



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

15/03912/LIPN

Date:

16 July 2015

Classification:

For General Release

Title of Report:

**16 Henrietta Street
London
WC2E 8QH**

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Mr Nick Nelson
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 3431
E-mail: nnelson@westminster.gov.uk**

APPLICATION DETAILS

Application Type:	A new premises licence application under the Licensing Act 2003. This application is made in conjunction with an application to vary the premises licence for 16 – 18 Henrietta Street (15/03907/LIPV).		
	This application has been made following pre-application advice from the City Council's District Surveyor and Environmental Health Officer.		
Applicant:	Capital & Counties CG Ltd and Capital & Counties CG Nominee Ltd	Date Application Received:	20 May 2015
Premises Name and Address:	16 Henrietta Street London WC2E 8QH		
Ward Name:	St James's	Stress Area:	West End
Description of Premises:	<p>The premises currently operates as two restaurants under one premises licence (15/02369/LIPT), Covent Garden Grill, ground floor and basement of 16 Henrietta Street and Porter's English Restaurant, ground floor and basement of 17 – 18 Henrietta Street.</p> <p>The applicant has submitted a variation application (15/03907/LIPV) so as to reduce the licensable area for the existing premises licence (15/02369/LIPT) to within 17 – 18 Henrietta Street, and creating a new premises licence at 16 Henrietta Street with this application.</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 B to this report.</i></p>			
Proposed Licensable Activities, Proposed Hours:			
Playing of Recorded Music			
Monday to Saturday: 23:00 to 00:30			
Sunday: 23:00 to 00:00			
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.			
Late Night Refreshment			
Monday to Saturday: 23:00 to 00:30			
Sunday: 23:00 to 00:00			
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.			
Sale by Retail of Alcohol (On and Off sales)			
Monday to Saturday: 10:00 to 00:00			
Sunday: 12:00 to 23:30			
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.			
Opening Hours			
Monday to Saturday: 10:00 to 00:30			
Sunday: 12:00 to 00:00			

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.

	Relevant representations and policies applicable:	References / Notes
1A	<p>On 16 June 2015, the Environmental Health Service made a representation against this application on the following grounds:</p> <ol style="list-style-type: none"> 1. The Licensable Activity and hours requested for recorded Music (Indoors) will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area. 2. The Licensable Activity and hours requested for Late Night Refreshment (Indoors) will have the likely effect of causing an increase within the West End Stress Area. 3. The Licensable and hours requested for the Supply of Alcohol (On & Off) will have the likely effect of causing an increase in the West End Stress Area. <p>The representation states that the granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress area.</p>	<p>Environmental Health Service Representation</p>
1B	<p>On 16 June 2015, a representation against this application was made by Philip and Caroline McIntyre, local residents living in close proximity to the premises, on the grounds of public nuisance and cumulative impact within the designated stress area. Mr & Mrs McIntyre request measures to be imposed on the licence regarding the following:</p> <ul style="list-style-type: none"> • The full restaurant condition (model condition 66) to apply; • That the licence be restricted to core hours; • Limiting the times for deliveries and collections of rubbish and bottles between 08:00 and 21:00 Monday to Friday and 09:00 to 20:00 on Saturday and Sunday; • Outside drinking to be forbidden; • Limits to the number of smokers permitted outside at any one time. 	<p>Local resident representation</p>
1C	<p>On 29 June 2015, the applicant wrote to Mr & Mrs McIntyre to further explain the application and to offer a schedule of Model Conditions which would apply to both licences, if granted (see Appendix B).</p>	<p>Applicant submissions to local resident</p>
1D	<p>Following receipt of the letter referred to in 1C above, Mrs McIntyre emailed the Licensing Service on 2 July 2015, in which she restated the concern regarding drinking in the street, late night hours and refuse on the street.</p>	<p>Local resident response to applicant's submissions</p>
1E	<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Policy HRS1 (ii) Applications for hours outside the core hours in this policy will</p>	<p>Policies applicable</p>

1F	<p>be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.</p> <p>Policy RNT2 Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Areas.</p> <p>Policy STR1</p> <p>(i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Stress Areas.</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. 	Summary
Current Licensing Position	The premises currently holds a premises licence (15/02369/LIPT) for 16 – 18 Henrietta Street. A full licence history has been provided at Appendix A .	
Residential Density:	69 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:	A – Premises Licence History 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
- Plans
- Applicant's letter to Mr & Mrs McIntyre
- Existing Premises Licence
- Representations received
- Photos

