



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

15/03975/LIPN

Date:

16 July 2015

Classification:

For General Release

Title of Report:

**38 Groom Place
38 Groom Place
London
SW1X 7BA**

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Yiannis Chrysanthou
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 1876
E-mail: ychrysanthou@westminster.gov.uk**

APPLICATION DETAILS

Application Type:	A new premises licence application under the Licensing Act 2003.		
Applicant:	Carlo Tambini	Date Application Received:	21 May 2015
Premises Name and Address:	38 Groom Place 38 Groom Place London SW1X 7BA		
Ward Name:	Knightsbridge And Belgravia	Stress Area:	No
Description of Premises:	The applicant describes this premises as an Italian restaurant and pizzeria on the ground and first floor.		
<p><i>Note: Where the committee is minded to grant the application 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 B to this report.</i></p>			
<p>Proposed Licensable Activities, Proposed Hours:</p> <p>Sale by Retail of Alcohol</p> <p>Monday to Saturday: 10:00 to 23:00 Sunday: 10:00 to 22:30</p> <p>Non-standard Timings: To extend retail sale of alcohol from end of permitted time on New Year's Eve to the start of permitted hours on New Year's Day. To also allow for the provision of late night refreshment from 23:00 on New Year's Eve until 05:00 on New Year's Day.</p> <p>Opening Hours: Monday to Sunday 10:00 to 23:00</p> <p>Non-Standard Timings: From end of permitted hours on New Year's Eve to 03:30 on New Year's Eve.</p>			

	Relevant representations and policies applicable:	References / Notes
1A	<p>The Environmental Health Service has made an adverse representation against this application as it may lead to an increase in public nuisance. The EH officer has proposed conditions which are outlined in Appendix B and attached in the background documents.</p>	<p>Environmental Health Service Representation</p>
1B	<p>The Metropolitan Police have not made any representation against this application. An email confirming this is attached to the background documents.</p>	<p>Metropolitan Police Service representation</p>
1C	<p>Two local residents, Rona Smart and Jan Laboyrie have made an adverse representation against this application as they believe it will lead to an increase in public nuisance. Their correspondences are included in the background documents.</p>	<p>2 residential representations</p>
1D	<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Policy HRS1 applies:</p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>Policy PB1 applies:</p> <p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> <p>Policy RNT1 applies:</p> <p>Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> <p>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:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	

Current Licensing Position	These premises have never benefitted from a premises licence.
Residential Density:	63 units within a 75m radius of the premises are residential or proposed residential. Refer to Appendix C .
Planning Position:	Licensing cannot confirm the planning usage of this premises.
List of Appendices:	A1 – Premises Licence History, A2 - Plans B - Conditions C – Residential Map and list of premises in the vicinity








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

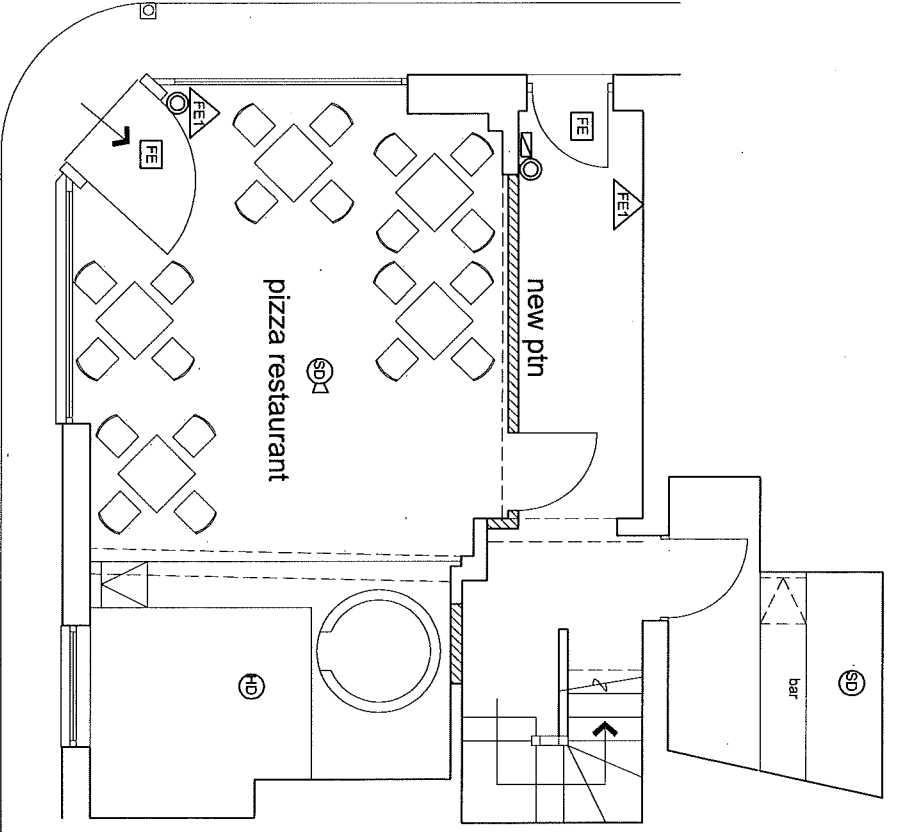
- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)
- Application form
- Representations received and proposed conditions
- Photos

