. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day.

1-D Conditions being added

- (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
- (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
- (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
- 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.
- 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.
- No drinks to be taken outside after 23.00 hours.
- All outside tables and chairs shall be rendered unusable by 23.00 hours each day.

- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
- 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.
- 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.
- An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
- No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
- The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- The Premises Licence Holder shall ensure that staff are trained in relation to and adhere to a written dispersal policy, a copy of which shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council
- 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.
- A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
- 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.

Adult entertainment:	Current position:	Proposed position:
	N/A	No change

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Roxsana Haq
Received:	15 September 2023
<p>I write in relation to the application submitted for a variation of the premises licence for White Horse Public House, 45 Rupert Street, London W1D 7PB</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none">• Public Nuisance• Prevention of Crime & Disorder• Public Safety• Protection of children from harm <p>The application seeks to vary the following:</p> <ol style="list-style-type: none">1. To extend the hours for the sale of alcohol on Friday and Saturday until 23:30 hours2. Extend the premises opening hours and Late night refreshment on Friday and Saturday until 00:003. Update the premises operating schedule to include Westminster model conditions and remove all old conditions.4. To add non-standard timings for all licensable activities (including opening hours) to extend for New Year's Eve. <p>The premises are located within the West End Cumulative Impact Zone and as such various policy points must be considered, namely CIP1, HRS1 and PB1.</p> <p>Policy PB1(B) states</p> <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none">1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none">1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p> <p>The Licensing Authority note that the proposed variation does fall within Westminster's core hours for Pubs and Bars.</p> <p>The Core hours for Pubs and Bars are:</p>	

Monday to Thursday: 10am to 11.30pm.

Friday and Saturday: 10am to Midnight.

Sunday: Midday to 10.30pm.

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

The Licensing Authority encourages the applicant to provide further submissions as to how the increase the terminal hour of Friday and Saturday evenings will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority would like submissions from applicant in regard to the above questions so the application can be assessed further against any further relevant policy considerations.

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

Please accept this as a formal representation.

Responsible Authority:	Environmental Health
Representative:	Sally Fabbricatore
Received:	18 September 2023

I refer to the variation Premises Licence for the above premises. The premises already benefits from a premises licence 22/06761/LIPDPS.

The premises is situated in the West End Cumulative Impact Zone.

This representation is based on the Operating Schedule, no further layout plans have been submitted.

The applicant is seeking the following:

1. To extend the terminal hour for the Supply of Alcohol (both on and off the premises) by 30 minutes on Friday and Saturday until 23:30 hours.
2. To extend the terminal hour for Late Night Refreshment by 30 minutes on Friday and Saturday until 00:00 hours.
3. To allow licensable activity from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
4. To remove and replace conditions.

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

1. No representation.
2. No representation.
3. No representation.
4. No representation.

The extension of hours on Friday and Saturday is not against the Licensing Policy as this is within the core hours policy and is an existing premises. Further model conditions have been proposed which promote the licensing objectives. A history check of the premises has been undertaken and there is no adverse history to report. Therefore, no representation is raised.

2-B Other Persons	
Name:	██████████
Address and/or Residents Association:	Soho Society
Received:	19 September 2023

Representation The Soho Society requests Councillors on the panel to carefully consider our concerns about this application for a variation to the applicant's premises licence (public house) on Friday and Saturday nights (and New Year's Eve), namely: Fridays and Saturdays only: increase late-night refreshment from 23:30 to 00:00; increase supply of alcohol from 23:00 to 23:30; and opening hours from 23.30 to 00:00.

These may seem small increases but Soho is saturated with alcohol licences and the resulting ASB and crime and every increase adds to the cumulative impact of inebriated visitors on Soho streets (it cannot logically do otherwise). Members of the panel will be aware of the high – and increasing – levels of crime on Soho's streets (detailed below). This week the police have reported two more serious incidents in Soho and immediately adjacent (Leicester Square).

There are residents in Rupert Street and the streets off Rupert Street and two blocks of social housing are immediately adjacent: St James's Residences with its entrance round the corner in Brewer St and Archer Street Chambers in Archer Street.

But an increase in numbers of people leaving licensed establishments later into the night do not only affect those living in the immediate vicinity, but also those living in other Soho streets at some distance from an establishment as people drinking in one establishment will go on to drink at other establishments in the area, making Soho's streets increasingly unsafe and unpleasant for residents and visitors alike.

Rupert Street has a reputation as a crime hot spot and we object to this application to extend the operating hours of this public house to 12am on Fridays and Saturdays for the above reasons. This extension will fail to promote the licensing objectives and will increase cumulative impact in the West End Cumulative Impact Zone. (See Appendix 1 Crime and Disorder and Appendix 2 Cumulative Impact)

Soho has 487 licensed premises (and climbing). The effect of cumulative impact is that there is increased noise and anti-social behaviour including urinating and vomiting. Further details to back up our objection are contained in the appendices. We urge the panel to take note of the contents of the appendices particularly anyone who is not familiar with Soho after 11pm on Fridays and Saturdays.

- Appendix 1: Crime and Disorder**
- Appendix 2: Cumulative Impact**
- Appendix 3: Soho Society Sleep Survey Results**
- Appendix 4: The Soho Society**

Appendix 1 : Crime and Disorder

The Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average. The level of crime, disorder and anti social behaviour continues to be a huge problem in Soho, the crime figures are high and rising. The recent police crime reports for April /May shows current levels of alcohol related assaults, sexual assaults and robberies within the West End area are now higher than at pre-COVID levels. The peak times for crime being between **11pm - 3am**.

In Soho the majority of robberies take place at night, people are targeted as they leave venues. Alongside the robberies and assaults drug dealing is a huge problem with groups of dealers congregating to sell drugs to people as they leave premises or as they pass by. There are more dealers in the area at night than during the day, this is directly linked to the large number of venues and people which creates the drugs market. Pickpockets also operate in the area, they are a part of a well organised criminal group who arrive in a van at night and disperse into Soho before returning to be driven away.

It is well known that intoxicated people become victims of crime, their vulnerability being exploited by gangs or individuals who are in Soho explicitly to target them. We believe patrons leaving this cafe at night will be at high risk of becoming victims of crime.

Appendix 2: Cumulative Impact This area has been identified by the Westminster City Council as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019. It concludes that,

'After consideration of the cumulative impact assessment it is the Licensing Authority's view that the number of premises licences in the West End, are such that it is likely granting further types of licences or varying existing licences would be inconsistent with the authority's duty to promote the licensing objectives. The granting of licences for certain types of operation that are likely to add to Cumulative Impact within these areas would not be consistent with the Licensing Authority's duty under the Licensing Act 2003.'
(p.19) (our emphasis)

In any applications for an alcohol licence in the Cumulative Impact Zone, the applicant is required to demonstrate that the application will not increase the Cumulative Impact. The analysis in the Cumulative Impact Assessment 2020 showed a very strong correlation between the number of licences and the extent to crime, violence and anti-social behaviour generally. This data means that impact is increased by any additional drinkers.

It states **for every additional licence premises** the analysis will continue to show that reported **incidents are likely to increase by something between 6% and 17% and crimes to increase by over 10%.**

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy).

D23. *'The proximity of residential accommodation is a general consideration with regard to the prevention of public nuisance. It goes on, 'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but the wider area; thus the number of people visiting the premises, the nature of licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.'* (our emphasis)

It is important to note the policy relates to the global effects of alcohol licences in the whole impact zone and not just a part of it.

Appendix 3: Soho Society Sleep Survey Results - 31st October 2022

This survey conducted by the Soho Society confirms that residents are disturbed by noise at night and this is having a negative impact on their lives.

87 people responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80.

59% have lived in Soho more than 10 years
26% between 3 and 10 years
6% between 1 and 3 years and
9% have lived here less than a year
42% own their homes
20% are Soho Housing Association and the rest tenants with other landlords
10 respondents have children living at home with them 58% have double glazing
37% single glazing
5% have triple glazing

24% of respondents have their sleep disturbed 7 nights a week
16% of respondents have their sleep disturbed 5 or 6 nights a week
19% of respondents have their sleep disturbed 3 or 4 nights a week
19% of respondents have their sleep disturbed once or twice a week
20% do not have a problem with environmental noise pollution

Topping the list in September was people drinking in the street with 54 mentions, then pedicabs with 51, waste collections at 48, construction noise 36 and car horns 33 and deliveries at 25. Other noise sources identified were air conditioning, motorbikes revving, building alarms and music from licensed venues. The most common identified problem at 42% of respondents was people drinking and shouting in the street.

64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

67% of respondents agreed that the council should base its noise policy on the World Health Organisation guidelines

64% of respondents agreed that our ward councillors should make this their priority during the next four years

69% of respondents agreed that during the time I have lived in Soho noise pollution has got significantly worse
73% of respondents agreed that if noise limits are being exceeded the council should consider reviewing existing alcohol licences

72% of respondents agreed that the council should install electronic noise monitoring in Soho

56% of respondents agreed that the council should not grant additional premises licence for the sale of alcohol in Soho.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho

68% of respondents agreed that the council should renew its noise strategy as a matter of urgency Many respondents made additional comments:-

I left Soho 4 years ago. After 20 years, the noise & air pollution finally broke me. Like the frog in the pan of water with the heat gradually turned up, it took me a while to realise that it wasn't me going soft, it was the significant degradation of the environment around me. Since moved out of

my flat, several other tenants have moved in & swiftly out again citing sleep disruption & excessive night noise as their reason for leaving. The flat is now used as an office rather than as residential.

I am disappointed that another restaurant unit is going to be let on Hopkins Street by Shaftesbury when the residents already have an enormous amount of noise from the existing restaurants. No doubt they will also want an alcohol license, which will increase the noise and disturb residents even more.

As a disabled person working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded. Noise at home, lack of sleep, and concentration in the day time. I have a hand held noise monitor, I recorded noise levels of 97db outside the pub at the corner of Broadwick and Berwick Streets.

More consideration needs to be given to residents from councillors, people visiting the area and local businesses in particular those who serve alcohol and have late night licences. Decisions such as granting planning and licence applications should not be made by people who do not live in the area and are therefore not impacted by the decision making.

Very difficult to get the local authority to understand and take complaints seriously. Officers often helpful but then the case goes to committee and they always seem to rule in favour of the commercial premises rather than residents.

There is supposed to be a presumption to refuse new licences but in practice the council still lets new things through until after Midnight, which is far too late and has made a nonsense of the policy.

There should be a quiet window of 11pm to 8am every day. 7am deliveries are far too early for a lot of people if they are noisy or use cages or refrigeration.

I live in Marshall St and overlook it. Regularly now (most nights) there are traffic jams in the street at 3am in the morning with cars picking up people leaving clubs. The cars frequently are using their horns. Last night they had their door open with music blaring. we have 2 motorbike stands close together. 1 in Broadwick St and 1 in Marshall St. There is always at least one bike revving up at either 3am or really early like 530am This noise has changed and increased over the past 3-4 years. I am woken up most nights at about 3am. And i have double glazing and am on [a high] floor.

Businesses take no responsibility for their customers drinking/eating and mainly shouting outside, including when they are queuing, and particularly when they are leaving. Post al fresco, there is a new attitude that anything goes on the streets and that includes contempt for the community who live here. The Council need to rethink this and put some major resource into enforcement.

I've lived in Soho for 60 years... Born and bred.. It's never been this noisy!

Early hours waste collections (including bottle smashing) also includes the food & beverage businesses putting their waste in the street and bottle bins at anti-social hours ahead of collection times. Our local restaurants are not supposed to put bottles out between the hours of 23:00 and 07:00 but they frequently do. Frequently delivery trucks some with noisy refrigeration units are also delivering early hours.

Also deliveries & pedicabs. Unfortunately my lack of sleep due to noise has caused serious health issues and I now cannot work and suffer anxiety and depression. I'm woken up on average 5 times per night and have considered suicide. Why I'm being denied sleep between

the hours of 11pm and 7am astonishes me. The freeholders Shaftesbury Carnaby show a total disrespect to the effects that noise has on the residents of Soho.

Appendix 4 : The Soho Society The Soho Society is a charitable company limited by guarantee established in 1972. The Society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

3. Policy & Guidance

The following policies within the City of Westminster Statement of Licensing Policy apply:	
<p>Cumulative Impact Policy CIP1 applies:</p>	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<p>Hours Policy HRS1 applies</p>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.

	<p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>6. Pubs and bars, Fast Food and Music and Dance venues Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to Midnight. Sunday: Midday to 10.30pm. Sundays immediately prior to a bank holiday: Midday to Midnight.</p>
<p>Policy PB1(B) applies</p>	<p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or, 2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>

4. Equality Implications

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

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

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

5. Appendices

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

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	August 2023
4	Licensing Authority representation	15 September 2023
5	Interested Party representation	19 September 2023

Schedule 12
Part AWARD: West End
UPRN: 100023472732**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

22/06761/LIPDPS

Original Reference:

05/05592/LIPC

Part 1 – Premises details**Postal address of premises:**White Horse Public House
45 Rupert Street
London
W1D 7PB**Telephone Number:** 020 7437 5745**Where the licence is time limited, the dates:**

Not applicable

Licensable activities authorised by the licence:Playing of Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol**The times the licence authorises the carrying out of licensable activities:****Playing of Recorded Music** Unrestricted**Late Night Refreshment**
Monday to Saturday: 23:00 to 23:30**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted**Sale by Retail of Alcohol**
Monday to Saturday: 10:00 to 23:00
Sunday: 12:00 to 22:30*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1***The opening hours of the premises:**Monday to Saturday: 10:00 to 23:30
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 both on and off the Premises.

