



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

14/03471/LIPV

Date:

3 July 2014

Classification:

For General Release

Title of Report:

**Opso
10 Paddington Street
London
W1U 5QE**

Report of:

Operational Director – Premises Management

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Miss Bina Patel, Environmental Health Case Officer

Contact Details:

**Telephone: 020 7641 2125
E-mail: bpatel@westminster.gov.uk**

1. APPLICATION DETAILS

Application Type:	Variation of the premises licence under the Licensing Act 2003.		
Applicant:	Bakaliko Ltd	Date Application Received:	1 May 2014
Premises Name and Address:	Opso 10 Paddington Street London W1U 5QE		
Ward Name:	Marylebone High Street	Stress Area	No
Premises Description:	The premises operate as a restaurant with a bar.		
Variation description	<p>The application submitted is to increase the hours for alcohol, opening hours and vary the layout of the premises</p> <p><i>Please note: These premises are located on the corner of Paddington Street and Nottingham Place and benefit from a private forecourt on either side. This would appear (based upon existing licence plans) that it was not previously used.</i></p> <p><i>The plans submitted with this application show this outside area. However, it does not form part of the licensed premises and not part of the changes sought under this variation application</i></p>		
<p><i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i></p>			
Proposed Licensable Activities, Proposed Hours:			References / Notes
1	<p>Sale of Alcohol: On and Off the premises</p> <p>To increase the commencement hour for the sale of alcohol for consumption on and off the premises on Sunday from 12:00 to 10:00</p> <p><i>Please note, if this proposal is granted, condition 9 on the existing licence (Appendix A1) will need to be amended accordingly.</i></p> <p>Relevant representations and policies applicable:</p> <p>1A An adverse representation has been made against the application by the Environmental Health Service stating that the proposal will have the likely effect of causing an increase in public nuisance in the area and may impact on public safety. However, following discussions with the applicants and a site visit at the premises, EH have withdrawn their representation. Please refer further to Appendix B1</p> <p>1B 10 Local residents have made adverse representations to this application on the grounds of the licensing objectives. Their concerns are as follows:</p> <ul style="list-style-type: none"> Concerns over the opening hours and use of outside area and it 		<p>Environmental Health representation</p> <p>6 Local residents</p>

- is very noisy and creates disturbance for residents above and when furniture is dragged over the forecourt in the early morning.
- Seating for the outside area should not be placed out till 09:00 which would limit the disturbances to residents.
- The area is a mixed retail and residential area and the earlier opening of these premises will cause noise and disturbance to the surrounding flats and residents.
- There are so many restaurants in this area and Opso are operating on the corner of Paddington Street and Nottingham Place and will with the outside furniture, increase the risk of accidents.
- This is a quiet residential area with houses and flats around the premises and therefore not suitable for earlier hours.

Following discussions with the applicants, 4 residents have withdrawn their representations. **Please refer further to Appendices B2 to B10**

1C The following policies within the City of Westminster Statement of Licensing Policy apply:

- Prevention of crime and disorder (CD1)
- Public Safety (PS1)
- Prevention of public nuisance (PN1)
- Protection children from harm (CH1)
- Hours (HRS1)
- Restaurants outside the Stress Area (RNT1)
- Pubs and Bars outside the Stress Area (PB1)

1D **Policy HRS1:** (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy.

1E **Policy RNT1:** Applications will generally be granted and reviews determined subject to the relevant criteria in policies CD1, PS1, PN1 and CH1.

1F **Policy PB1 Applies:** Applications will generally be granted, if it can be demonstrated that the proposals meets the relevant criteria in policies CD1, PS1, PN1 and CH1.

1G The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

- prevention of public nuisance,
- prevention of crime & disorder,
- public safety and
- protection of children from harm.

Policies applicable

Summary

2 No Standard Timings

Sale of Alcohol for consumption on and off the premises and opening hours

No need to consider

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

Please note that that these hours are currently permitted under the existing licence. Therefore, there is no need to consider this activity

3 Change of Layout

To vary the layout of the premises in accordance to the schedule of changes detailed at Appendix A3 and plans submitted at Appendix A4

This part of the application is unopposed by Environmental Health and is not referred to in the local residents representations

Relevant representations and policies applicable:

3A The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

- prevention of public nuisance,
- prevention of crime & disorder,
- public safety and
- protection of children from harm.

4 Opening Hours

To increase the opening hours Monday to Saturday from 10:00 to 08:00 and on Sunday from 12:00 to 08:00

Opposed by 6 local residents

(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)

Relevant representations and policies applicable:

4A Please refer to 1B to 1F above.

4B The Environmental Health Service has not raised an objection to this proposal.

4C The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

- prevention of public nuisance,
- prevention of crime & disorder,
- public safety and
- protection of children from harm.

<u>Licensable activities permitted under the existing Premises Licence 14/02031/LIPDPS</u>		<u>Variation to Licensable Activities</u>
Regulated Entertainment: Playing of recorded music and private entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted		Regulated Entertainment: No Change
Late Night Refreshment: Indoors Not applicable		Late Night Refreshment: Indoors Not applicable
Sale of Alcohol: On and Off the premises Monday to Saturday 10:00 to 23:00 Sunday 12:00 to 22:30		Sale of Alcohol: On and Off the premises Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:30
Non Standard Timings From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		Non Standard Timings No Change
Capacity Not stated		Capacity Not proposed
Opening Hours Monday to Saturday 10:00 to 23:30 Sunday 12:00 to 23:00		Opening Hours Monday to Saturday 08:00 to 23:30 Sunday 08:00 to 23:00
Current Licensing Position	The premises currently holds a premises licence 14/02031/LIPDPS (Appendix A1)	
Current Planning Position	There are no applications open or under investigation at these premises.	
Residential Density:	236 of the 260 units within a 75m radius of the premises are residential and proposed residential (68%), refer to Appendix E	
List of Appendices:	A1 – Existing Premises Licence 14/02031/LIPDPS A2 – Application A3 – Schedule of changes to layout of premises A4 – Proposed plans A5 – Applicant submissions – conditions offered and submissions B1 – Environmental Health Service representation and withdrawal B2 – to B10 – local residential representations (4 residents have withdrawn) C – Licence History D - Proposed Conditions E – Residential Map and list of premises in the vicinity F – Photograph of the premises	
Relevant Representations:	6 Local residents	

2. APPLICANT SUBMISSIONS AND EVIDENCE

2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in **Appendices A2 & A5**

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

3.1 Any chronology relating to appeals is set out in Appendix C.

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)

(7)



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Marylebone High
Street
UPRN: 010033540241

Premises licence

Regulation 33, 34

Premises licence number:

14/02031/LIPDPS

Original Reference:

05/10139/LIPC

Part 1 – Premises details

Postal address of premises:

Opso
10 Paddington Street
London
W1U 5QE

Telephone Number:

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:

Bakaliko Ltd
247 Gray's Inn Road
London
WC1X 8QZ
Electronic Mail : labridis_andreas@hotmail.com
Mobile Phone Number : 07834916821

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

8260186

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

Name: Mr Andreas Labridis

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: 13/04103/LIPERS
Licensing Authority: City Of Westminster Council

Date: _____ 8th April 2014 _____

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

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children'
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to'
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on'
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that'
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures'
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