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
Application for new premises licence 15/03975/LIPN	Proposing to open an Italian restaurant/pizzeria	N/A	Licensing Sub-Committee Hearing date 16 July 2015

There is no appeal history

-  Fire exit signage
-  Fire extinguisher ref 13A water
-  Break glass call point
-  Smoke detector
-  Smoke detector with sounder
-  Fire alarm panel
-  Heat detector



Groom Place

Do not scale from this drawing.
 This drawing is the copyright of Audax Designs and should not be reproduced in any form without written consent.
 All dimensions are to be checked on site prior to commencement and Audax Designs notified of any discrepancy.

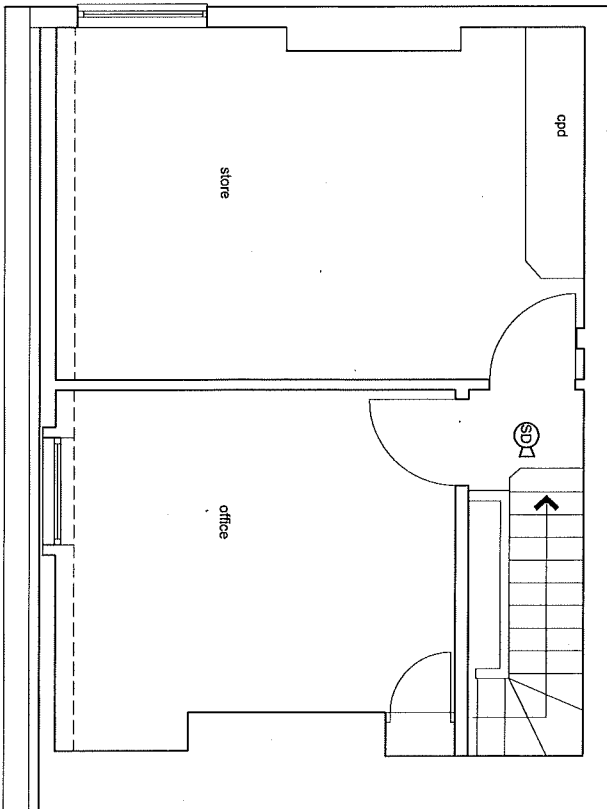
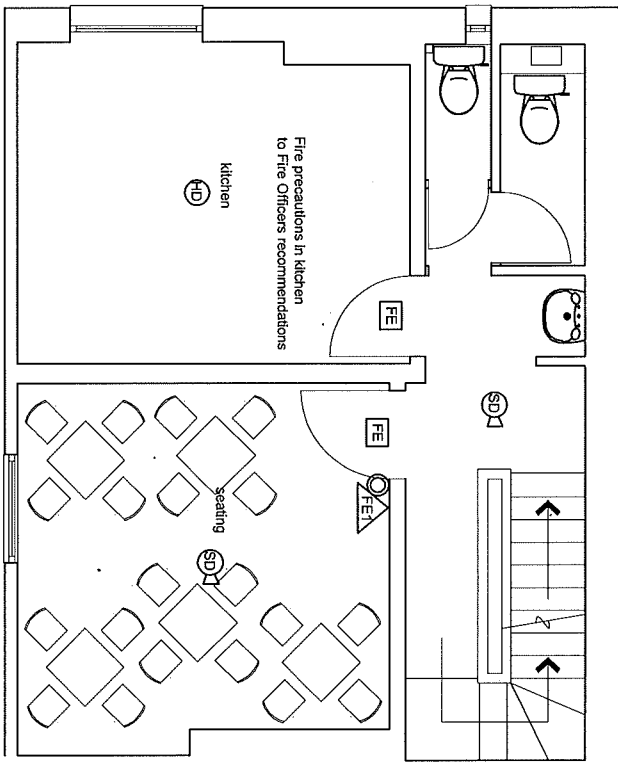
Alterations to 38 Groom Place London SW1X 7BA