Part 2

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

Samuel Smith (Southern)
The Old Brewery
1 High Street
Tadcaster
LS24 9SB

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

01345661

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

Name: Samuel Nisbet

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-LIC-10008
Licensing Authority: London Borough of Camden

Date: 04 August 2022

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

Annex 1 – Mandatory conditions

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

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

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that—

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

A responsible person in relation to a licensed premises means the holder of the premises 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 which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

9. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

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

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

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

11. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day.

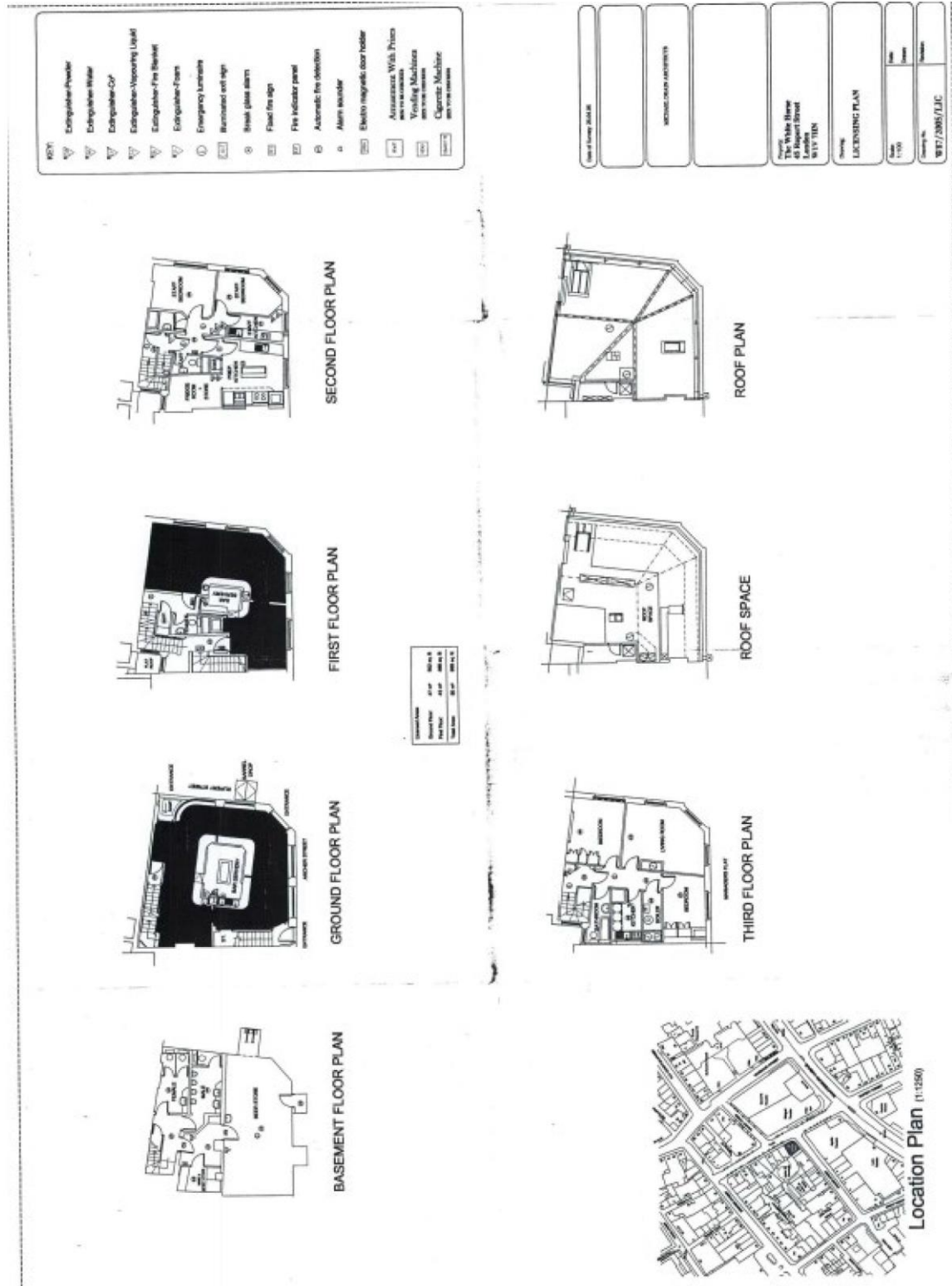
Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Annex 4 – Plans





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

Schedule 12
Part B

WARD: West End
UPRN: 100023472732

Premises licence
summary

Regulation 33, 34

Premises licence number:

22/06761/LIPDPS

Part 1 – Premises details

Postal address of premises:

White Horse Public House
45 Rupert Street
London
W1D 7PB

Telephone Number: 020 7437 5745

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment
Monday to Saturday: 23:00 to 23:30

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

Sale by Retail of Alcohol
Monday to Saturday: 10:00 to 23:00
Sunday: 12:00 to 22:30

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

The opening hours of the premises:

Monday to Saturday: 10:00 to 23:30
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 both on and off the Premises.

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

Samuel Smithh (Southern)
The Old Brewery
1 High Street
Tadcaster
LS24 9SB

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

01345661

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

Name: Samuel Nisbet

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

Restricted

Date: 04 August 2022

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



48 Chancery Lane | DX 193 Chancery Ln | @keystone_law
London WC2A 1JF | t +44 (0)20 3319 3700 | enquiries@keystonelaw.co.uk
United Kingdom | f +44 (0)845 458 9398 | www.keystonelaw.co.uk

Samuel Smith (Southern) (the “Applicant”)

Application to vary a Premises Licence

White Horse Public House (the “Premises”)

Applicant’s Written Submissions

This statement is made in support of an application to vary a premises licence with the intention of outlining the Applicant’s case and seeking to address the concerns of those maintaining representations.

Amplification of the points made below, together with further submissions, will be made orally at the licensing sub-committee hearing if all representations are not withdrawn.

Background & Layout

The Applicant is a longstanding independent brewery which takes a long-term view. It is unique in that it only stocks it owns products (including soft drinks and snacks) and has a staunchly traditional approach to its pubs in that they do not play any music, nor have televisions, nor permit laptops to be used. The whole ethos is that local communities can enjoy spending time together without unwanted distractions. By not playing music and showing television, the pubs do not attract trouble. Current food and drinks menus are at **appendix 1**.

The current layout plans have not changed for decades. The Premises is over five floors with the layout as follows:

- Basement - Back of house with male and female W.Cs
- Ground - Large central island bar with loose furniture
- First Floor- A further bar and dining area
- Second Floor - Trade kitchen and staff accommodation
- Third Floor - Managers and staff accommodation

Approximate capacity across the two trading floors is 120. Unusually for central London there is spacious staff accommodation. Pictures of the public areas are at **appendix 2**.

The Application

This is a relatively simple application to extend the hours for the sale of alcohol until 23.30 on Friday and Saturday with closing 30 minutes after that. Late night refreshment is also sought until midnight on those days. This is within Core Hours (as defined in the Statement of Licensing Policy). The Applicant rarely seeks to amend its licences. However, with the country's current economic issues and patrons attending the Premises less often, but wishing to stay later, it considers that it necessary to seek to extend the hours from the old on-licence hours prescribed by the Licensing Act 1964.

Given that the existing licence conditions are virtually non-existent, seventeen model conditions have been proffered to ensure that the premises licence better upholds the four licensing objectives.

Representations

The concerns raised by the Soho Society and Licensing Authority and the Applicant's comments are as follows:

General Concerns with crime rates and noise disturbance in Soho

The Applicant accepts that there is anti-social behaviour in Soho. However, it does not accept that its patrons are adding to it. The Applicant's offer is simply not attractive to a 'party going' crowd that could be a focus for drug dealers and pedicabs. Instead, it is one of the few traditional pubs left in Soho where friends and family can go for a drink or a meal in a comfortable, quiet, environment which is conducive to conversation. In other words, a moderating influence on the large number of late-night, vertical drinking establishments which offer loud music and drinks promotions. Tellingly, for as long as management can remember, there has been no reason to call the Metropolitan Police in respect of any patrons behaving badly, nor have there been any visits from other WCC officers.

The new conditions proffered will ensure that this remains the case and the Applicant has developed a Dispersal Policy (a draft of which is at **appendix 3**) as per the proposed condition.

Cumulative Impact

Before making this application, the Statement of Licensing Policy was considered. There is no policy to refuse applications to vary the existing licensed hours for public houses within the Core Hours, as is being proposed. It goes on to say that such applications 'will generally be granted' subject to meeting the policies relating to the four licensing objectives, the delivery of alcohol policy (which is not relevant to this application) and to meeting the definition of a public house (which is not in question).

Regarding the four licensing objectives, the Applicant suggests that public safety is not a relevant concern and, with no adult entertainment, nor evidence of underage sales, neither is the protection of children from harm objective. This leaves the prevention of crime and disorder and public nuisance.

The risk of crime and disorder has been addressed above. There is no representation from the Metropolitan Police and, put simply, there is no suggestion that the Premises is currently adding to the crime and disorder issues in Soho, nor is there any evidence that a modest increase in hours within Core will see this change. The draft Cumulative Impact Assessment has also been considered. The Applicant notes that, whilst the Premises is not located within Haymarket or North Soho which has less prevalent crime than Soho as a whole, nor is it located within the hot spots of Old Compton Street, Greek Street and Frith Street or Leicester Square.

Regarding the prevention of public nuisance, there is no representation from the 'independent experts', namely Environmental Health. This is not surprising as, with no music and modern extraction there have been no complaints in respect of noise, vibration or smells. Furthermore, the Applicant is seeking to reduce the hours patrons are permitted to drink outside.

The Applicant would therefore submit that the requirements of the Statement of Licensing Policy are met.

Financial Considerations

Whilst the Applicant has a long history, it is not immune to financial pressures. Whilst Soho might appear busy, especially in the last few months, takings are down considerably and patrons are coming out later. Utility and staffing costs have also increased significantly, whilst the move to hybrid working for most offices in the area, means that volumes of trade on Fridays have decreased. These economic factors can properly be considered in a licensing determination. In R (o/a/o Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others [2011] EWCA Civ 31, the Court of Appeal (per Toulson LJ) observed that [at 42]:

*'Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, **the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand**, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on.'*

Conclusion

The Premises is one of relatively few pubs in the West End which has not already got a premises licence with Core Hours. Nevertheless, it has an excellent reputation and, with its commitment to traditional values, this is not set to change. There are no issues raised with the operation of the Premises itself. It is noted that no further conditions have been suggested but the Applicant would, of course, consider any suggestions made. Should anyone wish to discuss matters further prior to the licensing sub-committee hearing the writer can be contacted at Niall.McCann@keystonelaw.co.uk.