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

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

Conditions related to the Sale of Alcohol

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

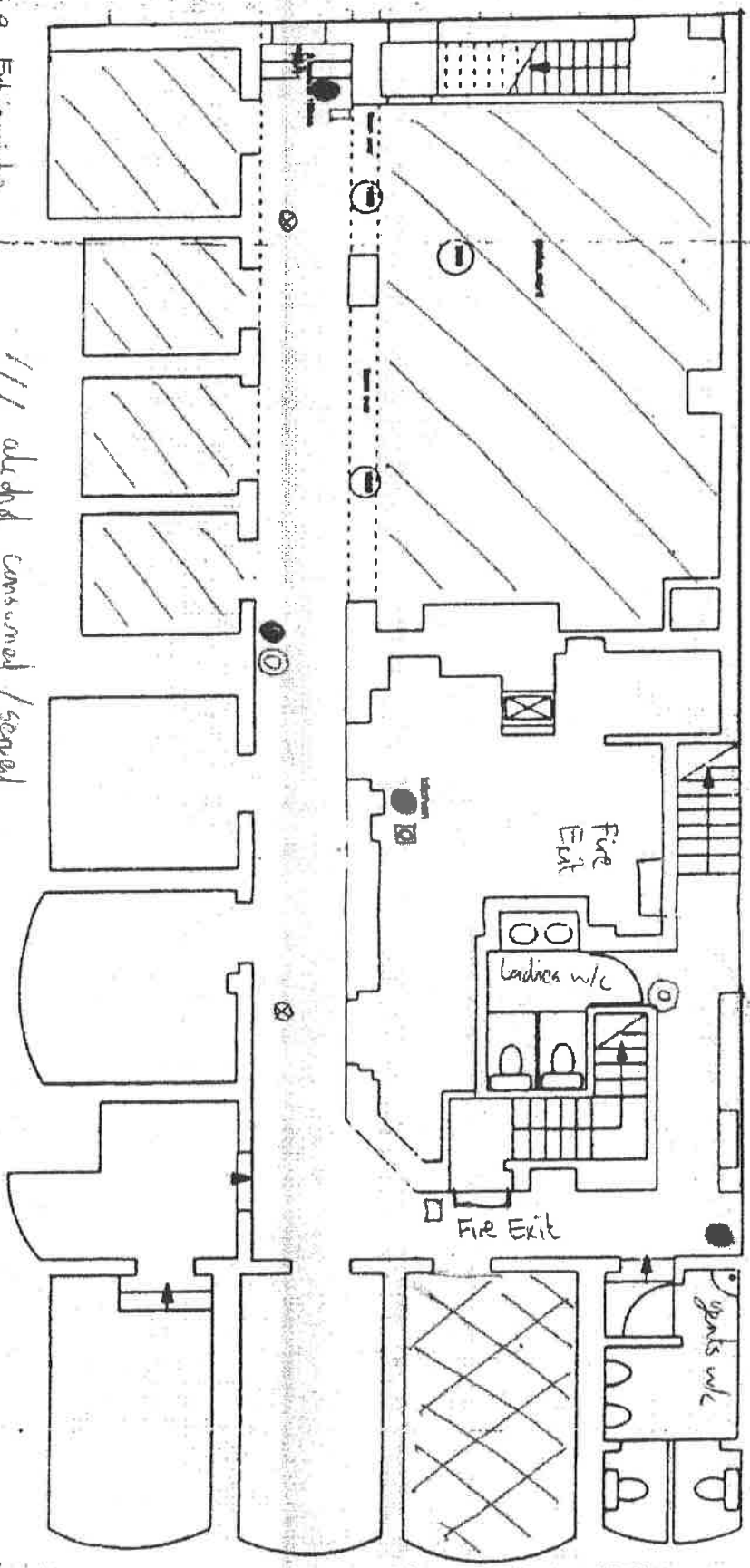
Attached

- Fire Extinguisher
- D Break Glass
- ⊗ Smoke Detector
- ⊙ Smoke Alarm
- ⊠ Fire Marshal

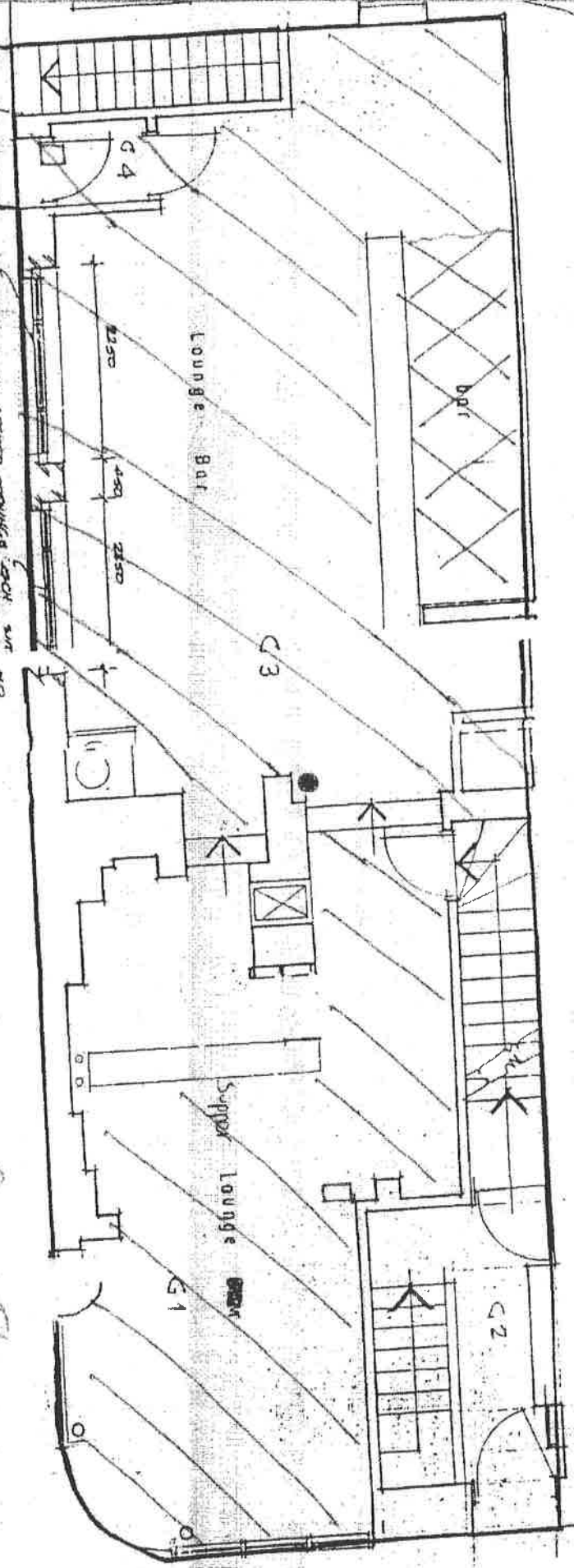
/// alcohol consumed / served
 ▨ alcohol stored.

Basement Plan

Scale 1/100



C5 C8



NOTTINGHAM PLACE

PADDINGTON STREET

CREATE 2 NO. ABANDONED ARCHIVE & LOCK SUR NO
 200 MM x 100 WIDE POLENT & PERSPECTIVE BY CEB
 COARTE LINDS TO SUPPORT MAIN DOOR
 PROVIDE 1 FIX AND 2 CURTAINS THERMOSTATIC
 BOX SHW SWIMMING TO BATHROOM
 GREAT AS BEHAVIOUR TO MAKE ARCHIVE
 THESE COOP DRAWING TO THE PENDING
 & APPROXIMATE TO ARCHIVE ARCHIVE
 THIS NO 13/2/C2 FOR DRAWING

- Beach Glass
- Fire Extinguisher
- /// added served / consumed
- # added stored

Ground Floor
 Sale 1/100



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

Schedule 12
Part B

WARD: Marylebone High
Street
UPRN: 010033540241

Premises licence
summary

Regulation 33, 34

Premises licence number:

14/02031/LIPDPS

Part 1 – Premises details

Postal address of premises:

Opso
10 Paddington Street
London
W1U 5QE

Telephone Number:

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:

Bakaliko Ltd
247 Gray's Inn Road
London
WC1X 8QZ

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

8260186

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

Name: Mr Andreas Labridis

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

Restricted

Date: _____ 8th April 2014 _____

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

APPENDIX A2

(2)



[Insert name and address of relevant licensing authority and its reference number (optional).]