REV C Fire escape amended 26 06 15
 REV B Pizza oven + counter moved 16 06 15
 REV A Minor amnds 30 04 15

audax designs








3 Bramley Gardens Whitfield Dover Kent CT16 3PL UK tel/fax +44 [0]1304 825113

title	address	Dwg. no.	rev
Ground floor plan	38 Groom Place		
licensing	London SW1X 7BA		
scale 1:50	date April 2015	drawn Geoff Love	14.27.07C
		For Mr C. Tamblin	



First Floor Plan as proposed

Second Floor Plan as proposed

-  Fire exit signage
-  Fire extinguisher ref 13A water
-  Break glass call point
-  Smoke detector
-  Smoke detector with sounder
-  Fire alarm panel
-  Heat detector

REV C Tables amended 1st floor 16 06 15
 REV B Minor amnds to 2nd floor 08 06 15
 REV A Minor amnds 30 04 15

audax designs

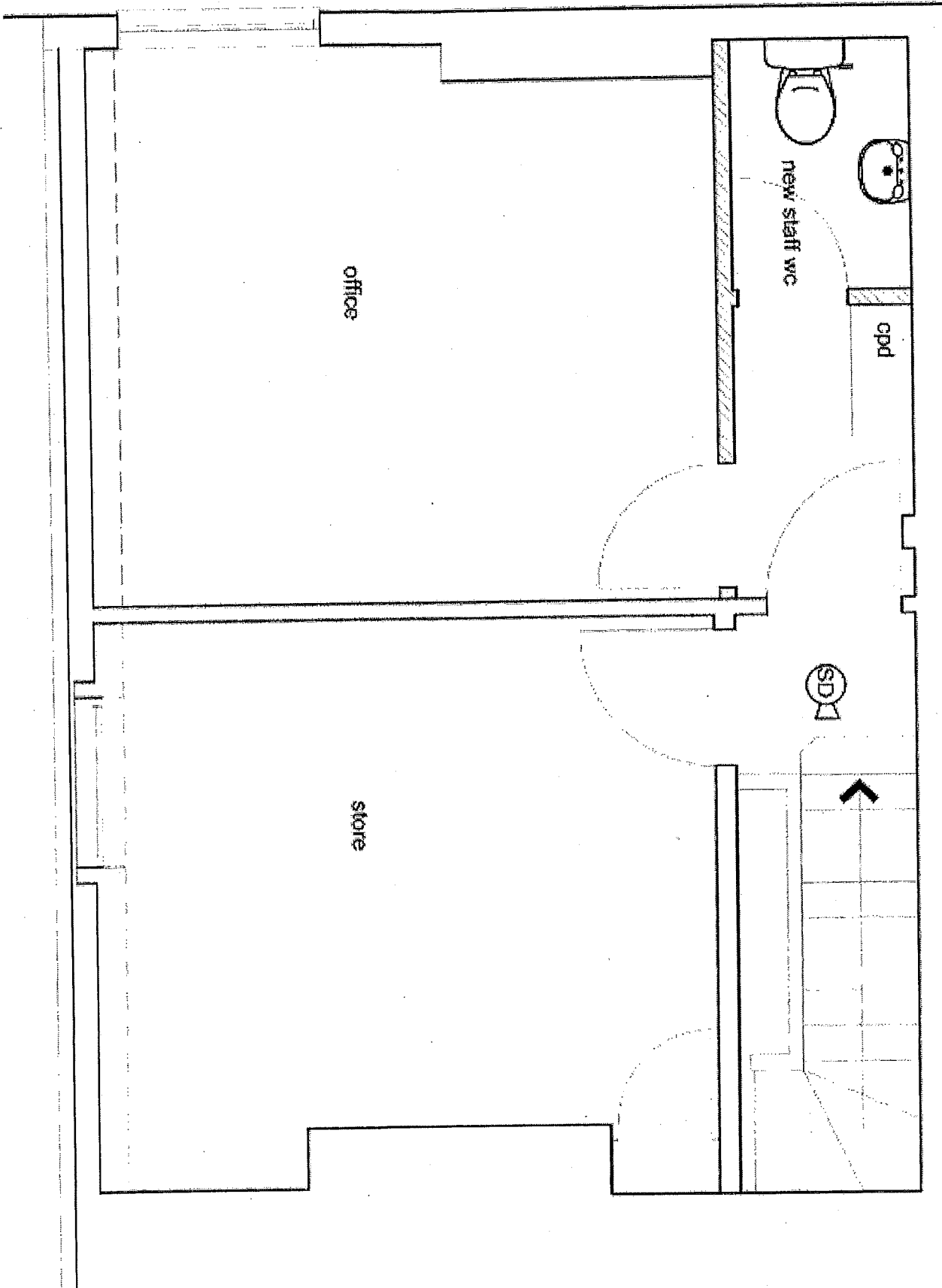
3 Bramley Gardens Whitfield Dover Kent CT16 9PL UK tel/fax +44 [0]1304 825113