Niall McCann
Partner, Keystone Law

APPENDIX 1 - FOOD MENU

MENU

House Olives (kcal 140) v 4.50 | **Smokehouse Bar Nuts** (Kcal 483) v 4.25 | **Chilli & Lime Cashews & Peanuts** (Kcal 439) v 3.95
Fiery Chilli Rice Crackers (Kcal 234) v 3.95 | **Roasted Shell on Pistachio Nuts** (Kcal 256) v 4.25

BAR SNACKS & SHARING 3 for 18.95 5 for 29.95

Chopped Sausages, Honey & Mustard Glaze (kcal 464) 6.95

BBQ Chilli Wings (Kcal 604/1208) 6.95/10.95

Hand Battered Fish Finger Bites with Jalapeno Tartare Sauce (kcal 572) 7.95

Halloumi Fries, Spicy Harissa Yoghurt (kcal 692) v 7.25

Garlic Bread 3.95 (kcal 334) *with cheese (kcal 497) 4.95*

Hunters Chicken Chunky Chips with Melted Cheese, Crispy Bacon crumb and BBQ Sauce (kcal 710) 6.50

Loaded Nachos. Crushed Avocado, Cheese Sauce, Sour Cream, Tomato Salsa, Jalapenos v (kcal 555/1110) v 7.25 / 11.50

MAINS & PUB CLASSICS

Bangers & Mash with Rich Onion Gravy and Onion Rings (kcal 993/ 1197) 12.95 / 14.95

Traditional Hand Battered Fish & Chips, Tartare Sauce, Mushy Peas (kcal 1394) 15.50

Whitby Bay Whole Tail Scampi, Tartare Sauce, Chips and Mushy Peas (kcal 725) 13.95

The Big Catch, Hand Battered Fish Goujons & Whitby Bay Scampi, Chips, Tartare Sauce, Mushy Peas (Kcal 1467) 15.95

Samuel Smiths Steak and Ale pie, Creamy Mash, Buttered Carrots, Gravy (kcal 1012) 14.50

Mac & Cheese with Three Cheese, *Stilton, Cheddar & Brie*, Green Salad and Garlic Bread (kcal 1036) v 12.50

Smoky Three Bean chilli, Rice, Crushed Avocado, Nachos and Pico de Gallo Salsa (kcal 785) ve 12.95

Grilled Half Chicken & Chips, Rich Chicken Gravy & Aioli, Finished with BBQ Chilli Glaze (kcal 1061) 14.50

Caesar Salad. Cos Lettuce, Anchovy, Crispy Croutons and Parmesan (kcal 381) 10.95

add grilled chicken (kcal 100) or halloumi (Kcal 329) to your salad 3.50 each, also you could add bacon (Kcal 256) for 1.25

SIDES & EXTRAS

Chips (kcal 318) 5.00 | Sweet Potato Fries (Kcal 310) 6.00 | Onion Rings (kcal 388) 4.00 | Mushy Peas (kcal 74) 2.50

Garden Peas (Kcal 60) 2.50 | Green Leaf Salad (kcal 38) 3.95 | Buttered Carrots (kcal 71) 3.95

BURGERS

All served on a toasted bun with lettuce, tomato, onion, dill gherkin. Served with green leaf salad or chips,

Classic Burger, Burger Sauce (kcal 501/781) 13.95

BBQ Bacon & Cheese Burger, Burger Sauce (kcal 791/1071) 15.00

Fried Chicken Burger, Sriracha Mayonnaise (kcal 612/892) 13.95

Plant Based Burger, Vegan Mayonnaise (kcal 648/928) ve 13.95

Fried Fish Finger Burger, Jalapeño Tartare Sauce (Kcal 620/886) 13.95

Extras

Add a Fried Egg, Onion rings, Cheddar Cheese or Bacon to your burger for 1.25 each.

Why not upgrade to sweet potato fries for 1.00

Allergen information. We can provide information on allergens in our food. Please ask a member of staff, however as our food is prepared in a kitchen where various allergens are handled, we cannot guarantee that any dishes are completely allergen free. Our meat, fish and chicken may contain bones

Adults need around 2000 Kcal a day

LDN B

MENU

SANDWICHES

Available Lunchtimes only between 12.00 and 3.00 pm

All served with green leaf salad or chips - upgrade to sweet potato fries for 1.00

Sausage Sandwich with Caramelized Red Onion and English Mustard (kcal 831/1117) 8.95

Grilled Chicken Club Sandwich with Crushed Avocado, Bacon, Tomato, Lettuce, Siracha Mayo (kcal1049/1335) 11.50

Hunters Chicken & Bacon Ciabatta Sandwich with Grilled Cheese and BBQ Chilli Sauce (kcal1057/1374) 11.95

Grilled Three Cheese and Cured Tomato Ciabatta Sandwich (kcal 796/1114) v 8.95 **add bacon (Kcal 256) 1.25**

Brie & Pear Chutney Sandwich with Tomato and Lettuce (kcal 591/909) v 8.50 **add bacon (Kcal 256) 1.25**

DESSERTS AND CHEESE

Vanilla Cheesecake, Berry Sauce (kcal 474) v 6.50

Chocolate & Salted Caramel Fondant Pudding, Raspberry Sauce, Vanilla Ice Cream (kcal 614) v 6.50

Sticky Toffee Pudding, Vanilla Ice Cream (kcal 503) v 6.95

Chocolate Brownie, Chocolate Fudge Sauce, Vanilla Ice Cream (kcal 743) v 6.50

Bramley Apple & Blackberry Crumble, Custard (kcal 503) v 6.95

Ice Creams. Please ask your server for today's choice of dairy and non-dairy flavours (kcal 246) 5.50

Cheese Plate, Pear Chutney, Oat Biscuits (kcal 650) 7.50

COFFEE AND TEAS

Latte (kcal 75) 2.95

Espresso 2.80

Cappuccino (kcal 32) 2.95

Americano 2.80

Teas 2.95 *please ask about our flavours*

Fair Trade Hot Chocolate (kcal 394) 3.95

Allergen information. We can provide information on allergens in our food. Please ask a member of staff, however as our food is prepared in a kitchen where various allergens are handled, we cannot guarantee that any dishes are completely allergen free. Our meat, fish and chicken may contain bones

Adults need around 2000 Kcal a day

LDN B



APPENDIX 1 - DRINKS MENU

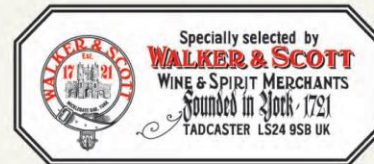
COCKTAILS

	<p>Summer Fruit Cup fruit cup liqueur, ice and lemonade with all the fruit; strawberries, raspberries, orange, lemon, lime</p>		<p>Pineapple Cooler pure pineapple juice, rum, coconut, soda, ice, strawberry and a slice of lime</p>		<p>Raspberry Dream the triple raspberry: raspberry gin, raspberry & cranberry juice, whole raspberries, ice and sprig of mint</p>
	<p>Dark & Stormy double dark rum, ginger beer, ice and a wedge of lime</p>		<p>Mojito double white rum, brown rock sugar and soda infused with mint leaves, wedges of lime, ice and mint garnish</p>		<p>Rum Punch rum, coconut, peach schnapps, Fairtrade pure orange juice, strawberries, raspberries, ice, and slice of orange, mint sprig</p>

LIQUEURS & APERITIFS

Walker & Scott Wine & Spirits Merchants was founded in York in 1721, before being purchased by local brewer Samuel Smith's in 1956.

Remaining true to its original principles, Walker & Scott's specially selects the highest quality wines and spirits from around the world, all of which are produced by first class independent suppliers.



OLD FASHIONED PEACH SCHNAPPS

An infusion of natural fruit with the finest spirit, distilled and blended in France by one of the world's most eminent fruit liqueur producers.



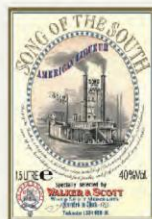
RHUM COCONUT

A blend of natural coconut flavourings and white rum from the Caribbean.



SONG OF THE SOUTH

A tasty American whisky liqueur recalling the halcyon days of the Deep South, when show boats served up local whisky seasoned with fresh fruit.



IRISH CREAM LIQUEUR

Hailing from County Tipperary, usually served 'on the rocks'.



DRAUGHT BEERS & CIDER

ORGANIC WHEAT BEER

An unfiltered organic wheat beer with a champagne-like effervescence and well defined citrus aroma.



5.0% A.B.V

PURE BREWED ORGANIC LAGER

Brewed with great care using only organic malted barley, organic hops, medium-soft water and a bottom-fermenting yeast; matured at low temperatures to bring out its delicate flavour and soft hop-character finish.



5.0% A.B.V

EXTRA STOUT

Dark malts are used to produce a refreshing, smooth and creamy stout with a delicate malt aroma.



4.5% A.B.V

DOUBLE FOUR LAGER

Double fermented to achieve a clean tasting, well balanced, refreshing lager with a drier finish, brewed from the four natural ingredients of malted barley, hops, yeast and water and four per cent ABV.



4.0% A.B.V

OLD BREWERY BITTER

Fermented in stone Yorkshire squares to create a full bodied malty beer of unique character. Either served from an oak cask or on keg. Where served from an oak cask, we go to great lengths to make sure that the beer is fresh; it is delivered to the pub just twenty-four hours after the cask is filled at the brewery.



4.0% A.B.V

TADDY LAGER

A high quality, full flavoured lager brewed using distinctive low bitterness aroma hops and a yeast strain different to our other lagers, giving tropical fruit scents with a bouquet of mango and pineapple.



4.5% A.B.V



The cooperage at the Old Brewery.

ALPINE LAGER

2.8% beer pays half the excise duty, we pass the saving onto the customer to give excellent value for money in what is a lager of remarkable quality.



2.8% A.B.V

SOVEREIGN BITTER

A pale coloured beer with a delicate flavour and a pleasant floral aroma - satisfying, refreshing and easy to drink.

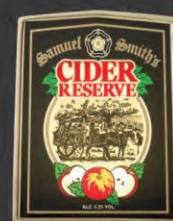


4.1% A.B.V

CIDER RESERVE

Made using two different apple types to create an excellent medium dry cider with a clean, fresh palate and a well defined appley character.

Naturally gluten free.



5.2% A.B.V

BOTTLED BEERS

NUT BROWN ALE

Best barley malt, yeast and aromatic hops; fermented in 'stone Yorkshire squares' to create a relatively dry ale with rich nutty colour and a palate of beech nuts, almonds and walnuts.



5.0% A.B.V 355ml

TADDY PORTER

Dark, full in body and packed with the intense dry flavour of roasted barley.



5.0% A.B.V 355ml

YORKSHIRE STINGO

A strong ale which we age in our own oak barrels in the brewery cellars. The result is a beer with deep flavours of toffee, raisin and soft oak notes.



LIMITED AVAILABILITY

8-9% A.B.V 555ml

OATMEAL STOUT

Fermented in 'stone Yorkshire squares' to create an almost opaque, wonderfully silky and smooth textured ale with a complex medium dry palate and bittersweet finish.



5.0% A.B.V 355ml

IMPERIAL STOUT

This distinctive type of beer was originally brewed to withstand the abuses of shipping to Imperial Russia in foul weather. It was a favourite of Russian nobility, whose taste for the finest food and drink was world famous.



A rich flavourful brew, it is deep chocolate in colour with a roasted barley nose and flavour that is a complexity of malt, hops, alcohol and yeast. Fermented in 'stone Yorkshire squares'.

7.0% A.B.V 355ml

ORGANIC CHOCOLATE STOUT

The perfect marriage of rich and delicious organic cocoa with the dry and rounded flavour of roasted malt.



5.0% A.B.V 355ml



All Samuel Smith's ales and stouts (except Sovereign and Extra Stout) are fermented in 'stone Yorkshire squares' - fermenting vessels made of solid slabs of slate which give the beers a characteristic full bodied taste. The same strain of yeast has been used since the 19th century.

ORGANIC PALE ALE

A classic malt-accented, copper-coloured pale ale in which subtle fruity esters from our yeast strain interact with dry caramel flavours.



5.0% A.B.V 355ml



ORGANIC FRUIT BEERS



CHERRY FRUIT BEER

5.1% A.B.V 355ml



STRAWBERRY FRUIT BEER

5.1% A.B.V 355ml



RASPBERRY FRUIT BEER

5.1% A.B.V 355ml



APRICOT FRUIT BEER

5.1% A.B.V 355ml



We brew four delicious beers using organic fruits. A base strong beer is brewed at Melbourn Brothers Brewery in Stamford, Lincolnshire, before it is brought up to the Old Brewery, Tadcaster, where it is blended it with four different organic fruit juices. The result is four beers bursting with fresh fruit flavours, balanced with the hint of sourness from the base beer.

ORGANIC CIDER & PERRY



ORGANIC CIDER

A medium dry cider with brilliant straw colour, light body, clean apple flavour and a gentle apple blossom finish.



NATURALLY
GLUTEN FREE.

5.0% A.B.V 355ml

ORGANIC PERRY

A dry, sparkling pear cider with glowing pale straw colour, smooth body, crisp but rich flavour and the gentle aroma of a summer pear orchard



NATURALLY
GLUTEN FREE.

5.0% A.B.V 355ml

SPIRITS

AUTHENTIC MEXICAN TEQUILA

Produced by one of the twelve main tequila producers in the Jalisco region of Mexico.



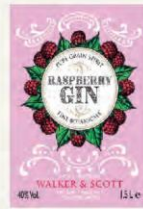
EXTRA PREMIUM ALL GRAIN VODKA

Distilled to the highest standards using grain spirit to give a delicate and distinctive palate.



RASPBERRY GIN

A luscious raspberry gin made with pure grain spirit, natural flavours and fine botanicals.



LONDON EXTRA DRY GIN

A true London-distilled gin made from grain spirit, juniper berry oil and aromatic roots are added during distillation to impart a distinctive character.



SPECIAL DARK RUM

Dark, rich and on fire like the sunsets in the isles of the Caribbean, the rum contains a good portion of aged dark rum.



CARIBBEAN SUPERIOR WHITE RUM

Lazy days in the sun with little to do? Time for a rum drink - distilled and blended in the Caribbean.



SPICED RUM

Smooth, deep and with the perfect spiced seasoning to cut through and deliver a flawless taste of the Caribbean. Mix it, or just on ice.



SOUR MASH AMERICAN WHISKY

Made from rye grain and aged in white oak casks, sour mash is an oxymoron because it actually produces the richness and sweetness that makes it a world classic.



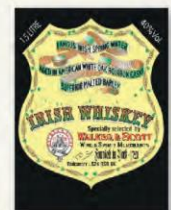
FINEST OLD BLENDED SCOTCH WHISKY

Produced using a substantial percentage of single malt whisky, the high malt content makes it rich and very smooth with a warming finish - but not overly peaty.