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Bakaliko Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
14/02031/LIPDPS

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Opso, 10 Paddington Street

Post town	London	Postcode	W1U 5QE
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Telephone number at premises (if any)

Non-domestic rateable value of premises **Band C**

Part 2 – Applicant details

Daytime contact telephone number	c/ 0203 755 5138
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E-mail address (optional)	c/ lana@tlaw.co.uk
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Current postal address if different from premises address	LT Law 18 Soho Square
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Post town	London	Postcode	W1D 3QL
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Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

This application for variation is to:

- A. Vary the licensable hours for the retail sale of alcohol on Sunday only so that it starts at 10.00am and not 12 noon
- B. Correct the opening hours for the premises Monday to Sunday to start at 08.00am, as the premises will open for breakfast for non-licensable activities
- C. Vary the layout of the premises/ plans at Schedule 4 of the licence as per the attached plans and Schedule of Changes

A large, empty rectangular box with a black border, occupying the upper half of the page. It is intended for the applicant to provide details regarding their proposed variation.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

A small, empty rectangular box for entering the number of people expected to attend.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u> As existing		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for the performance of live music (please read guidance note 4)</u> As existing		
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)</u> As existing		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u> No change		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u> No change		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)</u> No change		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As existing		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) As existing		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) As existing		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing Anything similar to € (f) or (g)</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 3) As existing</p>		
Wed					
Thur			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) As existing</p>		
Fri					
Sat			<p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) As existing</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3) No change- existing permissions retained		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) As existing		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) As existing		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) As existing		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
			As existing		
			NYE- from the end or permitted hours to the start of permitted hours on NYD		
Sun	10.00	22.30			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

none

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) As existing Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) As existing NYE- from end of permitted hours on NYE to strat of permitted hours on NYD
Day	Start	Finish	
Mon	08.00	23.30	
Tue	08.00	23.30	
Wed	08.00	23.30	
Thu	08.00	23.30	
Fri	08.00	23.30	
Sat	08.00	23.30	
Sun	08.00	23.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

See existing conditions- no change in operating style, which is a cafe

b) The prevention of crime and disorder

See above

c) Public safety

See above

d) The prevention of public nuisance

See above

e) The protection of children from harm

See above

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	1 May 2014
Capacity	Solicitor for applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Lana Tricker
 LT Law
 18 Soho Square

Post town	London	Post code	W1D 3QL
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Telephone number (if any)	0203 755 5138
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
 lana@ltlaw.co.uk



SCHEDULE OF CHANGES

RE: OPSO, 10 PADDINGTON STREET LONDON W1U 5QE

APPLICATION FOR VARIATION OF PREMISES LICENCE

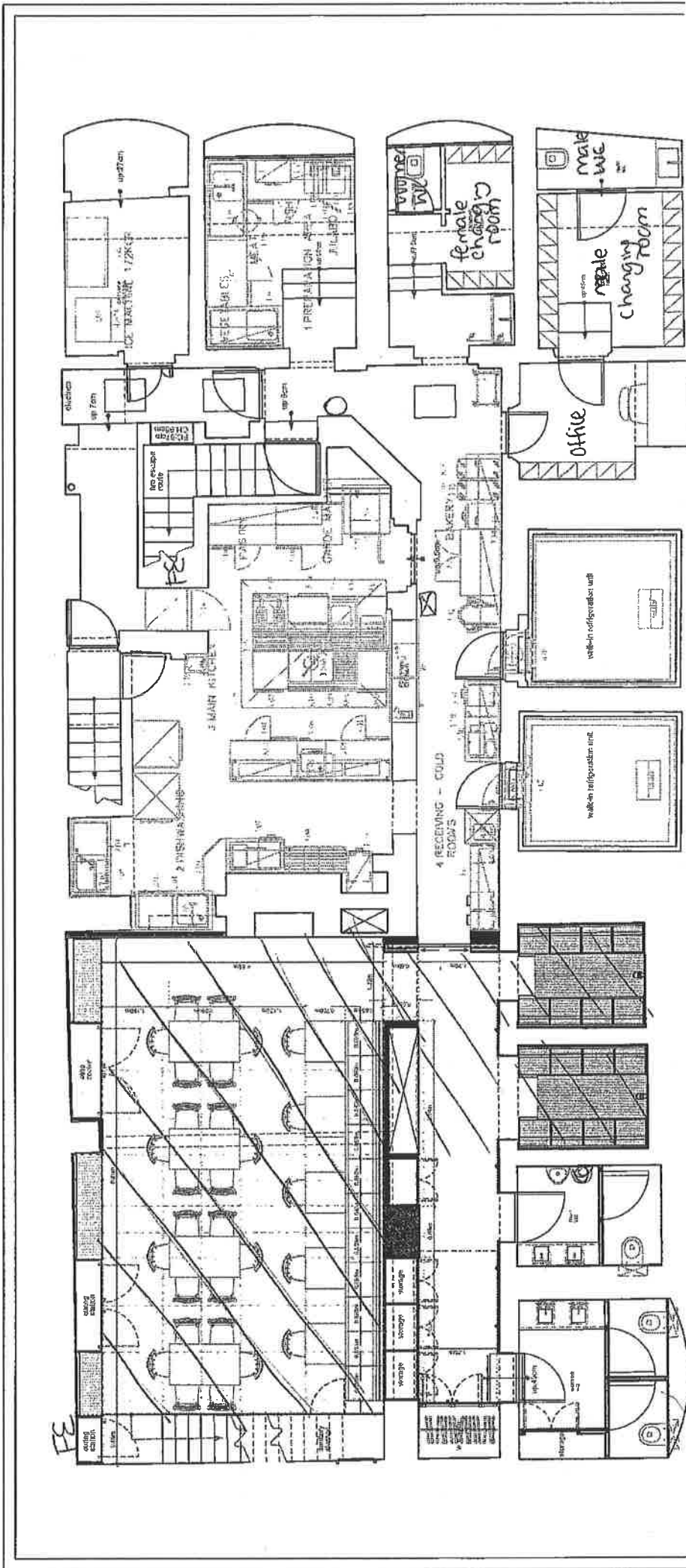
There is no change in capacity sought.

Ground Floor

- Removal of bar in main seating area and replacement with reconfiguration of seating area, including creation of some fixed seating in booth style
- Creation of disabled toilet (top left of plans)
- Creation of new disabled entrance to premises (near disabled toilet)
- Reconfiguration of stairs
- Relocation of supper lounge bar to the right of the ground floor plan and new kitchen facilities behind the server bar, including new seating at the server bar for people to eat on it
- Reconfiguration of loose seating
- Relocation of entrance door in accordance with planning permission/ building regulations granted
- General redecoration of premises and updating fire equipment

Basement Floor

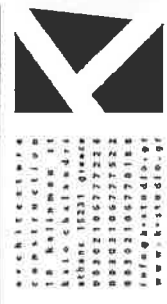
- New improved fire exit doors in accordance with building regulations on main staircase to basement (to left of the plan)
- Reconfiguration and relocation of male and female toilets into old licensable area (resulting in reduction in licensable area- improved toilet facilities- this results in more kitchen space and storage area where the old toilets were located)
- New improved kitchen area/ upgrade of kitchen as shown on the plans
- New improved staff facilities to the right of the plans
- Change of area to the right of the plans to storage area
- New fire doors installed in/near kitchen corridors
- Reconfiguration of loose seating
- General redecoration of premises and updating fire equipment



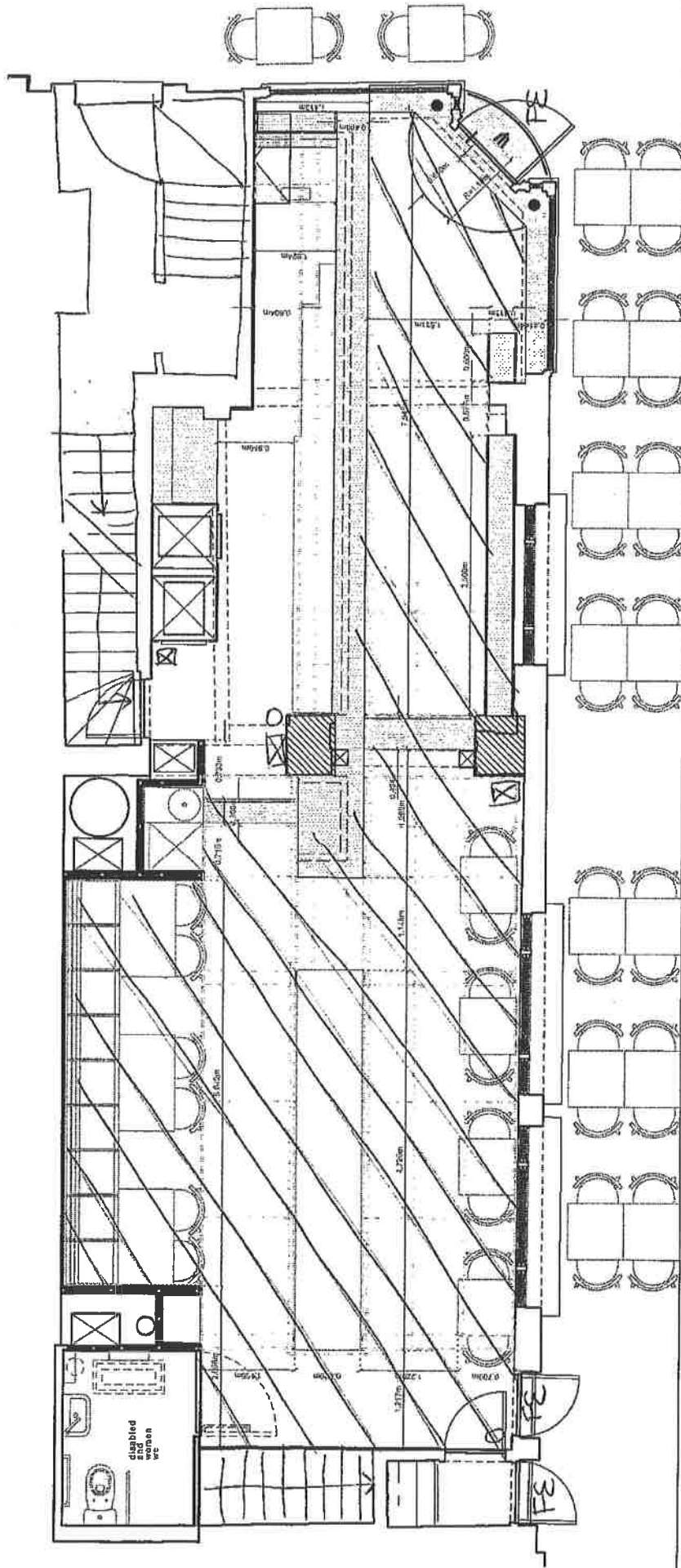
Loose furniture is indicative only
 Licenseable activities occur in area hatched