Do not scale from this drawing.
 All dimensions are to be checked on site prior to commencement and
 Audax Designs notified of any discrepancy.

Alterations to 38 Groom Place London SW1X 7BA

title	First + second floor plans	address	38 Groom Place London SW1X 7BA	Dwg. no.	14.27.08 C	rev	
scale	1:50	date	April 2015	drawn	Geoff Love	For	Mr C. Tambini

Wc and enclosure to meet
Borough Surveyor reqm'ts



APPENDIX B

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

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

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

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

Mandatory Conditions

No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Consistent with the operating schedule and proposed by EH

9. The number of persons permitted in the premises at any one time excluding staff shall not exceed:

Ground Floor - 16 persons

First Floor - 24 persons

with an overall capacity of 40 persons at any one time.

10. The supply of alcohol for consumption on the premises shall only be to persons who are seated at tables.

11. The supply of alcohol for consumption on the premises shall only be to persons taking a table meal there and for consumption by such a person as ancillary to their meal

with the exception that there may be up to 15 people in the premises at any one time who are permitted to consume alcohol although not taking a table meal.

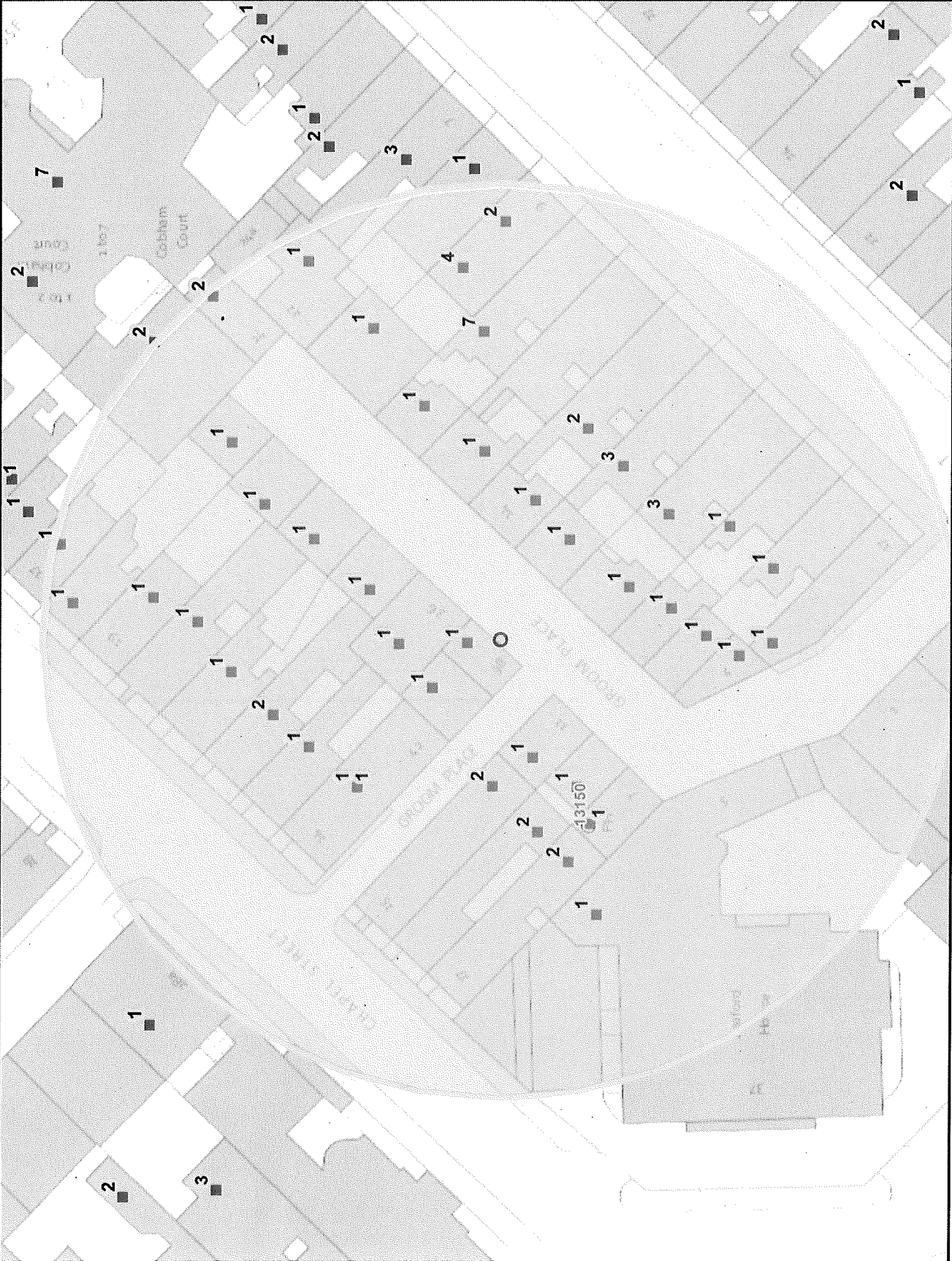
12. The supply of alcohol shall be by waiter or waitress service only.
13. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
14. The availability of alcohol without food shall not be promoted or advertised otherwise than on menus and price lists within the premises.
15. Alcohol shall not be supplied for consumption on the premises after 22:30 to persons who are not taking a table meal.
16. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
17. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
18. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them (except to persons seated at tables).
19. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
20. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless the premises are operating under the authority of a Sexual Entertainment Venue Licence.
21. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
22. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
23. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

24. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
25. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
26. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
29. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
30. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
31. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
32. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
33. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
34. During the hours of operation ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that the aforementioned area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
35. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity
36. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.