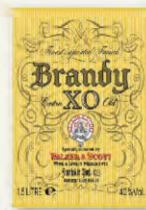
IRISH WHISKY

Made from famous Irish spring water and superior malted barley, aged in American white oak bourbon casks.



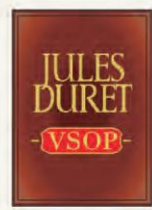
FINEST FRENCH BRANDY X.O.

A blend of the finest X.O. brandies aged in oak barrels for between three and five years.



JULES DURET COGNAC VSOP

Only the finest cognacs, aged in Limousin oak casks, have been combined skilfully and subtly to create this pale, smooth and delicate VSOP



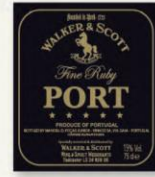
WINES

Walker & Scott's wines are single grape varieties and are produced in the designated regions of their countries of origin.



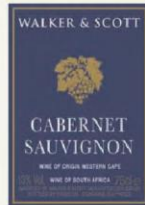
FINE RUBY PORT

PORTUGAL
Our house port has youthful red and black fruit flavours and a robust finish.



CABERNET SAUVIGNON

Valle del Maipo, Chile - intense colour, clean dark fruits nose and palate with a hint of oak.



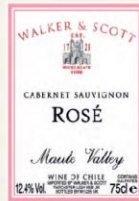
CHENIN BLANC

Western Cape, South Africa - relatively dry with a fresh vibrant zingy palate and lively fruit.



ROSÉ

Valle del Maule, Chile - pale dry rosé with a delicate soft fruits nose.



SPARKLING WHITE WINE

Pale, Brilliant yellow colour, fruity in nose with intense floral notes. Creamy taste with a fresh sweetness level.



All Samuel Smith's beers are brewed solely from: Authentic natural ingredients without chemicals, additives, raw material adjuncts, artificial sweeteners, colourings, flavours or preservatives

Samuel Smith's was the first brewery to register with the Vegan Society. All our beers and ciders are suitable for a vegan diet

(except Old Brewery Bitter where served from the wood and Yorkshire Stingo which contain traces of isinglass finings).



SAMUEL SMITH
The Old Brewery
High Street, Tadcaster,
North Yorkshire, LS24 9SB
UNITED KINGDOM

01937 832225

www.samuelsmithbrewery.co.uk
sales@samuelsmithbrewery.co.uk

SOFT DRINKS AND NON ALCOHOLIC

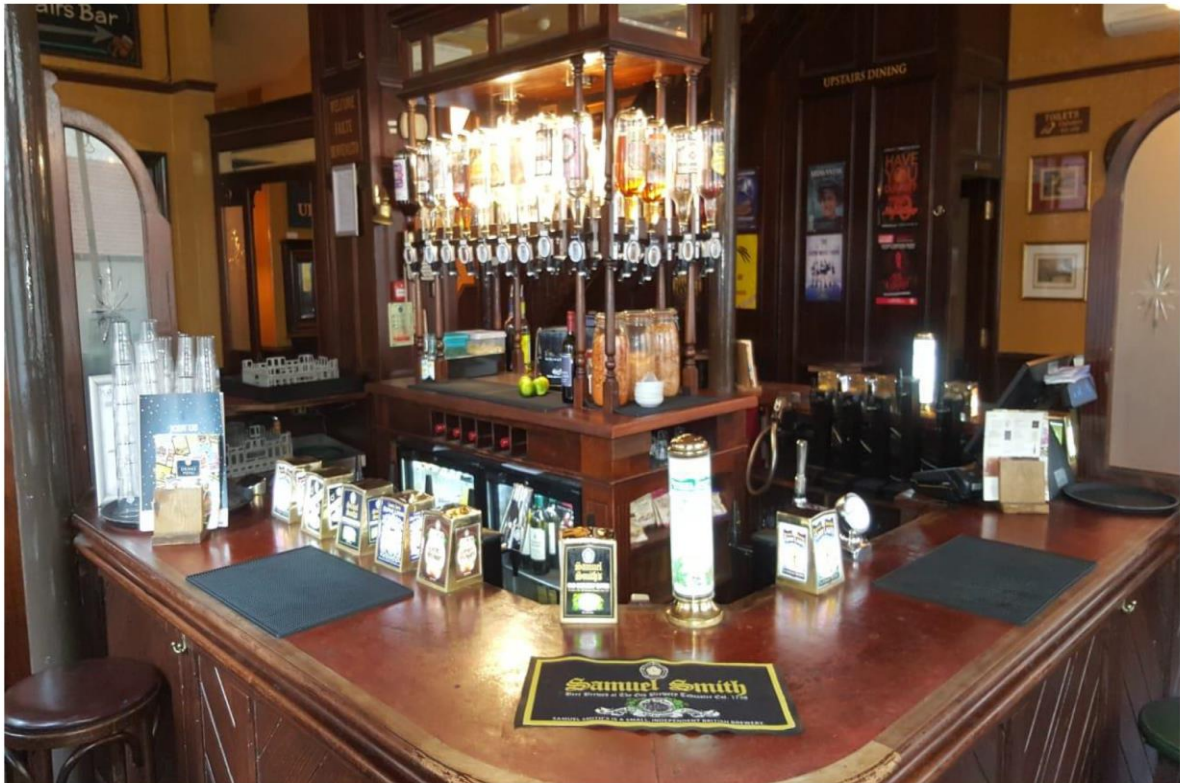


We are proud to produce our own range of delicious soft drinks at the Old Brewery, Tadcaster. These are all made from authentic natural ingredients and are suitable for a vegan diet.

(Except for Tomato Juice Cocktail which contains anchovies)



APPENDIX 2 - PHOTOGRAPHS OF PUBLIC AREAS









APPENDIX 3 - DISPERSAL POLICY

DISPERSAL POLICY

WHITE HORSE PUBLIC HOUSE, 45 RUPERT STREET, LONDON W1D 7PB

At 10.45pm all patrons standing outside shall be told that they must return inside.

At 10.55pm all patrons standing outside shall be told that they must return inside immediately.

Every 15 minutes after 11pm a Team Member will ensure that no patrons are standing outside. Any that are will be told that they must return inside immediately.

At 11.20pm the bell will be rung to indicate that any last orders are to be placed at the bar.

At 11.30pm the bell will be rung again to indicate that the bar is now closed.

At 11.40pm all customers will be informed that they need to finish their drinks as soon as possible.

At 11.50pm any remaining customers will be told to leave immediately.

At midnight the doors will be locked.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/05592/LIPC	Conversion	28.07.2005	Granted under delegated authority
10/00351/LIPT	Transfer - Cornelius Christopher Scully to Thomas Jeffrey Paget	18.03.2010	Granted under delegated authority
10/00550/LIPDPS	Variation of DPS	09.03.2010	Granted under delegated authority
10/02701/LIPDPS	Variation of DPS	05.05.2010	Granted under delegated authority
11/07576/LIPDPS	Variation of DPS	10.08.2011	Granted under delegated authority
11/08888/LIPDPS	Variation of DPS	21.09.2011	Granted under delegated authority
13/02062/LIPDPS	Variation of DPS	08.04.2013	Granted under delegated authority
14/02927/LIPDPS	Variation of DPS	24.04.2014	Granted under delegated authority
14/06813/LIPDPS	Variation of DPS	05.09.2014	Granted under delegated authority
16/03612/LIPDPS	Variation of DPS	28.04.2016	Granted under delegated authority
16/10095/LIPDPS	Variation of DPS	12.03.2017	Granted under delegated authority
18/05274/LIPT	Transfer - Thomas Jeffrey Paget to Samuel Smith (Southern)	15.06.2018	Granted under delegated authority
18/05280/LIPDPS	Variation of DPS	15.06.2018	Granted under delegated authority
19/03516/LIPDPS	Variation of DPS	16.07.2019	Granted under delegated authority
22/00556/LIPDPS	Variation of DPS	05.02.2022	Granted under delegated authority
22/06761/LIPDPS	Variation of DPS	25.07.2022	Granted under delegated authority

23/03942/LIPDPS	Variation of DPS		Granted under delegated authority
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There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

The applicant is proposing to remove conditions 9 to 11 below:

9. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

11. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

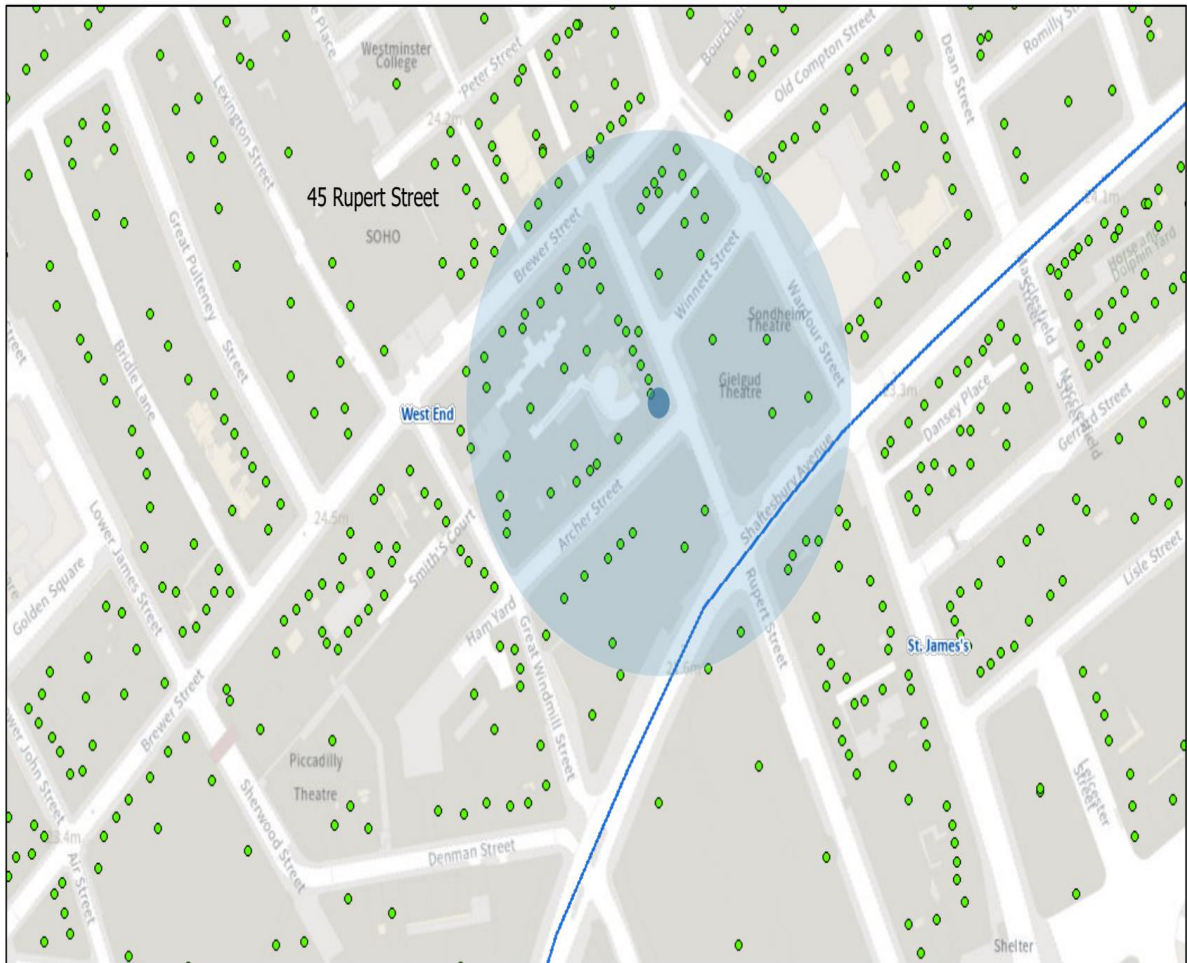
None

The applicant proposes to add the following conditions:

9.
 - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. 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.
12. No drinks to be taken outside after 23.00 hours.

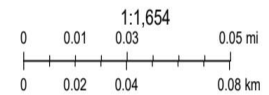
13. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
17. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
18. 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.
19. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
20. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
21. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
22. The Premises Licence Holder shall ensure that staff are trained in relation to and adhere to a written dispersal policy, a copy of which shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council
23. 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.
24. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
25. 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.