FE = fire exit
 ○ break glass
 ⊗ fire extinguisher

<p>Project: Opso</p> <p>Project number: 150</p> <p>Location: 10 Production Street, WILSON</p> <p>Date: 11-08-2014</p>	<p>Drawn by: [Name]</p> <p>Revision number: 02</p> <p>Title: [Title]</p> <p>Sheet: 1/1</p>	<p>Scale: 1:50</p> <p>North arrow</p>	<p>© All measurements must be verified on site. Our office, machines and rights of the drawings which have been treated in this manner. The reproduction and distribution and is not allowed without written permission from our office.</p>
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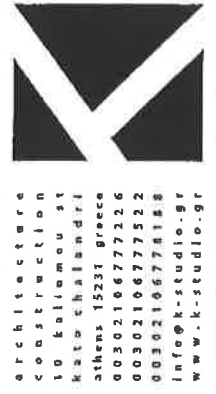
☒ fire exty washer
 FE fire exit
 ○ break glass

Loose furniture is indicative
 only
 Wheelchair activities occur
 in area hatched

* All measurements must be verified on site.
 ** Our office maintains all rights of the drawings which have been treated to the receiver
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drawing title: proposed layout / level 00
 revision number: 00
 scale: 1:60 @ A3
 orientation:

Project: Opso
 Project number: 100
 Location: 10 Paddington street, W1U 6EL
 Date: 17-09-2014



Patel, Bina

From: Lana Tricker [lana@ltlaw.co.uk]
Sent: 13 June 2014 11:01
To: Patel, Bina
Cc: O'Grady, Maureen
Subject: RE: 1403471LIPV - OPSO 10 Paddington Street, London

Dear Bina

Further to this application my client has read the objections received from local residents and I am instructed to amend the application to add the following conditions onto the licence, confirming the tables and chairs won't be used before 9am or after 11pm.

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
2. All outside tables and chairs outside the premises shall be rendered unusable between 23.00 and 09.00 each day.
3. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

Please can you add these to the application papers.

I have another condition on capacity, which EH wants and I will email that through shortly once the wording is agreed.

Thanks

Kind regards
Lana

Lana Tricker
Principal, LT Law

M: 075257 11530
T: 020 3755 5138

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Patel, Bina

From: Lana Tricker [lana@ltlaw.co.uk]
Sent: 19 June 2014 23:35
To: Patel, Bina; O'Grady, Maureen
Subject: Opso- variation

Dear Bina and Maureen

Following discussions with EH I confirm the following condition is agreed by my client:

The number of persons permitted in the premises at any one time (excluding staff), shall not exceed 120 persons with no more the 60 persons (excluding staff) permitted in the basement at any one time

Please can you add this condition to the LSC papers.

Thanks

Kind regards

Lana

Lana Tricker
Principal, LT Law

18 Soho Square London W1D 3QL

M: 075257 11530
T: 020 3755 5138
F: 020 7025 8132

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18 Soho Square, London W1D 3QL

25 June 2014

FAO: Bina Patel
Licensing Service
Westminster City Council
4th Floor, City Hall
64 Victoria Street
LONDON SW1E 6QP

Our ref: LT/01385

Dear Ms Patel

RE: OPSO, 10 PADDINGTON STREET, LONDON W1U 5QE -APPLICATION FOR VARIATION OF A PREMISES LICENCE

I refer to the above application that has been set down for a hearing on Thursday 3 July. I confirm a hearing is necessary and myself and Andreas Labridis will be in attendance.

The application is to vary the licensing plans following a refurbishment of the premises, and to extend the hours for the retail sale of alcohol from midday to 10.00am on Sundays. There is no application to extend the terminal hours or to add additional licensable activities. The opening hours would also be corrected to include their breakfast trade, though no licensable activities will be provided in the early morning, until the hours specified on the licence.

My client has recently taken on a long lease for the premises and has carried out a refurbishment. The works have been inspected by Environmental Health and signed off on, hence no need for works conditions to be imposed on the licence. The premises trades as a café for breakfast, lunch and dinner for the nearby residents and workforce.

It is a Greek style café/restaurant with seating dining areas inside (ground floor and basement), and a private terrace area just outside the premises. Named after the ancient Greek word for 'delicacy', OPSO celebrates the tastes, produce, and social-style dining of Greece. The premises focuses on both traditional and modern flavours, selecting the very best ingredients for a menu that is Greece-inspired and London-made. A copy of the menu is attached for information.

There is no objection to the application by Police and EH have recently withdrawn their representation following a site visit to the premises. There are several objections from local residents.

Following receipt of the residents' representations, my client has amended its application to incorporate a number of further operational conditions, as the residents' concerns principally related to use of the outside sitting area between 08.00 and 09.00.

I confirm my client has agreed to only use the outside area from 09.00 to 23.00 (and not from 08.00). The following conditions have been offered to attach to the application, and a number of residents have withdrawn their objections, based on these:

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

WCC

-2-

2. All outside tables and chairs outside the premises shall be rendered unusable between 23.00 and 09.00 each day.

3. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

The premises are not located in any stress areas and currently have less than core hours. There is no history of nuisance or complaints in relation to this premises. Sunday hours are sought from 10.00 so that they are consistent with the other days of the week, to provide some regularity for clientele. The premises are laid to tables and chairs for ordinary trade and there is waiter/waitress service at the premises.

Patrons can also purchase food from the counter for takeaway (breads, cakes, sandwiches and pies etc) for the local businesses until 4pm at the moment.

This application has also allowed a capacity condition to be placed on the licence, as agreed with Environmental Health and the District Surveyor, as follows:

"The number of persons permitted in the premises at any one time (excluding staff), shall not exceed 120 persons with no more the 60 persons (excluding staff) permitted in the basement at any one time"

The alterations have seen a complete refurbishment of the premises including a brand new kitchen and toilet facilities (additional toilet facilities have also been included), which has resulted in a slight reduction of the actual trading area. Given the area, the hours the premises trades and the operation itself, we submit this application in accordance with the City Council's Licensing Policy Statement.

Should you have any queries please contact Lana Tricker on 020 3755 5138.