38 Groom Place, London, SW1X 7BA

APPENDIX C



Residential / Proposed Residential	63
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationary Office. © Crown copyright and/or database right 2013. All rights reserved. Licence number LA 100010607

Data Source: Uniform Database
Date: 02/07/2015

Premises within 75 metres of: 38 Groom Place, London, SW1X 7BA

p / n	Name of Premises	Premises Address	Opening Hours
13150	Horse & Groom	7 Groom Place London SW1X 7BA	Sunday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:00

BACKGROUND PAPERS

PREMISES MANAGEMENT
LICENSING SERVICE

21 MAY 2015

CITY OF WESTMINSTER

Application for a premises licence to be granted
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 Carlo Tambini

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
38 Groom Place			
Post town	London	Postcode	SW1X 7BA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£14,500

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Tambini			First names Carlo		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		25 Elliot Road Hendon			
Post town	London			Postcode	NW4 3DS
Daytime contact telephone number			07769 733733		
E-mail address (optional)	charlietam@sky.com				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P 2 0 1 5

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

It is intended to use the premises as an Italian restaurant and pizzeria. The premises are situated on the ground, first and second floors. It would be proposed to have restaurant seating on the ground floor (approximately 30 covers inside) with a pizza oven and a bar area for dispensing drinks only (not for customers to sit/stand and drink at the bar). There may be some outside seating on the area of pavement owned by the premises (not on the public highway) at suitable times of year.

The first floor will contain a kitchen and further restaurant seating (approximately 20 covers) and male and female WCs. The second floor is to be office and storage space.

It is intended to run the premises as a restaurant with waiter and waitress service. As the premises are situated in a residential area, we have only applied for limited trading hours.

The applicant would also like to be able to sell alcohol for consumption of the premises in connection with a take-away service (but not deliveries) but would only sell alcohol to people purchasing food as ancillary to the take-away meal.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Not applicable

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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)

Supply 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)			Will the performance of a play 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			
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			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 (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films 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			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>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</u> (please read guidance note 5)
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	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur			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)		
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"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)			
Wed						
Thur			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)			
Fri						
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded 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	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur			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)		
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)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Sat					
Sun					
			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)		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment 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	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur								
Fri						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 (please read guidance note 5)		
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	X
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	22:30			
			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) On New Year's Eve, from 23:00 (or 22:30 if it falls on a Sunday) to 03:00 on New Year's Day.		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Carlo Tambini

Issuing licensing authority (if known)

London Borough of Barnet

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)
Day	Start	Finish	
Mon	10:00	23:00	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) On New Year's Eve, from 23:00 to 03:30 on New Year's Day.
Tue	10:00	23:00	
Wed	10:00	23:00	
Thur	10:00	23:00	
Fri	10:00	23:00	
Sat	10:00	23:00	
Sun	10:00	23:00	

M Describe the steps you intend to take to promote the four licensing objectives:

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

1. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
2. The supply of alcohol for consumption on the premises shall only be to persons who are seated at tables.
3. The supply of alcohol for consumption on the premises shall only be to a person taking a table meal there and for consumption by such a person as ancillary to their meal with the exception that there may be up to 15 people in the premises at any one time who are permitted to consume alcohol although not taking a table meal.
4. The supply of alcohol shall be by waiter or waitress service only.
5. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
6. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
7. The availability of alcohol without food shall not be promoted or advertised otherwise than on menus and price lists within the premises.
8. Alcohol shall not be supplied for consumption on the premises after 22:30 to persons who are not taking a table meal.
9. Sales of alcohol for consumption off the premises shall only be supplied with and ancillary to a take-away meal.
10. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.

c) Public safety

d) The prevention of public nuisance

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
2. All tables and chairs shall be rendered unusable by 23:00 each day.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (15) persons at any one time.
5. All waste shall be properly presented and placed outside for collection no earlier than 30 minutes before the scheduled collection times.
6. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours on the following day.
7. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 08:00 on the following day.
8. No deliveries to the premises shall take place between 23:00 and 08:00 on the following day.

e) The protection of children from harm

1. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	<i>Collyer Bristow</i>
Date	20 May 2015
Capacity	Solicitor for the applicant

For joint applications, signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)			
Collyer Bristow LLP (Ref: JLL/16758.8) 4 Bedford Row			
Post town	London	Postcode	WC1R 4TF
Telephone number (if any)	020 7468 7227		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
jane.lindop@collyerbristow.com			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

30/06/2015 12:16:17

From: "Sollars, Jim" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=JSOLLARS>