White Horse, 45 Rupert Street



29/11/2023, 09:57:14

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident count: 247

Licensed premises within 75m of 45 Rupert Street, London, W1				
Licence Number	Trading Name	Address	Premises Type	Time Period
16/10909/LIPDPS	Lils	53 Rupert Street London W1D 7PH	Restaurant	Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Monday to Thursday; 07:00 - 23:00 Sundays

				before Bank Holidays; 08:00 - 00:00
23/03020/LIPDPS	Jonny Loves Pizza	53 Rupert Street London W1D 7PH	Restaurant	Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Monday to Thursday; 07:00 - 23:00 Sundays before Bank Holidays; 08:00 - 00:00
22/11733/LIPDPS	The Gielgud Theatre	The Gielgud Theatre Shaftesbury Avenue London W1D 6AR	Theatre	Monday to Sunday; 09:00 - 00:00
23/03434/LIPDPS	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
19/14625/LIPVM	The Yard Bar	57 Rupert Street London W1D 7PL	Wine bar	Monday; 10:00 - 23:30 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 - 23:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
19/09651/LIPN	Not Recorded	57 Rupert Street London W1D 7PL	Wine bar	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00

23/04477/LIPDPS	Rupert Street Bar	50 Rupert Street London W1D 6DR	Public house or pub restaurant	Sunday; 12:00 - 22:50 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
23/01638/LIPV	Gelupo	7 Archer Street London W1D 7AU	Cafe	Monday; 10:00 - 23:30 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; 10:00 - 22:30
23/00335/LIPDPS	Bocca Di Lupo	Basement And Ground Floor 12 Archer Street London W1D 7BB	Restaurant	Sunday; 11:00 - 23:30 Monday to Friday; 07:30 - 00:00
20/05587/LIPT	Paradise Ldn	61 Rupert Street London W1D 7PW	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:30
22/05329/LIPDPS	Apollo Theatre	Apollo Theatre 31 - 33 Shaftesbury Avenue London W1D 7EZ	Theatre	Monday to Sunday; 09:00 - 00:00
18/06896/LIPN	Kirazu	3 Winnett Street London W1D 6JY	Restaurant	Sunday; 17:00 - 22:30 Monday to Saturday; 17:00 - 23:30
21/05153/LIPVM	Macellaio RC	39 - 45 Shaftesbury Avenue London W1D 6LA	Restaurant	Monday; 08:00 - 00:00 Tuesday; 08:00 - 00:00 Wednesday; 08:00 - 00:00 Thursday; 08:00 - 00:00 Friday; 08:00 - 00:30

				Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:00
20/05564/LIPT	Cafe Monico	39 - 45 Shaftesbury Avenue London W1D 6LA	Not Recorded	Monday; 08:00 - 00:00 Tuesday; 08:00 - 00:00 Wednesday; 08:00 - 00:00 Thursday; 08:00 - 00:00 Friday; 08:00 - 00:30 Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:00
21/07209/LIPDPS	Sondheim Theatre	The Sondheim Theatre Shaftesbury Avenue London W1D 6BA	Theatre	Monday to Sunday; 09:00 - 00:00
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Shop	Friday to Saturday; 09:00 - 01:00 Sunday to Thursday; 09:00 - 00:00
22/01217/LIPDPS	Duke Of Wellington	77 Wardour Street London W1D 6QA	Public house or pub restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/07500/LIPVM	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Monday; 09:00 - 06:00 Tuesday; 09:00 - 06:00 Wednesday; 09:00 - 06:00 Thursday; 09:00 - 06:00 Friday; 09:00 - 06:00 Sunday; 09:00 - 05:00 New Year's Eve; 00:00 - 00:00
14/08411/LIPN	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 03:30

22/09173/LIPDPS	Archer Street	3 - 4 Archer Street London W1D 7AP	Night clubs and discos	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 01:30 Sundays before Bank Holidays; 09:00 - 00:00
17/12283/LIPT	Damson & Co	21 Brewer Street London W1F 0RL	Restaurant	Monday to Sunday; 08:00 - 21:45 Sundays before Bank Holidays; 08:00 - 00:00
21/03024/LIPDPS	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Night clubs and discos	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
23/00390/LIPVM	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00 Monday to Friday; 09:00 - 03:30
22/11095/LIPVM	El Camion	25-27 Brewer Street London W1F 0RR	Restaurant	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00

22/07815/LIPT	Not Recorded	21 Great Windmill Street London W1D 7LB	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
23/06193/LIPDPS	Not Recorded	21 Great Windmill Street London W1D 7LB	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/02238/LIPRW	Thin White Duke	22 Great Windmill Street London W1D 7LD	Cafe within another property	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
19/11416/LIPV	Thai Tho Soho	42 Rupert Street London W1D 6DP	Restaurant	Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
23/07853/LIPCH	Caffe Concerto	50 Shaftesbury Avenue London W1D 6LW	Cafe	Monday to Sunday; 08:00 - 23:30
22/01978/LIPN	Shadow Licence	20 Great Windmill Street London W1D 7LA	Premises Licence - Shadow Licence	Monday; 10:00 - 23:30 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 - 22:50
23/03197/LIPDPS	Be At One	20 Great Windmill Street London W1D 7LA	Public house or pub restaurant	Sunday; 10:00 - 22:50 Monday to Thursday; 10:00 - 23:30 Friday to

				Saturday; 10:00 - 00:00
18/14474/LIPVM	Soho Residence	83-85 Wardour Street London W1D 6QE	Public house or pub restaurant	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00
16/02850/LIPDPS	Bar Rumba	Ground Floor Unit 17d Trocadero 13 Coventry Street London W1D 7ER	Restaurant	Sunday; 09:00 - 03:30 Monday to Saturday; 09:00 - 06:00
21/14602/LIPDPS	Fratelli La Bufala	Vernon House 40 Shaftesbury Avenue London W1D 7ER	Restaurant	Monday to Sunday; 09:00 - 01:00
21/14420/LIPDPS	Randall & Aubin	16 Brewer Street London W1F 0SQ	Cafe	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
16/00578/LIPDPS	MW Buffet	58-60 Shaftesbury Avenue London W1D 6LS	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

14 December 2023

Licensing Ref No:

23/04772/LIPN - New Premises Licence

Title of Report:

94 Queensway
London
W2 3RR

Report of:

Director of Public Protection and Licensing

Wards involved:

Lancaster Gate

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Jessica Donovan
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500
Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	18 July 2023		
Applicant:	David Morbin		
Premises:	N/A		
Premises address:	94 Queensway London W2 3RR	Ward:	Lancaster Gate
		Cumulative Impact Area:	None
		Special Consideration Zone:	Queensway and Bayswater
Premises description:	The premises intends to operate as a 20 seater restaurant and take away chicken shop with a small selection of beers.		
Premises licence history:	This is a new premises application and therefore no Premises Licence history exist.		
Applicant submissions:	<p>The applicant has provided the following submissions:</p> <ul style="list-style-type: none"> Steps to promote the Licensing Objectives <p>A copy of the document can be found at Appendix 2.</p>		
Applicant amendments:	Following consultation, the applicant agreed to reduce the terminal hour for the Sale by Retail of Alcohol from 23:30 to 22:00 Monday to Sunday. The applicant also withdrew their request for Late Night Refreshment.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service (<i>Withdrawn 04 December 2023</i>)
Representative:	Maxwell Koduah
Received:	02 October 2023
<p>I refer to the new application for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking the following licensable activities:</p> <ol style="list-style-type: none">1. Playing of recorded music indoors Monday to Sunday 12:00 – 23:00 hours1. Supply of alcohol for consumption on the premises Monday to Sunday 12:00 – 23:00 hours <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representations:</p> <ol style="list-style-type: none">1. The hours requested to play recorded music may have the likely effect of causing an increase in Public Nuisance in the area2. The supply of alcohol and the hours requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area. <p>As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area.</p> <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the area.</p> <p>Proposed Environmental Health conditions to form part of the operating schedule.</p> <ol style="list-style-type: none">1. 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 nuisance2. 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 persons3. All tables and chairs shall be removed from the outside area by 23.00 hours each day.4. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity5. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times	

6. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day
7. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day
8. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day
9. No deliveries from the premises, either by the licensee or a third party shall take place between 23:00 and 08:00 hours on the following day
10. The supply of alcohol at the premises, including an area appropriately authorised for the use of tables and chairs, shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

For the purpose of this condition a '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.

11. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises
12. 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
13. 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
14. 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
15. 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
16. 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

Environmental Health have provided an amended list of conditions which can be seen at **Appendix 4.**

Following the reduction of hours and the agreement of conditions, the Environmental Health Service withdrew their representation on 04 December 2023.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Andy Elliot
Received:	02 October 2023

I am writing on behalf of the Chief of Police (Commissioner) for the Metropolitan Police Service to make representations opposing the granting of Application for 94 Queensway, London, W2 3RR. Following a site meeting [27/09/2023] conditions were agreed in principle and that was conveyed in a confirmation email [28/09/2023] to Mr David MORBIN and have received no instructions or undertakings from him accepting these conditions.

Therefore in the absence of the receipt of the acceptance of these Conditions the Police submit that if granted the Application would likely undermine the Licensable Objective of 'the Prevention of Crime & Disorder.' I am sure that this technical objection of Application 23/04772/LIPN will soon be remedied when Mr MORBIN attends to his reply and I look forward to continuing our discussion and that I will be able to withdraw my representation when agreement of the attached Conditions are confirmed.

23/04772/LIPN - Proposed Conditions:

MC01 (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping. (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

MC02 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.

MC19 All outside tables and chairs shall be rendered unusable by (23.00) hours each day.

MC20 All tables and chairs shall be removed from the outside area by (23.00) hours each day.

MC21 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

MC38 The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal. For the purpose of this condition a '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.

MC39 The supply of alcohol shall be by waiter or waitress service only.

MC41 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.

MC47 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.

MC49 An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

MC57 Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them

MC65 No deliveries from the premises, either by the licensee or a third party shall take place between (23:30) and (10:00) hours on the following day.

MC66 The premises shall only operate as a restaurant, (i) in which customers are shown to their table or the customer will select a table themselves, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table, (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises, (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

MC70B The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only. 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.

MC86 The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a restaurant.

MC98 Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

The Metropolitan Police Service amended list of conditions can be seen at **Appendix 4**.

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	29 September 2023		
<p>I am writing on behalf of the [REDACTED] to make a relevant representation objecting to this application on the basis of the likely impact on the licensing objective of 'prevention of public nuisance', on the basis of the information in the application.</p> <p><u>Introduction</u></p> <p>[REDACTED] was formed in 1970 and works to protect the special character of the W2 area.</p> <p>A non-profit, non party-political, voluntary organisation, we represent more than 1,000 people. [REDACTED] is consulted by Westminster Council on both major developments and all Council activities which affect the daily lives of residents.</p> <p><u>Background</u></p> <p>The premises is located within the Council's Licensing Policy Queensway/ Bayswater Special Consideration Zone, where there is increased requirements on the applicant to address.</p> <p>Queensway is a busy shopping street, with residents living on the upper floors on both sides of the street with the surrounding area highly residential.</p> <p><u>[REDACTED] comments</u></p> <p>Our representation is based on potential nuisance within the building, street and the surrounding area.</p> <p>We note the hours applied for and the conditions offered, mainly in respect of CCTV.</p> <p>In connection with alcohol being served, we would standard restaurant conditions for alcohol to be ancillary to food and served to customers seated at tables and chairs.</p> <p>We note that the applicant has only ticked the 'in the premises' box only, under Section M of the form for sale of alcohol, but we wish hours applied for on a Sunday to be reduced to 22.30, in accordance with Westminster Core Hours policy.</p> <p>We note the hours applied for Late Night Refreshment are more than Westminster's Licensing Core Hours.</p> <p>Moreover, in this particular instance, there is a planning permission, dated 31 August 2021, for the installation of full height extract duct to the rear of the building, which serves the kitchen of the premises, and there is a condition (No 6) that requires 'The ventilation equipment hereby permitted shall not be operated except between 09.30 hours and 22.00 hours daily', so we object to the Late Night Refreshment element of the application</p>			

Under normal circumstances we would have wanted no takeaway sales after 23.00, to line up with Westminster's policy, especially considering that all recently granted Premises Licences in Queensway have no takeaway sales after 23.00.

The area outside the premises is public highway and we require all tables and chairs to be removed by 23.00.

There are other additional conditions that we wish to have to protect residential amenity:

1. We wish to have standard conditions covering 'odours' and 'noise' emanating from the premises
2. Standard condition asking for all doors and windows to be kept in closed position after 21.00.
3. We would like WCC standard condition that prohibits drinks being taken outside, unless to customers seated at the designated outside tables & chairs taken a meal.
4. Standard condition for notices to be displayed in window, asking customers to be leave quietly.
5. We require standard conditions requiring all deliveries to the premises and all refuse & recycling collections not to take place between 23.00 and 00.70

As usual, we are content for our contact details to be given to the applicant/their solicitors an welcome contact with them to explain our reasons for the additional conditions and, hopefully, come to an agreement without the need for a Licencing hearing.

We reserve the right to request further conditions having seen all the representations and considered any amendments to the application.

We also note that Section O of the application form, 'Hours premises are open to the public', has not been completed.

We would want opening hours to be no later than the licensable activities, when Premises Licence is granted.

Name:	[REDACTED] (<i>Withdrawn 05 December 2023</i>)		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	01 October 2023		

[REDACTED]
The number of restaurants on Queensway has increased dramatically over the years and this is now a nuisance for people [REDACTED].
First, there is this constant smell of cooking oil and fried food floating in the air, which is quite unpleasant.
Besides, the noise level generated by the restaurants ventilators is extremely high.
As a result of these two nuisances, [REDACTED]
Do we really need another fried chicken restaurant?
Could the Council please take into account the interest of its constituents?