Yours faithfully



LT LAW



BREAKFAST

MON-FRI 08.00 – 11.45

BREADS & PASTRIES

Bread Basket £6

Toasted sourdough bread with butter, thyme honey, seasonal jam and our own praline spread

Tsoureki £5

Mahlepi flavoured brioche, served with clotted cream and sour cherry 'spoon sweet'

Moustokoulouro £2.95

Soft molasses cookie, served with strawberry jam

Halvas £3.95

Semolina cake with hazelnut crumble

Walnut Cake £3.5

Soaked in honey syrup

PANCAKES

Pancakes £5

With cream cheese, strawberry jam and fresh berries

PORRIDGE

Rice Porridge £5.95

Infused with Earl Grey, cinnamon and hazelnut crumble and Bergamot Jelly

EGGS

Poached Egg £6.95

Served with toasted koulouri, bacon and Greek yogurt hollandaise

Scrambled Eggs £9

With cherry tomatoes confit, feta and fresh oregano, on toasted sourdough bread

Egg and Soldiers £3

Duck egg with sourdough bread

GREEK YOGURT

Home made Granola £4.95

With thyme honey, blueberries, pomegranate and mint

Sour Cherry Spoon Sweet £3.95

Traditional delicacy with lime zest

KOULOURI SANDWICHES

Smoked Salmon £4.5

With goat milk curd, cucumber and dill

Cured Beef £4.5

Tomato, red onion, slow roasted garlic mayonnaise and rocket

Slow cooked Chicken £4.25

With lettuce and tartare sauce

Vegetables £3.95

Grilled vegetables and aged graviera cheese

COFFEES

Espresso £2

Macchiato £2.2

Americano £2.3

Flat White £2.4

Cappuccino £2.7

Latte £2.7

TEAS

English Breakfast £1.95

Saphire Earl Grey £1.95

Dragonell Green Tea £1.95

Citrus Camomile £1.95

Lemon Verbena £1.95

Persian Pomegranate £1.95

SOFT DRINKS

Sodas £3

Mineral Water Small £1.9/Large £3.3

Sparkling or Still

SMOOTHIES

White £3.95

Greek yogurt with almonds, Fresh pineapple and demerara sugar

Pink £3.95

Greek yogurt with thyme honey And fresh strawberries

Apricot £3.7

Greek yogurt with dried apricots

JUICES

Fresh Squeezed Orange Juice £2.7

Citrus Bomb £2.95

Freshly squeezed orange, lemon And grapefruit juice

EXTRAS

Poached Egg £1.5

All breads and pastries
are freshly baked in house

We only use free range eggs

BRUNCH

SAT & SUN 09.00 – 16.00

BREADS & PASTRIES

Bread Basket £6

Toasted sourdough bread with butter, thyme honey, seasonal jam and our own praline spread

Tsoureki £5

Mahlepi flavoured brioche, served with clotted cream and sour cherry 'spoon sweet'

Moustokoulouro £3

Soft molasses cookie, served with strawberry marmalade

Halvas £4

Semolina cake with hazelnut crumble

Walnut Cake £3.5

Soaked in honey syrup

GREEK YOGURT

Home made Granola £5

With thyme honey, blueberries, pomegranate and mint

Sour Cherry Spoon Sweet £4

Traditional delicacy with lime zest

PORRIDGE

Rice Porridge £6

Infused with Earl Grey, cinnamon and hazelnut crumble and Bergamot Jelly

PANCAKES

Pancakes £5

With cream cheese, strawberry jam and berries

EGGS

Poached Egg £7

Served with toasted koulouri, bacon and Greek yogurt hollandaise

Scrambled Eggs £9

With cherry tomatoes confit, feta and fresh oregano, on toasted sourdough bread

Egg and Soldiers £3

Duck egg with sourdough bread

PLATTERS

Meat Platter £12

A selection of Greek charcuterie served with apricot jam

Cheese Platter £12

A selection of Greek cheeses served with sour cherry 'spoon sweet'

SOUP

Mushroom Soup £7

Sautéed wild mushrooms with crisp rye bread croutons

PLATES TO SHARE

Taramas £5.5

Salted cod roe spread with rye bread

Chicken Liver Mousse £6

Velvet cream of chicken livers slowly braised with thyme and oregano, served with strawberry jam and rye bread

Greek coleslaw £4.5

Carrot, cabbage, iceberg lettuce, scallions, quinoa and dill

Dakos £7

Olive oil rusks, capers, cherry tomatoes, creamy feta cheese, red onion and olives

Feta cheese £6

Barrel-matured creamy feta with sourdough bread and extra virgin olive oil

Metsovone £6

Fried, smoked cheese with homemade rhubarb marmalade

Spinach Pie £3.95

Hand-made pastry pie with feta cheese

Fish Burger £12

In a squid ink bun with tomato jam and chips

Swordfish tempura £15

Served with 'skordalia' spread, roast beetroots and shaved walnut

Snails n' Chips £13.5

A Greek take on a British classic

Lightly cured Wild Boar Sausage £7

With celeriac remoulade

Lamb Shank £18

Slow-cooked on the bone with orzo, tomato marmalade and lemongrass

DESSERTS TO SHARE**Vanilla Cream £6**

With fresh berries and crispy filo flakes

Walnut Cake £6

Soaked in honey syrup with clotted cream and sour cherry 'spoon sweet'

Loukoumades £7

Thyme honey infused puffed dough with shaved walnut and kaimaki ice cream

Cocoa Mosaic £8

Frozen cocoa biscuit with butter cookies

ALL DAY

Mon-Fri 12.00 – 22.45 / Sat 16.00 – 22.45 / Sun 16.00 – 22.15

BREADS**Bread and Olives £3.5**

Chargrilled sourdough bread with smoked Kalamata olives

Koulouri Bread £4

Sesame-covered koulouri with goat milk curd and sea salt

PLATTERS**Meat Platter £12**

A selection of Greek charcuterie served with raspberry jam

Cheese Platter £12

A selection of Greek cheeses served with sour cherry 'spoon sweet'

SOUP

Mushroom Soup £7

Served with wild mushrooms and crispy rye bread croutons

PLATES TO SHARE

Taramas cream £5.5

Salted cod roe spread with olive crackers

Chicken Liver Mousse £6

Velvet cream of chicken livers slowly braised with thyme and oregano, served with strawberry jam and rye bread

Greek coleslaw £4.5

Carrot, cabbage, iceberg, scallions, quinoa and dill

Dakos £7

Olive oil rusks, capers, cherry tomatoes, red onion and olives

Feta cheese £6

Barrel-matured creamy feta with sourdough bread and extra virgin olive oil

Metsovone £6

Fried, smoked cheese with homemade rhubarb marmalade

Spinach Pie £3.95

Hand-made pastry pie with feta cheese

Bottarga from Messologgi £15

25gr of Greek kind of caviar from cured flathead mullet roe with herbed butter and rye bread

Tuna Tartare £9

Inspired by the traditional Greek salad

Fish Burger £12

With tomato jam and chips

Smoked Eel £14.5

With yellow fava bean puree, spring onions, crispy capers and lemon zest

Swordfish tempura £15

Served with 'skordalia' spread, roasted beetroots and shaved walnut

Snails n' Chips £13.5

A Greek take on a British classic

Chicken drumstick £9.5

Slowly cooked with creamy potato puree and a lemon and oregano sauce

Lightly cured Pork sausage £7

With celeriac remoulade

Beef-Cheek Fricassee £14

With an egg-lemon sauce and fresh dill

Lamb Shank £18

Slow-cooked on the bone with orzo, tomato marmalade and lemongrass

DESSERTS TO SHARE

Vanilla Cream £6

With fresh berries and crispy filo flakes

Walnut Cake £6

Soaked in honey syrup with clotted cream and sour cherry 'spoon sweet'

Loukoumades £7

Thyme honey infused puffed dough with shaved walnut and kaimaki ice cream

Cocoa Mosaic £8

Frozen cocoa biscuit with butter cookies and aged cognac served with chocolate sorbet and chocolate sauce

APPENDIX B1

CITY OF WESTMINSTER

MEMORANDUM

TO
REFERENCE

Bina Patel, Licensing Officer
14/0347/LIPV

FROM
REFERENCE
BEING DEALT WITH BY
TELEPHONE
DATE

EH Consultation Team
EHCT/MGO/ 14/01690/EHCT
Maureen O'Grady
020 7641 3062
15TH May 2014

The Licensing Act 2003

Re: OPSO 10 Paddington Street, London, W1U 5QE

I refer to the application to vary a premises licence.

The applicant has submitted the floor plan dated 13/01/14 for the ground floor and basement. This representation is based on these plans.