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
Conversion Application 05/04651/LIPC	Application to convert the Justices on Licence	02.08.2005	Granted Under Delegated Authority
Application to vary the DPS 09/02377/LIPDPS	Application to vary the DPS	11.05.2009	Granted Under Delegated Authority
Application to transfer 15/02369/LIPT	Application to transfer the premises licence to Capital & Counties CG Ltd And Capital & Counties CG Nominee Ltd	02.07.2005	Granted Under Delegated Authority
New application 15/03912/LIPN	Current application	Pending	

There is no appeal history

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

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

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

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

Mandatory Conditions

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

encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

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

7. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

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

Consistent with the operating schedule

9. The area hatched black on the deposited plans shall only operate as a restaurant,
- i) In which customers are shown to their table,
 - ii) Where the supply of alcohol is by waiter or waitress service only,
 - iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - iv) Which do not provide any take away service of food or drink for immediate consumption,
 - v) Which do not provide any take away service of food or drink after 23:00, and
 - vi) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking a substantial table meal there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
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. 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 waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.
15. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.
17. 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.
18. 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.
19. 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.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

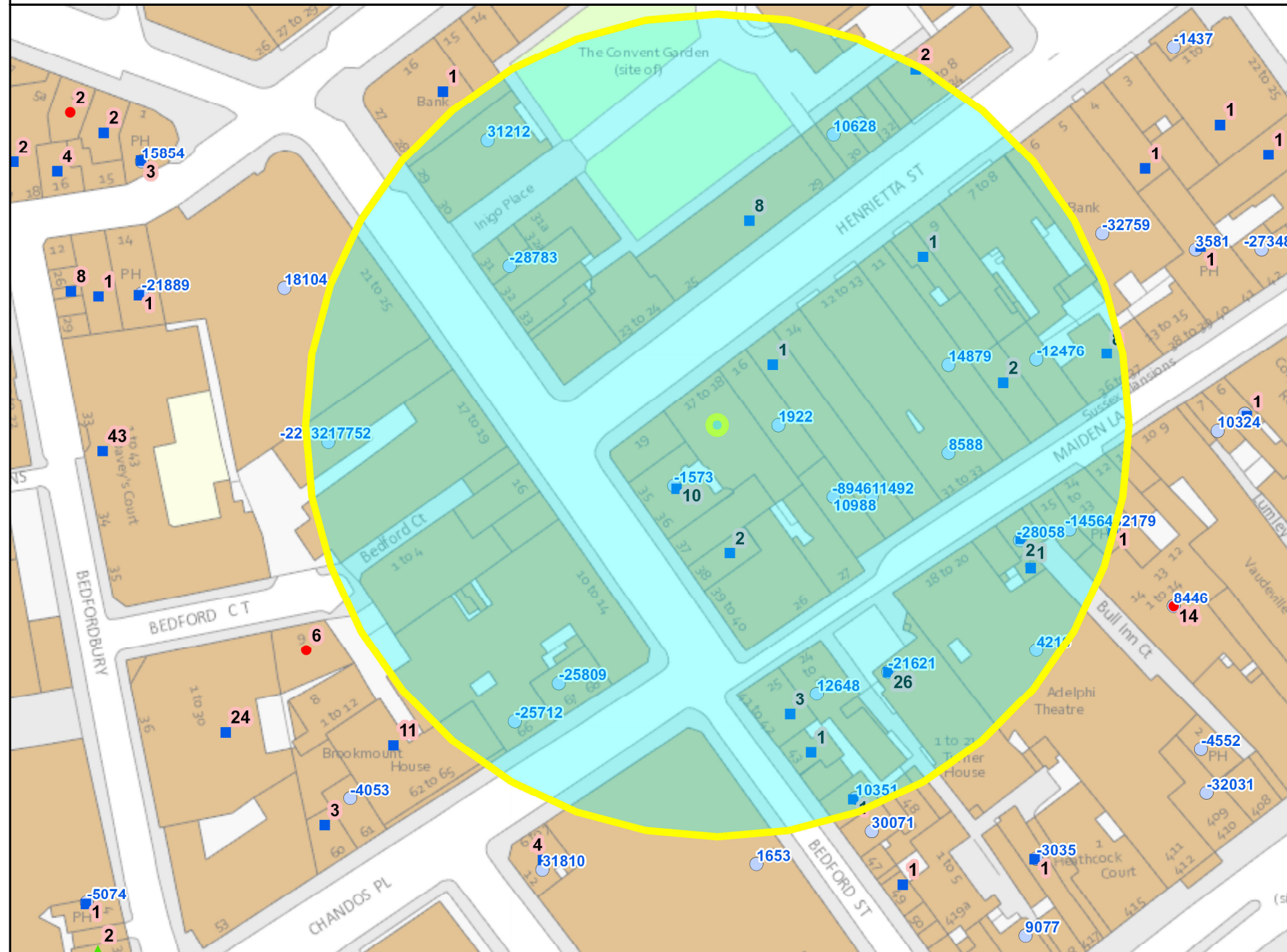
21. The number of persons accommodated at any one time (excluding staff) shall not exceed 140 (or such other limit agreed with the Environmental Health Consultation Team).
22. The application will have no effect until the Licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the district surveyor's association – technical standards for spaces of entertainment and the reasonable requirements of Westminster environmental health consultation team, at which time this condition will be removed from the licence.