Following the reduction of hours and the agreement of conditions, the interested party withdrew their representation on 05 December 2023.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<p>Policy SCZ1 applies</p>	<p>A. In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.</p> <p>B. For the purpose of Clause A, the designated Special Consideration Zones are:</p> <ul style="list-style-type: none"> • West End Buffer • Queensway/Bayswater • Edgware Road • East Covent Garden • Mayfair • Victoria
<p>Policy HRS1 applies</p>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including

	<p>arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> 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: 9am to 12am 3. Hotels: 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. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours. 4. Off licences: Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm. 5. Outdoor Spaces: 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. 6. Pubs and bars, Fast Food and Music and Dance venues: Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am. 7. Qualifying Clubs: Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 9. Sexual Entertainment Venues and Sex Cinemas: 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>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy RNT1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p>

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

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

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

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

5. Appendices

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

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health Service representation	02 October 2023 <i>(Withdrawn 04 December 2023)</i>
5	Metropolitan Police Service representation	02 October 2023
6	Interested party 1 representation	29 September 2023
7	Interested party 2 representation	01 October 2023 <i>(Withdrawn 05 December 2023)</i>

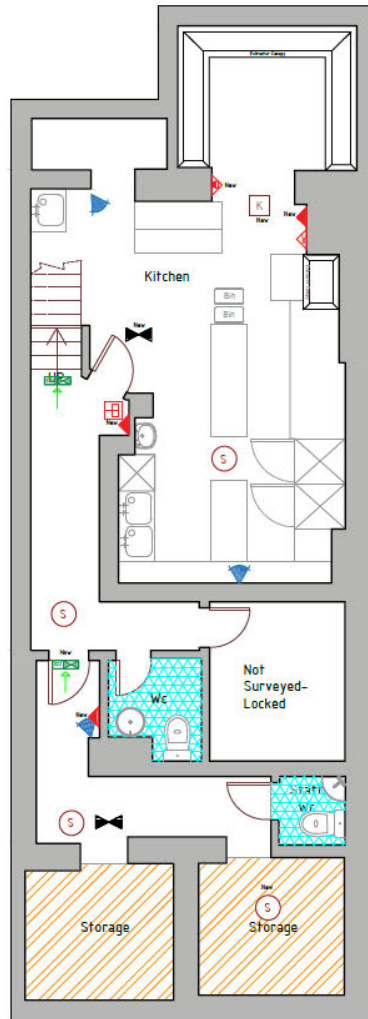
Notes

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- 2- Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be cross checked on the site.
- 3- All discrepancies and change of design requests by authorities should be reported to surveyor immediately.
- 4- All drawings to be read in conjunction with the project specification with all works carried out in accordance with the latest British Standards and codes of practice. Licensing drawings are not to be used for the purpose of building & installation regulations.
- 5-The location and type of any fire detection, fire safety and any other equipment may be subject to change following the completion of the works following the fire officer/appointed fire safety contractors assessment. Layouts may also be varied from time to time with the agreement of the fire officer or after any further fire risk assessment. This drawing has some improvements.
- 6-Attention is drawn to legal obligations concerning training for the use of fire extinguishers.
- 7-The copyright of this drawing belongs to Se & Se Consultancy Ltd.



LEGEND

- STORAGE
- BEERS
- AMBIT OF PREMISES FOR SALE OF ALCOHOL
- WC AREA
- SMOKE DETECTOR
- HEAT DETECTOR
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN
- POWDER FIRE EXTINGUISHER
- CARBON DIOXIDE FIRE EXTINGUISHER
- WET CHEMICAL FIRE EXTINGUISHER
- FIRE BLANKET
- CCTV
- FIRE ALARM CALL POINT
- SAFETY (EMERGENCY) LIGHTING



Basement Plan

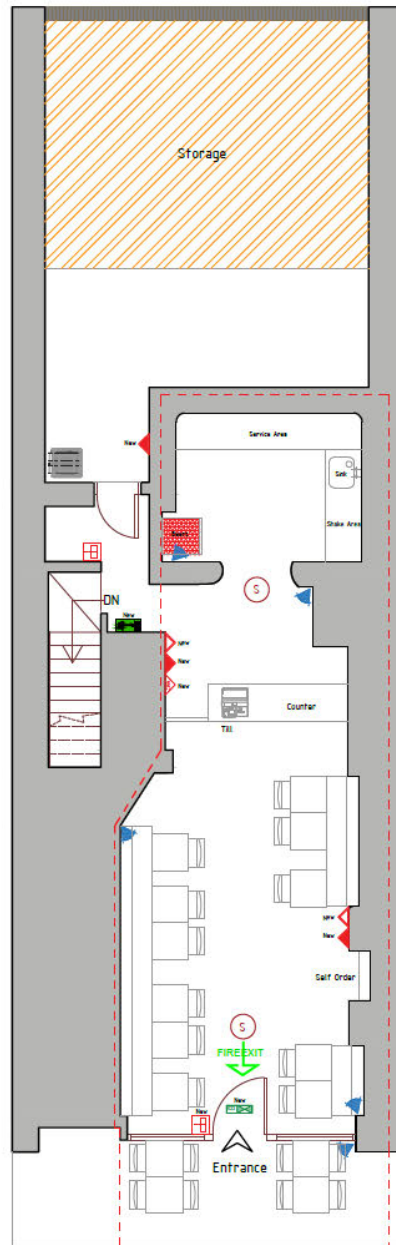
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Address 94 Queensway, London W2 3RR		Rev V1	Date 11/08/2023	Se&Se Consultancy Ltd. E: info@seandse.co.uk T: 020 4579 53 00 M: +44 (0) 7404765500 W: www.seandse.co.uk
Sheet 1/4	Name Basement Plan	Drawn By PD	Checked By SS	
Reference QW-1108-BP				

Notes

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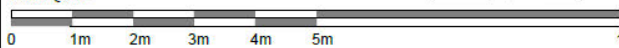


Ground Floor Plan

LEGEND

- STORAGE
- BEERS
- AMBIT OF PREMISES FOR SALE OF ALCOHOL
- WC AREA
- SMOKE DETECTOR
- HEAT DETECTOR
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN
- POWDER FIRE EXTINGUISHER
- CARBON DIOXIDE FIRE EXTINGUISHER
- WET CHEMICAL FIRE EXTINGUISHER
- FIRE BLANKET
- CCTV
- FIRE ALARM CALL POINT
- SAFETY (EMERGENCY) LIGHTING

1:100 @A4



Address	94 Queensway, London W2 3RR	Rev	V1	Date	11/08/2023	 Se&Se Consultancy Ltd. E: info@seandse.co.uk T: 020 4579 53 00 M: +44 (0) 7404765500 W: www.seandse.co.uk	
Sheet	2/4	Name	Ground Floor Plan		Drawn By		PD
Reference	QW-1108-GFP				Checked By		SS

Notes

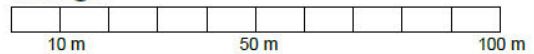
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- 4- All drawings to be read in conjunction with the project specification with all works carried out in accordance with the latest British Standards and codes of practice. Licensing drawings are not to be used for the purpose of building & installation regulations.
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OS Map

ReQuestAPlan
 Map number: TQRQM221792053374.82
 Title: 94 QUEENSWAY, LONDON, W2 3RR
 Map Produced for: For Application
 © Crown copyright and database rights 2022 OS 100042766
 Project ID:
 Date of Purchase: 28-06-2022
 1 Years subscription from 28-06-2022 for 1 workstation.

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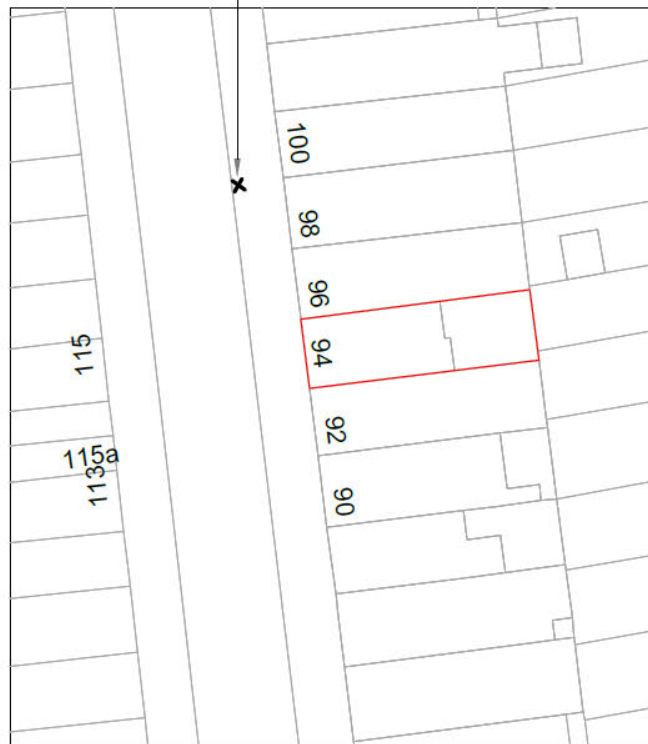
Address 94 Queensway, London, W2 3RR		Rev V1	Date 11/08/2023	 Se&Se Consultancy Ltd. E: info@seandse.co.uk T: 020 4579 53 00 M: +44 (0) 7404765500 W: www.seandse.co.uk
Sheet 3/4	Name OS Map		Drawn By PD	
Reference QW-1108-OS			Checked By SS	

Notes

- 1- All work is to be carried out the requirements, to the satisfaction of the Local Authorities. These drawings are for licensing purposes only.
- 2- Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be cross checked on the site.
- 3- All discrepancies and change of design requests by authorities should be reported to surveyor immediately.
- 4- All drawings to be read in conjunction with the project specification with all works carried out in accordance with the latest British Standards and codes of practice. Licensing drawings are not to be used for the purpose of building & installation regulations.
- 5-The location and type of any fire detection, fire safety and any other equipment may be subject to change following the completion of the works following the fire officer/appointed fire safety contractors assessment. Layouts may also be varied from time to time with the agreement of the fire officer or after any further fire risk assessment. This drawing has some improvements.
- 6-Attention is drawn to legal obligations concerning training for the use of fire extinguishers.
- 7-The copyright of this drawing belongs to Se & Se Consultancy Ltd.



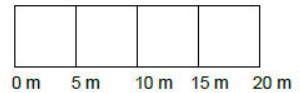
Recycling And Commercial Waste
Collection Point



Existing Block Plan

ReQuestAPlan
 Map number: TQRQM22179205337482
 Title: 94 QUEENSWAY, LONDON, W2 3RR
 Map Produced for: For Application
 © Crown copyright and database rights 2022 OS 100042766
 Project ID:
 Date of Purchase: 28-06-2022
 1 Years subscription from 28-06-2022 for 1 workstation.

1:500 @A4



Address 94 Queensway, London, W2 3RR		Rev V1	Date 11/08/2023	 Se&Se Consultancy Ltd. E: info@seandse.co.uk T: 020 4579 53 00 M: +44 (0) 7404765500 W: www.seandse.co.uk
Sheet 4/4	Name Block Plan		Drawn By PD	
Reference QW-1108-EBP			Checked By SS	



PRECAUTIONS TO PROMOTE 4 LICENSING OBJECTIVES

94 QUEENSWAY ROAD, LONDON, W2 3RR

WESTMINSTER CITY COUNCIL

E: info@seandse.co.uk
T: 020 4579 53 00
M: +44 (0) 7404765500
W: www.seandse.co.uk

Precautions to Promote
4 Licensing Objectives

General

- All staff will be trained and equipped to carry out their duties safely and follow government guidelines and license conditions.
- The Licensee will keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.
- The Licensee will ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept. The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.
- The Licensee will ensure that each member of staff authorised to sell alcohol is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.
- The Licensee will ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under - 18s attempting to purchase alcohol.

The Prevention of Crime and Disorder

- The CCTV system installed at the premises shall be maintained in effective working order, and shall be in operation at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days, and shall be made available on request to the Police, the Licensing Authority or other Responsible Authorities.

- CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.
- The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).
- It will be ensured that the UK wholesalers that the premises buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). Wholesalers Unique Registration Number (URN) will be checked against the HMRC online database on regular basis.
- An incident log will be kept at the premises and made available on request to Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following:
 - All crimes reported to the premises.
 - All complaints received concerning crime and disorder.
 - Any incidents of disorder.
 - Any faults in the CCTV system.
 - Any refusal of the sale of alcohol.
 - Any visit by a relevant authority in relation to service
- The responsible person will ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- The responsible person will ensure that:

- a. still wine in a glass: 125 ml;
 - i. SIA registered security guards will be employed. Two guards will be stationed at the front entry door, one will be positioned near the back exit door, and one will be inside the premises. These security personnel will only be assigned security-related duties and will not be responsible for serving food or drinks, etc. Additionally, our door supervisors will be selected from a company that is part of the SIA approved contractor scheme.
 - ii. Door staff will conduct safety checks before admitting the public to ensure the safety of our customers.
 - iii. Security Guards responsibilities includes but not limited to:
 - searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons
 - maintaining orderly queuing outside of venues prone to such queuing,
 - ensuring public safety
 - Being be aware of the premises' capacity, which is 170 with 25 staff members, and will ensure that it is not exceeded.
- Licensees will be required to keep a record of all door supervisors/security personnel employed at the premises. These records will include name, address, date of birth and SIA registration number, dates/times person was on duty, and shall be available for inspection.
- Designated Premises Supervisor Mr. Morbin have been working in the hospitality industry for over 20 years and have a lot of experience dealing with any issues that my arise by the sales of alcohol.