The applicant is seeking the following:

1. To vary the layout of the premises in accordance with the plans supplied by the applicant.

Main changes:-

Ground Floor

- Removal of bar in main seating area and replacement with reconfiguration of seating, including some fixed seating in booth style.
- Creation of disabled toilet
- Creation of new disabled entrance to premises
- Reconfiguration of the stairs
- Relocation of supper lounge bar to the right of the ground floor
- New kitchen facilities behind the server bar, including new seating at the server bar.
- Reconfiguration of loose seating
- Relocation of entrance door in accordance with planning permission/building regulations granted.
- General redecoration of premises and updating fire equipment

Basement Floor

- New fire doors in accordance with building control regulations on main staircase to basement.
- Reconfiguration and relocation of male and female toilets.
- New kitchen area
- New staff facilities
- New storage area

- New fire doors installed in/near kitchen corridors

Reconfiguration of loose seating
General redecoration of premises and updating fire equipment.

2. To vary the licensable hours for the retail of alcohol on Sundays only so that it starts at 10.00am and not 12 noon.

3. Vary the opening hours for the premises Monday to Sunday at 08.00, as the premises will open for breakfast for non licensable activities.

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

1. The proposed alterations may impact on Public Safety.

2. The supply of alcohol and the hours requested for will have the likely effect of causing an increase in Public Nuisance within the area.

3. No representation regarding the variation of opening time.

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

Maureen O'Grady
Environmental Health Officer

Patel, Bina

From: O'Grady, Maureen
Sent: 21 June 2014 22:21
To: Patel, Bina
Cc: Watson, Ian; 'iana@lrlaw.co.uk'
Subject: 14/0347/LIPV 10 Paddington Street

Hello Bina,

I visited this premises on Friday for a works clearance, the works has now been completed and there so there is no need to add any works conditions to the plans.

We have previously not had issues with the premises and it is not in a stress area so I will be withdrawing my representation. I am not in next week so if you have any quires could you ask Ian.

Thanks

Maureen

*Flat 3, 7 Paddington Street
London W1U 5QQ
Tel: 0207 935 0823
Fax: 0207 935 0843
Email: caroleoffice@a.gmail.com*

Mr Steve Harrison
City of Westminster
Licensing Service
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Your Ref: 14/03471/LIPV

12 May 2014

Dear Sirs

. OPSO – 10 Paddington Street, London W1U 5QU

Thank you for your letter of 2nd May notifying me of the application to change various matters on the premises trading arrangements.

The only matter that I would like to bring to your attention refers to Item B being opening hours at 8.00am in respect of breakfast.

All these restaurants like to have outside dining and it is very noisy and creates a disturbance for the residential units above the shops when furniture is dragged over the forecourt early morning.

We reached an agreement with Carluccio's that they would not put furniture outside the restaurant until 9.00am each day and I would very much like you to follow this practice with Opso.

Yours faithfully


Geoffrey Simmonds

APPENDIX B3

Flat 4, 7 Paddington Street,
London W1U 5QQ
Tel: 0207 4874578
Iancurrie1964@mac.com



Mr. Steve Harrison
City of Westminster
Licensing service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Ref: 14/03471/LIPV

13th May 2014.

OPSO – 10 Paddington Street, London, W1U 5QU

Dear Sirs,

I am writing in response to your letter dated 2nd May regarding the application to change varying matters, in particular item B: breakfast trading hours to start at 8am.

My partner and I (and I have no doubt many of the other residents) are keen that Opso are respectful of the arrangement the other local restaurants such as Carluccios. That is, they do not put seating for customers outside until 9am. This limits disturbance for residents from customers and restaurant staff.

Thank you for taking the time to listen to local residents' views.

Yours faithfully,


Dr. Ian Currie

Patel, Bina

From: ian currie [iancurrie1964@mac.com]
Sent: 26 June 2014 09:48
To: Patel, Bina
Subject: Re: 14/03471/LIPV - Opso - 10 Paddington Street

Dear Bina

Following correspondence from the legal team acting on behalf of OPSO , I gather they are altering their plans to allow outside seating to be in line with other premises (i.e. 9am)

I am therefore withdrawing my objection

Regards

Mr Ian Currie
Consultant Gynaecologist
Vice President UK Affairs
Royal College of Obstetricians & Gynaecologists

On 26 Jun 2014, at 09:31, Patel, Bina <bpatel@westminster.gov.uk> wrote:

Patel, Bina

From: Lana Tricker [lana@ltlaw.co.uk]
Sent: 23 June 2014 15:04
To: Patel, Bina
Subject: FW: Opso- application for variation

Follow Up Flag: Follow up
Flag Status: Flagged

Hi- fyi- pls see below- if you receive any other withdrawals pls can you let me know- thanks

Kind regards
Lana

Lana Tricker
Principal, LT Law

M: 075257 11530
T: 020 3755 5138

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From: Carole Braier [mailto:caroleoffice@clbdesk.com]
Sent: 23 June 2014 14:05
To: Lana Tricker
Cc: sueharrison38@btinternet.com; 'Shaun Cooper'; 'Naveen Suri'; robert.a.wood@ntlworld.com; matt@migould.co.uk; 'Martin Roddy'; geoffw@gotadsl.co.uk; 'Duncan Kennedy'; 'Ian Currie'; 'Paul & Judy Olney'; bpatel@westminster.gov.uk
Subject: RE: Opso- application for variation

I refer to your email of 20th June and would remind you that we have changed our email address to caroleoffice@clbdesk.com.

I appreciate the amendments that you have made to your planning application which conforms it to the protocol adopted by Carluccios and I very much appreciate your neighbourly co-operation. I am sending a copy of this email to Bina Patel at Westminster to confirm that I am withdrawing my objection. I have asked the other lessees in the block to respond similarly.

Geoffrey Simmonds

From: Lana Tricker [mailto:lana@ltlaw.co.uk]
Sent: 20 June 2014 13:42
To: caroleoffice@gmail.com
Subject: FW: Opso- application for variation

Dear Mr Simmonds

I act for Opso and have been passed a copy of your objection by the licensing team, as they are required to do. Having read your letter, and the letters of some other residents, which also mentioned the timing of the outside area, I advise I have formally amended my clients application to include the following conditions, confirming the tables and chairs won't be used before 9am or after 11pm, which is in line with Carluccio's next door:

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
2. All outside tables and chairs outside the premises shall be rendered unusable between 23.00 and 09.00 each day.
3. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

If you have any other questions pls let me know. If you are happy with the above conditions addressing your concerns please could I ask that you notify the licensing officer, Bina Patel on bpatel@westminster.gov.uk that you are withdrawing your objection.

Many thanks. I look forward to hearing from you.

Kind regards

Lana

Lana Tricker
Principal, LT Law

18 Soho Square London W1D 3QL

M: 075257 11530
T: 020 3755 5138
F: 020 7025 8132

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APPENDIX B4

Patel, Bina

Subject: FW: 14/03471/LIPV - OPSO, 10 Paddington Street

From: Stephen Beeny [<mailto:stephenbeeny@gmail.com>]
Sent: 22 May 2014 16:59
To: Premises Licensing
Subject: Ref: 14/03471/LIPV - OPSO, 10 Paddington Street

Re: OPSO - 10 Paddington Street – Premises licence variation application

Your Ref: 14/03471/LIPV

Dear Sir

I am writing to object to the above proposal by Opso, in particular item B that asks for the opening hours to be changed so that they open at 8am Monday to Sunday to serve breakfast.

Opso has a large outside dining area which has been very noisy in the past. Setting up for breakfast by dragging tables and chairs across their outside area *before* the opening hours would be an unnecessary public nuisance and create a real disturbance for all the residential flats above the shops.

I live in a flat next door to Opso and my windows open out onto Paddington Street. I am therefore intimately associated with the premises and the noise it creates. Paddington Street is primarily a residential area and this extra noise would be unbearable in the early morning

We reached an understanding with Carluccio's restaurant, located next door, that they would not put furniture outside the restaurant until 9am each day and I would very much like this to also happen with Opso.

Yours faithfully

Stephen Beeny

--
Stephen Beeny
stephenbeeny@gmail.com
07930 324 652

Patel, Bina

From: Stephen Beeny [stephenbeeny@gmail.com]
Sent: 23 June 2014 17:53
To: Patel, Bina
Subject: Fwd: Opso- application for variation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Bina Patel

Further to the email conversation below with Lana Tricker, who is acting for Opso on Paddington Street, and her instructions to formally amend her clients application to include the three conditions in the email chain below - primarily that tables and chairs won't be used before 9am or after 11pm - I am happy to withdraw my objection to the variation in the license.