Sent: 18/06/2015 07:34:00

To: "Owojori, Olaposi" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=OOWOJOR>

Cc: Premises Licensing; Alabi, Opeyemi; Met Police Licensing Team; firesafetyregulationsw@london-fire.gov.uk; Service Account, PlanningInformation; licensing.w

Subject: RE: Premises licence application 15/03975/LIPN - 38 Groom Place [CB-Legal.FID1356018]

Thanks for this,

I confirm that Police have no representation to make against this application.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: Jane Lindop [mailto:jane.lindop@collyerbristow.com]

Sent: 16 June 2015 17:12

To: Owojori, Olaposi

Cc: Premises Licensing; Alabi, Opeyemi; Met Police Licensing Team; Sollars, Jim; firesafetyregulationsw@london-fire.gov.uk; Service Account, PlanningInformation; licensing.westminster@inw.l.nhs.uk; Child Protection Licensing

Subject: Premises licence application 15/03975/LIPN - 38 Groom Place [CB-Legal.FID1356018]

Dear Mr Owojori

I understand from my client that he met with Ms Alabi of the environmental health department at the premises for an inspection. As a result of their meeting, my client has produced slightly revised plans and I attach these. You will see that I am copying them to the other responsible authorities.

I believe that Ms Alabi may be making some amendments to her representation that she previously submitted following the inspection. I would be grateful if any correspondence in this regard could also be forwarded to me.

If you have received any other representations, please would you forward copies to me.

C:\Users\ychrysa\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.IE5\32Q68Y21\3806207[1].msg

TO Ola Owojori, Licensing Officer
REFERENCE 15/03975/LIPN

FROM EH Consultation Team
REFERENCE 15/018989/EHCT
BEING DEALT WITH BY Opeyemi Alabi
TELEPHONE 020 7641 7242
DATE 10th June 2015

The Licensing Act 2003

Re: 38 Groom Place, London. SW1X 7BA

I refer to the application for a New Premises Licence for the above premises.

The applicant has submitted the Ground Floor plan with drawing number 14.27.07A and First + Second Floor plan with drawing number 14.27.08A all dated April 2015. This representation is based on the plan and operating schedule submitted.

The applicant is seeking the following licensable activities on the ground and first floor:

1. Supply of alcohol both 'on' and 'off' the premises Monday to Saturday 10:00 to 23:00 hours and Sunday 10:00 to 22:30 hours. On New Year's Eve from 23:00 (or 22:30 if it falls on a Sunday) to 03:00 on New Year's Day.

I wish to make the following representation:

1. The supply of alcohol and the hours requested may have the likely effect of causing an increase in Public Nuisance in the area.

The premises is required to comply with British Standard BS6465 – 1:2006 (Sanitary installations - Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances). The applicant should note that with the current sanitary provision on the premises, the maximum number of persons that will be permitted in the premises both on ground and first floor (including staff) shall not exceed 30 persons.

There is no indication of staff toilet on the proposed plan and as this premises is a food business, a dedicated staff toilet is required for food handling staff. Also the toilet as shown on the plan submitted has no door which presently does not comply with food hygiene regulation. A lobby therefore should be provided to the toilets.

The applicant has proposed conditions in the operating schedule; these conditions have been noted but do not fully address Environmental Health concerns. A site visit will be arranged to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be proposed by Environmental Health to support the licensing objectives on Prevention of Public Nuisance.

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

Opeyemi Alabi
Environmental Health Enforcement Officer

30th June 2015

38 Groom Place, London. SW1X 7BA

Application Reference - 15/03975/LIPN

Environmental Health conditions are as follows:

1. The number of persons permitted in the premises at any one time excluding staff shall not exceed:
Ground Floor - 16 persons
First Floor - 24 persons
with an overall capacity of 40 persons at any one time.
2. The supply of alcohol for consumption on the premises shall only be to persons who are seated at tables.
3. The supply of alcohol for consumption on the premises shall only be to persons taking a table meal there and for consumption by such a person as ancillary to their meal with the exception that there may be up to 15 people in the premises at any one time who are permitted to consume alcohol although not taking a table meal.
4. The supply of alcohol shall be by waiter or waitress service only.
5. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
6. The availability of alcohol without food shall not be promoted or advertised otherwise than on menus and price lists within the premises.
7. Alcohol shall not be supplied for consumption on the premises after 22:30 to persons who are not taking a table meal.
8. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
9. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
10. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them (except to persons seated at tables).
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless the premises are operating under the authority of a Sexual Entertainment Venue Licence.
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and

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

14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
15. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
16. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
17. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
18. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
21. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
23. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
24. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
25. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
26. During the hours of operation ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area

immediately outside the premises, and that the aforementioned area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

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

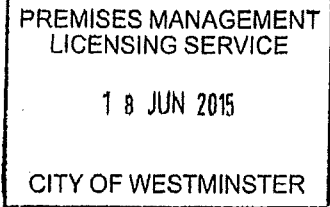
28. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

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

Opeyemi Alabi
Environmental Health Enforcement Officer

16 Chester St
London, SW1X 7BB

17th June 2015



Licensing Service
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Dear Mr Harrison,

Reference: 15/03975/LIPN 38 Groom Place

Notification of a new premises licence application under the licensing Act 2003.

I am writing to you in response to your letter of 26th May 2015. I wish to protest against the request for the granting of a license to sell alcohol at 38 Groom Place. This is a residential area which is being blighted by the very increased noise and rowdy behaviour of the people who use the Horse and Groom Public House (due to the closure of two other premises near by) to add another premises within a few feet would bring the number of people and noise level to even more unacceptable levels. We have people drinking outside on the street both standing and seated at tables. This leads to glasses, rubbish, drunken behaviour and people vomiting on our front step, which is unacceptable. My twelve year old son's sleep is disturbed by the noise in the evenings by these open air drinkers. I highlight this existing problem to emphasize the fact that this neighbourhood cannot face or cope with the increase in the number of people, noise and cars that a 38 Groom Place license would inevitably bring.

The license applied for is for seven days a week according to planning office I spoke to and until 11pm, our already over stretched residents parking will come under even more strain.

The use of these premises in the past has had far shorter opening hours and the proposal is for vastly extended opening hours (until 11pm) this is incompatible with residential homes in such close proximity. The application for a roof terrace will also mean an increase in noise and smell from people dining outside.

The council has granted planning permission for the change of use of 'The Grouse and Claret' Public House in Wilton Mews which is now a private house and for 'The Talbot Bar' in Little Chester Street which is due to be demolished to make way for private flats. This has meant that the custom in Groom Place has

swelled to unacceptable levels, it cannot cope with another premises with similar opening hours in such close proximity.

As regards road safety, the road is blocked by people standing or sitting at tables during opening hours. There is surely a safety issue to be considered.

I very much urge you to consider the effect on a very lovely grade II listed street. There are a great many licensed restaurants nearby in more commercial and suitable locations. Victoria is very near by with all its facilities. Please do not over commercialise this lovely mews and ruin its character as well as subject the residents to a very increased number of people and noise that this restaurant will bring.

Yours sincerely,

Rona Smart.

Rona Smart

Chrysanthou, Yiannis

From: Jan Laboyrie <laboyrie@btinternet.com>
Sent: 02 June 2015 09:45
To: Premises Licensing
Subject: 15/03975/LIPN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Council,

I strongly oppose a license for alcohol for 38 Groom Place. Groom Place is already a very noisy place to begin with, with a pub where people not only occupy the public road but also walk drunk in the area after leaving the pub. Bedrooms of the neighbouring residents of Chapel Street and Chester Street face to the back, i.e. Groom Place. The noise coming from the mews is already a big nuisance and the last thing we need is a pizzeria that serves alcohol on top of that right behind us. I understand that Belgravia is not purely residential but there are limit and the needs and interest of the local residents should equally be respected.

I literally live right behind 38 Groom Place and I truly hope that permission to opening a pizzeria will not be granted.

With kind regards,

Jan Laboyrie
23 Chapel Street
London SW1X7BY