Public Safety

- The Premise will have adequate safety and firefighting equipment and such equipment will be maintained in good operating order.

- Adequate and appropriate first aid equipment shall be available on the premises.
- Suitable Fire Risk Assessment will be conducted at the premises and the necessary control measures will be implemented.
- All staff will be trained on safety, evacuation and use emergency equipment.
- There will be a refusal book that will be available to the relevant authorities at all times.
- Staffs will be trained to know directions to local bus stops main local bus routes.
- Fire exits will be operable, maintained and unobstructed.
- Notice will also be on display detailing actions which need to be taken in the event of fire.
- Free potable water will be provided on request to customers where it is reasonably available.
- Designated Premises Supervisor Mr. Morbin is a trained First aider and takes public safety seriously during operation of the business.

The Prevention of Public Nuisance

- A robust dispersal policy will be implemented to ensure that patrons leave the premises safely and responsibly, minimizing the risk of disturbance and disorder in the local area. The dispersal policy includes:
 - a. Signs will be placed at all exit doors, politely asking customers to leave quietly.
 - b. To assist with the gradual dispersal of all customers at the end of the evening, 30 minutes of drink-up time will be allowed.
 - c. All staff will be responsible for staying inside and outside the premises and politely requesting that customers leave quietly, without any open drinks, and move away from the premises in an orderly and timely manner.
 - d. A table will be placed near the exit to encourage customers to dispose of their drinks before leaving.
 - e. Staff will be trained to know directions to local bus stops main local bus routes.
- Only beer will be served as alcohol, and it will be served exclusively with a meal.

- Alcohol will not be supplied to any person who appears to be drunk.
- All rubbish bags will be placed outside for collection no earlier than 30 minutes before collection time. - The area in front of the premises will be swept, free of litter that during the hours of operation.
- Management will keep a record of any complaints, incidents or other matters that have caused disturbance to neighbours or the local community, including any complaints relating to the external area.
- Alcohol will be ancillary to food.

The Protection of Children From Harm

- A 'Challenge 25' policy shall be adopted and adhered to at all times. A sign stating "No proof of age – No sale" shall be displayed at the point of sale.
- Notices will be placed at all points of sale detailing the restrictions on sales of alcohol to children.
- An effective methodology will be in place at all points of sale to ensure staff undertake appropriate age checks on potential sales of alcohol (and any other age-restricted product).
 1. The designated premises supervisor in relation to the premises licence will ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 2. Anyone who appears to the responsible person to be under 25 years of age 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.
- All staff that undertake the sale or supply of alcohol will receive appropriate training in relation to undertaking appropriate age checks on such, before being allowed to sell or supply any alcohol (and any other age-restricted product). Refresher training will be carried out at least every three months.

- Records of all staff training, relating to the sale or supply of alcohol (and any other age-restricted product), along with any training material used, will be kept and maintained by the Designated Premises Supervisor or the Premises Licence Holder.
- Staff training records will be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the Police.
- Any concerns regarding the safety of children will be reported to the appropriate authorities.
- No supply of alcohol will be made:
 - a. at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule

None

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

9. The supply of alcohol shall cease at 22:00 hours each day.
10. 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.
11. 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.
12. All tables and chairs shall be removed from the outside area by 23.00 hours Monday – Saturday and 22:30 on Sunday.
13. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
15. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
17. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
18. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
19. 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.
20. 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.
21. 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.
22. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 25 persons.

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

23. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping. (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
24. 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.
25. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
26. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

For the purpose of this condition a '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.

██████ propose to remove condition 26 and remain with condition 31.

27. The supply of alcohol shall be by waiter or waitress service only.
28. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
29. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.

██████ proposes an alternative wording for condition 29 as follows:

29. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take *drinks or* glass containers with them.
30. No deliveries from the premises, either by the licensee or a third party shall take place between (23:30) and (10:00) hours on the following day.

31. The premises shall only operate as a restaurant, (i) in which customers are shown to their table or the customer will select a table themselves, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table, (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises, (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

32. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only.

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.

33. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a restaurant.
34. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

Conditions proposed by [REDACTED]

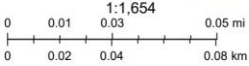
35. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

94 Queensway, London, W2 3RR



29/11/2023, 15:45:02

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count: 269

Licensed premises within 75 metres of 94 Queensway, London, W2 3RR				
Licence Number	Trading Name	Address	Premises Type	Time Period
14/00835/LIPT	Beity Lebanese	92 Queensway London W2 3RR	Restaurant	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 01:30
10/02136/LIPT	Art Cafe	Basement And Ground Floor 96 Queensway London W2 3RR	Restaurant	Sunday; 08:00 - 23:00 Monday to Saturday; 08:00 - 23:30
06/10206/WCCMAP	Halal Restaurant	Basement And Ground Floor 98 Queensway London W2 3RR	Restaurant	Sunday; 23:00 - 00:00 Monday to Saturday; 23:00 - 01:00
23/00923/LIPDPS	Gold Mine Restaurant	100 Queensway London W2 3RR	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
13/07498/LIPDPS	Gold Mine Restaurant	Basement And Ground Floor 102 Queensway London W2 3RR	Restaurant	Sunday; 12:00 - 01:00 Monday to Thursday; 09:00 - 01:30 Friday to Saturday; 09:00 - 02:30
13/05504/LIPDPS	The Beachcomber	Ground Floor 86 Queensway London W2 3RR	Night clubs and discos	Sunday; 12:00 - 00:00 Monday to Thursday; 09:00 - 01:00 Friday to Saturday; 09:00 - 02:00
13/08965/LIPDPS	Four Seasons Chinese Restaurant	84 Queensway London W2 3RL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/10367/LIPN	Not Recorded	115 Queensway London W2 4SJ	Cafe	Monday to Sunday; 06:00 - 22:00
19/00389/LIPT	Preto	117-119 Queensway London W2 4SJ	Restaurant	Sunday; 10:00 - 22:30 Monday to Thursday;

				10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
19/12635/LIPT	Noodle Oodle	106 Queensway London W2 3RR	Restaurant	Thursday; 11:00 - 02:00 Sunday; 11:00 - 23:30 Monday to Wednesday; 11:00 - 00:00 Friday to Saturday; 11:00 - 03:00
13/05099/LIPDPS	Horapha Thai Cuisine	Basement And Ground Floor 82 Queensway London W2 3RL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
23/01277/LIPN	Naser Supermarket	Basement And Ground Floor 111 Queensway London W2 4SJ	Shop	Monday to Sunday; 09:00 - 03:00
21/14341/LIPVM	Bella Italia	108 - 110 Queensway London W2 3RR	Restaurant	Monday; 09:00 - 00:30 Tuesday; 09:00 - 00:30 Wednesday; 09:00 - 00:30 Thursday; 09:00 - 00:30 Friday; 09:00 - 00:30 Saturday; 09:00 - 00:30 Sunday; 09:00 - 00:00
22/11247/LIPT	McDonalds	76-78 Queensway London W2 3RL	Restaurant	Monday to Sunday; 05:00 - 00:00
22/07848/LIPDPS	Prince Alfred Public House	112 Queensway London W2 3RR	Public house or pub restaurant	Sunday; 12:00 - 00:00 Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 00:30 Monday to Saturday; 10:00 - 23:30
23/04785/LIPT	Pizza Hut	Basement And Ground Floor 103	Restaurant	Sunday; 12:00 - 00:00 Monday to

		Queensway London W2 4SJ		Friday; 10:00 - 00:30
21/06481/LIPCH	Burger King	70 - 72 Queensway London W2 3RL	Restaurant	Friday to Saturday; 23:00 - 01:00 Sunday to Thursday; 23:00 - 00:00
18/15895/LIPDPS	Bayswater Arms	99 Queensway London W2 4QH	Public house or pub restaurant	Sunday; 07:00 - 23:00 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00
06/09762/WCCMAP	Santorini Taverna	10 Moscow Road London W2 4BT	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/09135/LIPT	La Brasserie	Basement And Ground Floor 68 Queensway London W2 3RL	Restaurant	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 23:30

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City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

14 December 2023

23/02122/LIPN - New Premises Licence

Taste Of Lahore
256B Edgware Road
London
W2 1DS

Director of Public Protection and Licensing

Hyde Park

City of Westminster Statement of Licensing Policy

None

Roxsana Haq
Senior Licensing Officer

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

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	3 April 2023		
Applicant:	Mr Sayed Awais Hussain Shah		
Premises:	Taste Of Lahore		
Premises address:	256B Edgware Road London W2 1DS	Ward:	Hyde Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	Edgware Road
Premises description:	According to the application form the premises intend to trade as a restaurant offering traditional and Asian fusion cuisine. The restaurant provides internal seating and take-away deliveries.		
Premises licence history:	This is a new premises licence application, and therefore no premises licence history exists.		
Applicant submissions:	The applicant has stated they wish to call a former licence holder Mr Ricardo Barreiro as a witness at the sub-committee hearing for this application.		
Applicant amendments:	The applicant has agreed further conditions with the Metropolitan Police Service. The agreed conditions appear at Appendix 4.		

1-B	Proposed licensable activities and hours						
Late Night Refreshment:				Indoors, outdoors or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:0	01:00	01:00
Seasonal variations/ Non-standard timings:			None				

Recorded Music				Indoors, outdoors or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:0	12:00	12:00	12:00	12:00	12:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	02:00
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	PC Steve Muldoon
Received:	21 July 2023 (<i>withdrawn 24 July 2023</i>)
<p>The Metropolitan Police Service (**MPS**) objects to this application as it is likely that if the application were to be granted, the premise would undermine the following licensing objective/s: the Prevention of Crime and Disorder.</p> <p>The reasons for this objection are as follows:</p> <p>Crime in the area is significantly high and especially high during the late night hours that the applicant has applied for, and at this time having read the application there are not enough conditions to deal with any potential issues.</p> <p>I have made contact with the venues solicitor to discuss this.</p> <p>Further submissions will be submitted.</p> <p>Following agreement of additional conditions, the Metropolitan Police Service withdrew their representation on 24 July 2023</p>	
Responsible Authority:	Environmental Health
Representative:	Kudzy Mondhlani
Received:	20 July 2023
<p>I refer to the application for a Premises Licence.</p> <p>The premises is located in Edgware Road Special Consideration Zone as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>This representation is based on the operating schedule and plans submitted of ground floor and basement plans dated 03 April 2023.</p> <p>The applicant is seeking the following.</p> <ol style="list-style-type: none"> 1. To provide recorded music 'Indoors' Monday to Sunday between 23.00 and 01:00 hours. 2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Sunday between 	

23.00 and 01:00 hours .

I wish to make the following representation.

1. The provision of recorded music would have the likely effect of causing an increase in Public Nuisance and may also impact on Public Safety in the SCZ.
2. The provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety in the SCZ.

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

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:	██████████
Address and/or Residents Association:	The Hyde Park Estate Association
Received:	21 July 2023

Firstly may I believe this is in the Church Street Ward and not Hyde Park.

As this is on our boundary The Hyde Park Estate Ass. (A Westminster recognised amenity group) are writing to strongly object to this application as we believe that this is likely to lead to Public Nuisance; an increase in Crime and Disorder public safety and it therefore does not support our Licensing objectives.

Inspite of the best intentions of the applicant to be the eyes and eyes of the area - after many years of sitting on licensing committees I understand that unfortunately this is unrealistic unless you have a committed and dedicated person permanently on outside entrance.

Proposed application:

- a) Late Night Refreshment Licence for indoors and outdoors from 23.00-01.00 every day including Sunday.
- b) Recorded music indoors from 23.00 - 01.00 hours every day including Sunday
- c) The hours the premises are open from 12.00 noon to 02.00 every day including Sunday

However, the licence application stuck on the door does not mention (c). Only (a) and (b). A different notice on the doors shows opening hours for business 12.00 noon - 23.00 hours.

Could we please be clear about the hours these premises are presently open? and if indeed the premises are applying for extended opening hours from 12.00 noon - 02.00 hours?

We note this 'premise is': one restaurant called Taste of Lahore (Asian fusion) and a take-away with separate entrance into the basement called Tanky's (Hamburgers posters shown) Both have entrances on Chapel Street. The take-away shows Uber deliveries etc. down the stairs and shown on the internal basement plan "Staff entrance for take-away" which is slightly confusing.