Please note I am withdrawing my objection solely on the condition that the three points below are amended in the application. If they are not, my objection remains.

Best wishes

Stephen Beeny

----- Forwarded message -----

From: Stephen Beeny <stephenbeeny@gmail.com>
Date: 23 June 2014 17:37
Subject: Re: Opso- application for variation
To: Lana Tricker <lane@lrlaw.co.uk>

Dear Lana

Thanks for the email and for letting me know that you have formally amended your clients application. I'm really pleased that Opso have decided to take into account the views of their neighbours. I will contact Bina Patel now to say I am withdrawing my objections.

Thanks again

Stephen

On 20 June 2014 13:40, Lana Tricker <lane@lrlaw.co.uk> wrote:

Dear Mr Beeny

I act for Opso and have been passed a copy of your objection by the licensing team, as they are required to do. Having read your letter, and the letters of some other residents, which also mentioned the timing of the outside area, I advise I have formally amended my clients application to include the following conditions, confirming the tables and chairs won't be used before 9am or after 11pm, which is in line with Carluccio's next door:

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

2. All outside tables and chairs outside the premises shall be rendered unusable between 23.00 and 09.00 each day.

3. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

If you have any other questions pls let me know. If you are happy with the above conditions addressing your concerns please could I ask that you notify the licensing officer, Bina Patel on bpatel@westminster.gov.uk that you are withdrawing your objection.

Many thanks. I look forward to hearing from you.

Kind regards

Lana

Lana Tricker

Principal, LT Law

18 Soho Square London W1D 3QL

M: 075257 11530

T: 020 3755 5138

F: 020 7025 8132

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--
Stephen Beeny
stephenbeeny@gmail.com
07930 324 652

--
Stephen Beeny
stephenbeeny@gmail.com
07930 324 652

APPENDIX B5

PREMISES MANAGEMENT
LICENSING SERVICE
27 MAY 2014
CITY OF WESTMINSTER

Mrs. J. BOSTON A
FLAT 14
3 NOTTINGHAM PLACE
LONDON W1U 5LB
+44 (0)20 7486 2926
24/05/14

Your reference
14/03471/LIPV

Dear Sir or Madam,
We strongly object - and I am writing to you on behalf of the residents/owners of flats at number 1 and number 3 Nottingham Place (Brendon House and Treborough House). I am a member of the board ~~and~~ of Brendon and Treborough Hds.
The restaurant due to open directly opposite our two blocks has applied to extend the licensable hours for retail sale of alcohol so that they are able to do so from 10 a.m., not ~~at~~ 12 noon. ~~from~~ as it is at present.

This is not acceptable to us,
nor any of the proposed variations.
It would lead to rowdiness
unacceptable levels of noise and
other nuisance. Our objections
fall within the licensing
objectives: prevention of crime
and disorder and prevention
of public nuisance.

Yours faithfully,

J Boyruffa -

APPENDIX B6

FLAT 5, 9 PADDINGTON STREET, MARYLEBONE, LONDON W1U 5QJ
(T) 0207 935 8870 (M) 07771 760 260



13th May 2014.

OPSO - 10 Paddington Street
London W1U 5QJ

Dear Sirs,

In respect of the
above restaurant, I
object to the opening
hours at 8.00 AM.

Perhaps you can
discuss this with Carluccio's,
who have agreed to the
outside area can only

be used after 9.00 AM.

Yours faithfully,
Susan Harrison (MRS)

APPENDIX B7

PREMISES MANAGEMENT
LICENSING SERVICE

15 MAY 2014

CITY OF WESTMINSTER

*Flat 2
7 Paddington Street
London
W1U 5QQ*

13 May 2014

Ref: 14/03471/LIPV

Mr Steve Harrison
City of Westminster
Licensing Service
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Dear Sirs,

OPSO – 10 Paddington Street, London W1U 5QU

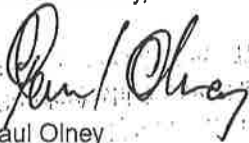
I refer to your letter of 2 May regarding the notification of a licence variation application under the Licensing Act 2003.

I wish to object to the application to change the opening hours for the premises (Monday to Sunday) which would allow the premises to be open from 8:00 a.m. for breakfast and non-licensable activities. The basis for my objection is that this area is a mixed retail and residential area and the earlier opening of these premises will cause noise and disturbance to the surrounding flats and residents. It is often the case that restaurants such as OPSO will also put furniture outside the shops and this would add to the disturbance in the early morning.

You may be aware that an arrangement was reached with Carluccio's which was to the effect that they would not put furniture outside the restaurant until 9:00 a.m. each day.

If you would like to contact me by email, my email address: paul.olney@slaughterandmay.com. My office telephone number is: 020 7090 3356.

Yours faithfully,


Paul Olney

APPENDIX B8

Flat 1, 9 Paddington St
London
W1U 5QJ



Mr Steve Harrison
City of Westminster
Licensing Service
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Your Ref: 14/03471/LIPV

13 May 2014

Dear Sirs

OPSO – 10 Paddington Street, London W1U 5QU

Thank you for your letter of 2 May re the application to change certain matters to do with the trading from the above premises.

I would like to object to the proposal in item B – making the opening hours from 8.00 am in respect of breakfast.

While I understand the commercial pressures to open for breakfast, setting up for an 8.00 am opening time can be noisy even before that – especially if they are setting up for outside dining when furniture can be dragged into position.

The residents of the flats in 7 and 9 Paddington Street try to be reasonable – and reached an amicable agreement with Carluccio's that they would not put furniture outside the restaurant until 9.00 each day. I hope very much you can come to the same arrangement with OPSO.

Many thanks for giving this letter your attention.

Yours faithfully

A handwritten signature in black ink, appearing to read "G Wainwright".

Geoffrey Wainwright

Patel, Bina

From: geoffw@gotadsl.co.uk
Sent: 24 June 2014 11:17
To: Patel, Bina
Cc: office@lflaw.co.uk
Subject: Your ref: 14/03471/LIPV

Dear Miss Patel,

I have received assurances from OPSO's solicitors which largely allay our fears re noise pollution early and late in the day. They have agreed to abide by the same rules which Carluccio's agreed to in neighbourly fashion.

As a result, I am happy to withdraw our objections to their (now revised) planning application.

Thank you for your help with this matter.

Geoff Wainwright (Flat 1, 9 Paddington Street.)

--

APPENDIX B9

Apartment 2
Clarendon Lodge
9 Paddington Street,
London W1U 5 QJ
0207 224 3056



Mr. S. Harrison
City of Westminster
Licensing Service
64 Victoria Street
LONDON SW1E 6QP

13th May 2014.

Dear Sir,

RE: OPSO 10 Paddington Street, London W1U 5QU

We write with reference to your letter of May 2nd regarding the application to vary the licence for these premises.

WE are not in favour of the earlier times for the service of alcohol on a Sunday and the earlier opening hours.

Our grounds are the prevention of Public nuisance and Public Safety.

Carluccio's agreed not to put furniture outside until 09.00.

There are so many restaurants in this area. OPSO, operating on the corner of Paddington Street and Nottingham Place will, with outside furniture, increase the risk of accidents therefore public safety is likely to be undermined.

Yours faithfully,

R. A x P C R Wood.

APPENDIX B10

Miss P. Lewis
Flat 5
Brendon House
3, Nottingham Place
London

PREMISES MANAGEMENT
LICENSING SERVICE

21 MAY 2014

CITY OF WESTMINSTER

W1U 5LB

17.5.14

Tel. 0207 935 2956

Dear Mr. Harrison,

I am writing with regard to a change of licence re 'Opsol', No. 10 Paddington Street, London W1U 5QE. Ref. No. 14/03471/LIPV.

I wish to object to a change of opening hours on Sunday's from 10am. to sell Alcohol & also the opening hours from 8.00am Monday to Sunday.

My reasons are I live opposite on the ground floor with my bedroom & living room directly facing the premises. There is now a large outside area which will have tables & chairs therefore causing noise & disturbance.

This is a residential area with houses and flats around the premises, & therefore not suitable for earlier hours. I hope all this will be taken into consideration

Yours faithfully, Pauline R. Lewis

Licence & Appeal History

Application	Details of Application	Date determined	Decision
Conversion 05/10139/LIPC	Application to convert the existing Justice On Licence	03.10.2005	Granted under delegated authority
Transfer 05/13430/LIPT	Application to transfer the premises licence	03.01.2006	Granted under delegated authority
Transfer 06/04983/LIPT	Application to transfer the premises licence	20.06.2006	Granted under delegated authority
DPS 06/04985/LIPDPS	Application to vary the designated premises supervisor	20.06.2006	Granted under delegated authority
DPS 06/04985/LIPDPS	Application to vary the designated premises supervisor	13.02.2008	Granted under delegated authority
DPS 09/00265/LIPDPS	Application to vary the designated premises supervisor	10.02.2009	Granted under delegated authority
DPS 10/08681/LIPDPS	Application to vary the designated premises supervisor	26.11.2010	Granted under delegated authority
DPS 12/08772/LIPDPS	Application to vary the designated premises supervisor	03.12.2012	Granted under delegated authority
DPS 13/01684/LIPDPS	Application to vary the designated premises supervisor	01.05.2013	Granted under delegated authority
DPS 13/06473/LIPDPS	Application to vary the designated premises supervisor	18.09.2013	Granted under delegated authority
Transfer 14/02013/LIPT	Application to transfer the premises licence	08.04.2014	Granted under delegated authority
DPS 14/02031/LIPDPS	Application to vary the designated premises supervisor	26.03.2014	Granted under delegated authority
Minor 14/03134/LIPVM	Application for a minor variation To alter the basement in accordance to the schedule of works submitted and change opening hours	06.05.2014	Refused by Licensing Authority as the alterations were too substantial to be dealt with under a minor variation. A full variation would be required

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: attached to the existing premises licence at Appendix A1 – 14/02031/LIPDPS**Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children'
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to'
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on'
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that'
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures'
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

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

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

Conditions related to the Sale of Alcohol

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.

Condition 9 to be amended in part as below, if proposal 1 is agreed

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, 10:00 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, 10:00 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 remainder of the condition to remain the same

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 a Licensing Sub Committee

None

Condition consistent with operating schedule submitted with this variation application

12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. All outside tables and chairs outside the premises shall be rendered unusable between 23.00 and 09.00 each day.
14. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
15. The number of persons permitted in the premises at any one time (excluding staff), shall not exceed 120 persons with no more than 60 persons (excluding staff) permitted in the basement at any one time

The following new mandatory condition which came into effect on 28 May 2014 will be added to the licence following the determination of this application

A. 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.

B. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)

(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(7)

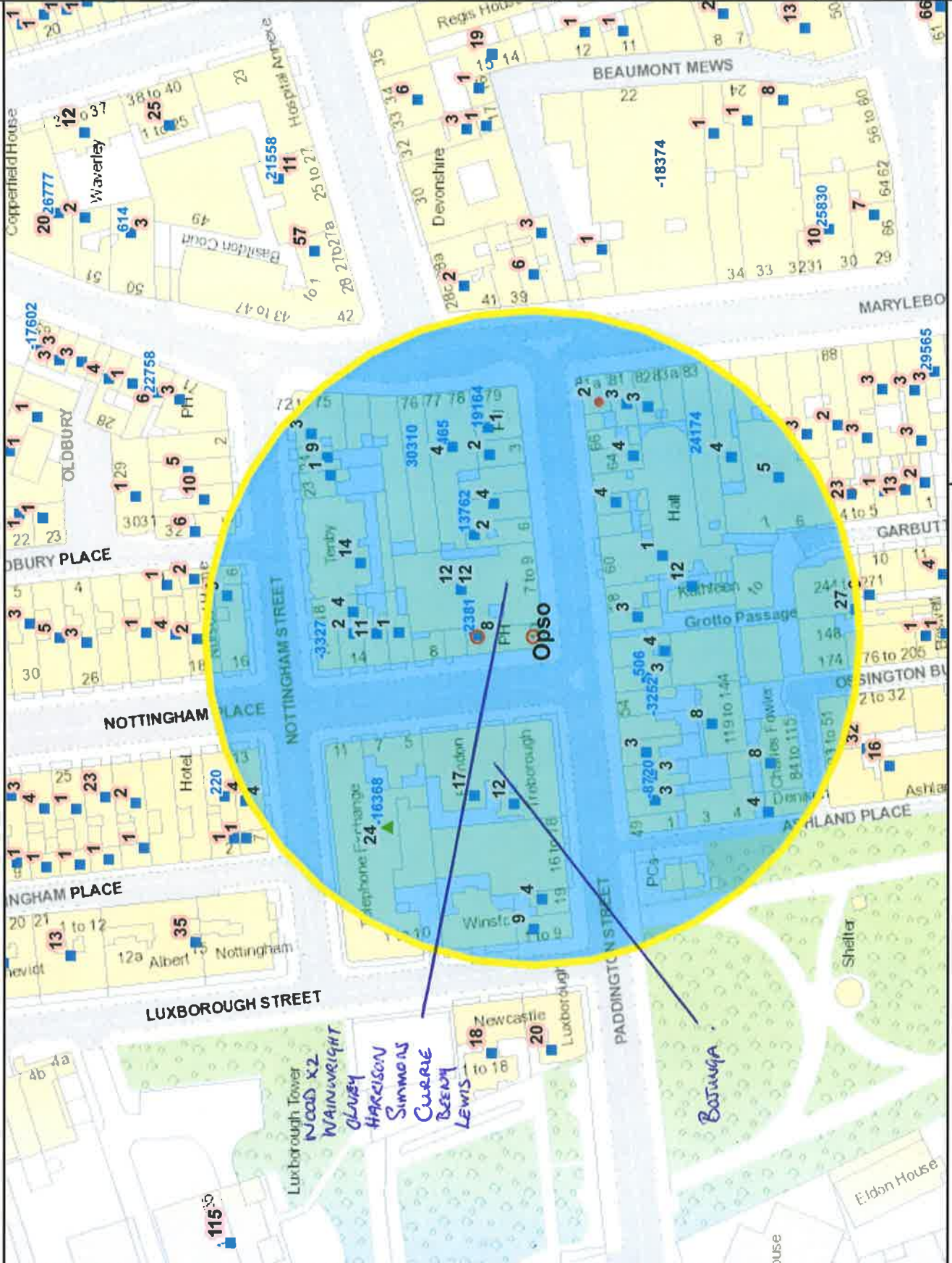
C. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- D. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.



City of Westminster

Opso, 10 Paddington Street, London, W1U 5QE



Residential / Proposed Residential	236
Under Construction	24
Other Uses	0
Proportion Residential of all Uses	68%

APPENDIX E

Data Source: Uniform Database

Date: 17/06/2014

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Premises within 75 metres of: Opso - 10 Paddington Street, London, W1U 5QE

p / n	Name of Premises	Premises Address	Licensed Hours
13762	Carlucio's	6 Paddington Street London W1U 5QG	Sunday 08:00 - 23:00 Monday to Saturday 08:00 - 23:30 Good Friday 08:00 - 23:30
-16368	The Hellenic Centre	Flat 8 Fifth Floor 25 Luxborough Street London W1U 5AR	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00
24174	Fish Work Seafood Cafe	Third Floor 83 Marylebone High Street London W1U 4QW	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
19164	CoCo MoMo	Flat 1 79-80 Marylebone High Street London W1U 5JZ	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:20 Sunday 12:00 - 22:50 Sundays before Bank Holidays 12:00 - 23:50
30310	Natural Kitchen	Ground Front 76 Marylebone High Street London W1U 5JW	Monday to Friday 07:00 - 20:00 Saturday to Sunday 09:00 - 20:00
-2381	Opso	10 Paddington Street London W1U 5QE	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
465	Le Pain Quotidien	Concession 77 - 78 Marylebone High Street London W1U 5JW	Monday to Friday 07:00 - 21:00 Saturday 08:00 - 18:00 Sunday 09:00 - 18:00
-3327	Getti Restaurant	Third Floor 17 Nottingham Street London W1U 5EW	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-3252	Rejdoot Restaurant	Third Floor 54 Paddington Street London W1U 4HU	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-8720	Zizzi	Flat 3 50 Paddington Street London W1U 4HP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
506	The Real Greek Souvlaki And Bar	55 Paddington Street London W1U 4HX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00





NOTTINGHAM
PLACE W1

Op39