On doors of both Tanky's and Taste of Lahore premises it shows the Licence application. So is this an application for one restaurant or one restaurant plus one take-away sharing one kitchen space but separate entrances? Is it one business or is it two businesses? Is it take-away and deliveries?

The operation of these premises needs to be explained as it is confusing. Unfortunately I note no plan showing the position of this restaurant on the street in the documents online.

This restaurant and basement take-away entrances and frontages are definitely on Chapel Street. The postal address maybe Edgware Road but this premise is definitely Chapel Street. Next door to a residential block of flats. The take-away entrance to Tanky's is next door to the entrance of a large block of flats and the side streets are all fully residential.

This pavement is quite narrow and we note that LNR license is requested for both indoors and outdoors! What kind of seating is the premise showing for outdoors? Is it at the front of the

premise on Chapel Street or maybe behind the premise? In our view there is no room on Chapel Street due to narrow pavement to accommodate T&C's. The part that could be considered private forecourt is far too narrow to accommodate T & C's.

Will this applicant be apply for T & C's on the highway? In our view T & C's outside this premise would be an impediment to any pedestrians as the pavement is not wide enough and if smoking shisha outside this is certainly an impediment for pedestrians creating an unhealthy atmosphere especially if you have breathing problems.

Does the Asian fusion food take-aways and deliveries also go down stairs for their take-aways or can people go directly into the Taste of Lahore for take-away? Edgware Road is in the Special Consideration Area and whilst not in the Cumulative Impact Area does have increased regard to WCC's Licensing Policy SCZ1.

The Met Police advise us constantly that Public Nuisance and Crime and Disorder increase the later the time a premises is open beyond Westminster City Council's Core Hours Policy, which this application seeks to gain.

Anything beyond Core Hours, when patrons leave the premises, will more likely than not increase noise and disturbance - often clients talking loudly on their phones, parking in neighbouring residential side streets with car doors banging and loud voices. As the police have always advised what happens on one side of the road affects the whole road.

If the premises is providing hot food after 11pm it is most likely to become a destination venue, both for those who have been drinking so they can eat, and /or buy some take away before going home. The Council considers that premises serving cold food are not subject to Licensing and are not so attractive to people who have been drinking as those providing hot food.

We strongly object to the extended hours and ask that you refuse this application as we do not believe it will meet all of Westminster's Licensing objectives. We believe that in this residential position it is vitally important to keep the balance between business and resident's needs.

If you are minded to grant then we request you reduce the hours requested and no outside LNR after 21.00 hrs. We also request that all doors be closed so as not to allow music to disturb residents.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	21 July 2023

On behalf of the Marylebone Ward Councillors, we object to the above application as it will not promote the Licensing objectives namely of prevention of public nuisance, crime and disorder, public safety and children from harm.

We completely support the comments made by the HPEA and would be grateful for clarification of the points raised by them as the entire application is not clear.

Edgware Road is in a Special Consideration Area and this application needs to be considered in this regard. What happens in one part of the area affects the whole area by the nature of the type of premises on Edgware Rd.

Thank you for your consideration and we respectfully ask that this application be refused or at the very least no longer than Coire Hours are granted.

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

	<p>activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for This application as defined within this policy is:</p> <p>8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p>
<p>Policy RNT1(A) applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

4. Equality Implications

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

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

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

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

Report author:	Miss Roxsana Haq
Contact:	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Metropolitan Police Service representation	21 July 2023 (withdrawn 24 July 2023)
5	Environmental Health representation	20 July 2023
6	Interested Party representation (1)	21 July 2023
7	Interested Party representation (2)	21 Jul 2023



Date
April 3, 2023

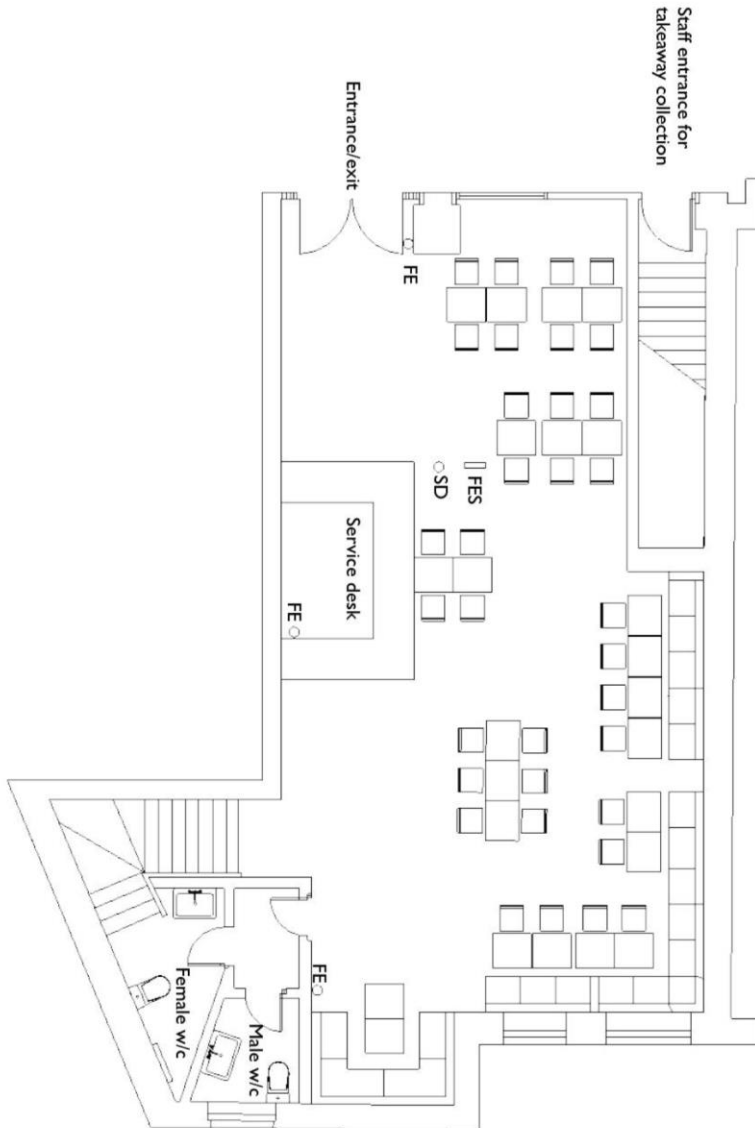
Page description
Ground floor plan

Scale 1:100 at A4

Prepared by
Mr. Sajad Al-Hairi
sajad@logcreation.co.uk
1st floor, 19 Chalk Farm Road, Camden, NW1 8AG
Telephone 0207 681 0259

Site address
Taste of Lahore
256b Edgware Rd, London W2 1DS
1 of 5
Revision 1

FE - Fire extinguisher
SD - Smoke detector
FES - Fire exit sign



Applicant Supporting Documents

Appendix 2

There are no supporting documents from the applicant.

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions consistent with the operating schedule

None

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

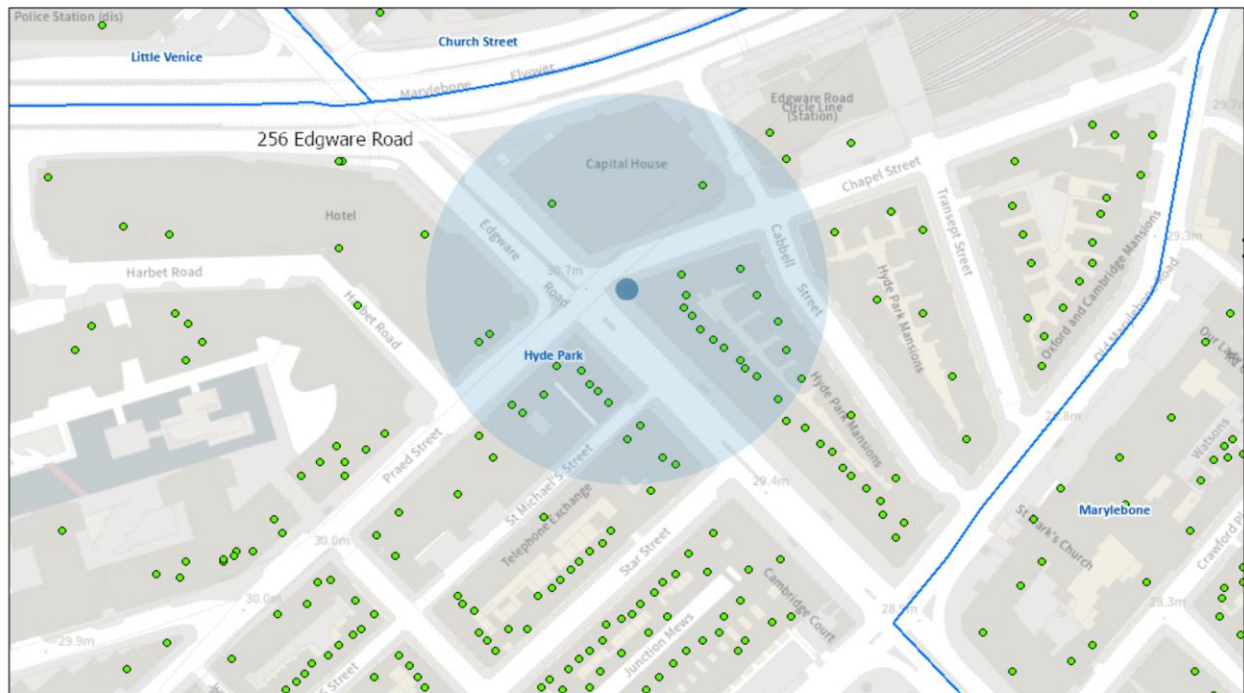
9. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance
(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
(a) all crimes reported to the venue
(b) all ejections of patrons
(c) any complaints received concerning crime and disorder
(d) any incidents of disorder
(e) all seizures of drugs or offensive weapons
(f) any faults in the CCTV system, searching equipment or scanning equipment
(g) any visit by a relevant authority or emergency service.
12. There shall be no take no use of any food delivery companies e.g. Deliveroo & Uber after 23:00

Conditions proposed by the Environmental Health Service and agreed by the applicant to form part of the operating schedule.

13. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a restaurant.
14. 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. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
16. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.

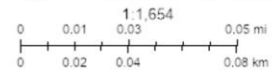
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
18. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
19. No deliveries from the premises, either by the licensee or a third party shall take place between 23:00 and 08:00 hours on the following day.
20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
21. After 23:00 hours all external doors and windows to be kept closed save for immediate access and egress of persons.
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
23. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 60 persons.
24. 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.
25. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.

256B EDGWARE ROAD, LONDON W2 1DS



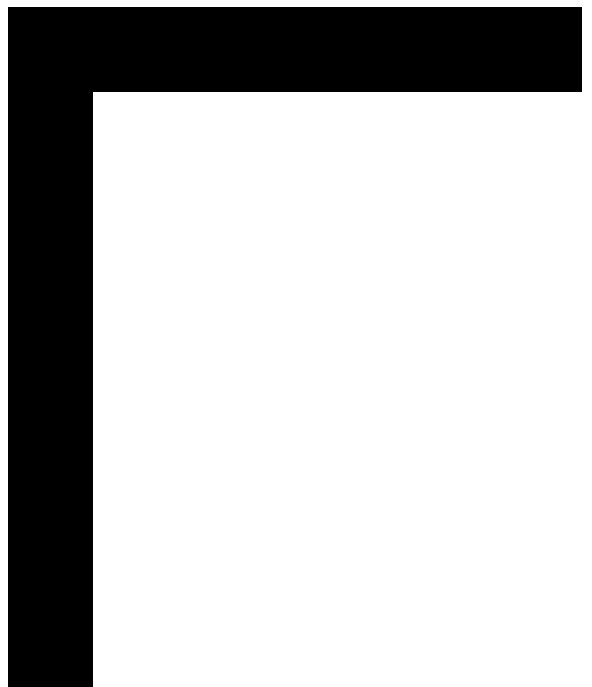
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- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident count: 127

Licensed premises within 75 metres of 256B Edgware Road, London, W2 1DS				
Licence Number	Trading Name	Address	Premises Type	Time Period
09/03954/LIPDPS	Edgware News	Middle Ground Floor 256 Edgware Road London W2 1DS	Restaurant	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
09/05990/LIPN	Costa Coffee	Hotel 254 Edgware Road London W2 1DS	Cafe	Sunday; 08:00 - 00:00 Monday to Saturday; 06:30 - 00:00
23/03031/LIPDPS	Marks & Spencer	258 Edgware Road London	Shop (very large)	Sunday; 10:00 - 22:30 Monday to Saturday; 07:00 - 23:00
15/11733/LIPN	Islamic Halal	228 Edgware Road London W2 1DW	Restaurant	Monday to Sunday; 11:00 - 01:00
13/00673/LIPN	Al-Dhiyafa Restaurant	Basement 228 Edgware Road London W2 1DW	Restaurant	Monday to Sunday; 12:00 - 02:00
22/07846/LIPT	Islamic Halal	228 Edgware Road London W2 1DW	Restaurant	Monday to Sunday; 11:00 - 01:00



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