Additional condition proposed by the applicant:

23. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.



17 - 18 Henrietta Street



Residential / Proposed Residential	67
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10
 Meters

This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and/or database right 2013. All rights reserved. Licence number LA 100019597

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

Premises within 75 metres of: 17 - 18 Henrietta Street

p / n	Name of Premises	Premises Address	Opening Hours
06/08749/WCCMAP	La Perla	28 Maiden Lane London WC2E 7JS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/08725/WCCMAP	Covent Garden News	31 Henrietta Street London WC2E 8NA	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
06/08066/WCCMAP	Pasta Brown	31 Bedford Street London WC2E 9EH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/05198/LIPDPS	Cafe Proper	16 Maiden Lane London WC2E 7NA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/06660/LIPDPS	Nando's	67-68 Chandos Place London WC2N 4HG	Monday to Saturday 07:30 - 00:30 Sunday 10:00 - 00:30
14/02182/LIPDPS	Adventure Bar	Ground Floor And Basement 20 Bedford Street London WC2E 9HP	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
14/06782/LIPVM	The Porterhouse Public House	21-22 Maiden Lane London WC2E 7NA	Monday to Saturday 09:00 - 00:30 Sunday 12:00 - 23:00
13/01880/LIPN	Condesa Tapas Bar	15 Maiden Lane London WC2E 7NA	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
13/02447/LIPVM	La Perla	28 Maiden Lane London WC2E 7JS	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 10:00 - 23:00 Sundays before Bank Holidays 12:00 - 00:00
09/02377/LIPDPS	Porter's English Restaurant	Ground Floor 16 Henrietta Street London WC2E 8QH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/01218/LIPDPS	Paul Patisserie	Ground Floor Inigo House 29 Bedford Street London WC2E 9ED	Monday to Saturday 07:30 - 23:30 Sunday 09:00 - 23:00
14/11037/LIPDPS	Wahaca	66 Chandos Place London WC2N 4HG	Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30
11/08783/LIPVM	Rules Restaurant	34-35 Maiden Lane London WC2E 7LB	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/06917/LIPVM	All Bar One	35 - 36 Bedford Street London WC2E 9EN	Friday to Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Sunday 08:00 - 22:50 Monday to Thursday 08:00 - 23:30
14/02390/LIPDPS	Adelphi Theatre	411 Strand London WC2R 0NS	Saturday to Sunday 09:00 - 00:00 Monday to Friday 09:00 - 04:00
13/05083/LIPDPS	Fire And Stone	31-32 Maiden Lane London WC2E 7JS	Monday to Sunday 00:00 - 00:00
11/10224/LIPDPS	Strand Tandoori	Ground 45 Bedford Street London WC2E 9HA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/09093/LIPDPS	Bella Italia	30 Henrietta Street London WC2E 8NA	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
15/01057/LIPVM	Mabel's	29-30 Maiden Lane London WC2E 7JS	Sunday to Tuesday 09:00 - 01:00 Wednesday to Saturday 09:00 - 01:30
12/07790/LIPDPS	La Tasca	23-24 Maiden Lane London WC2E 7NA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/03454/LIPV	Sticks 'n' Sushi	11 Henrietta Street London WC2E 8PY	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 22:50
06/13626/WCCMAC	Concert Artistes Association	20 Bedford Street London WC2E 9HP	Monday to Saturday 11:00 - 01:00 Sunday 12:00 - 22:30

Background Documents



**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 Capital & Counties CG Ltd and Capital & Counties CG Nominee Ltd

(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 16 Henrietta Street			
Post town	London	Postcode	WC2E 8QH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£325,000

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)

Application (16 Henrietta St)

- 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 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)					

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 Capital & Counties CG Ltd and Capital & Counties CG Nominee Ltd
Address 15 GROSVENOR STREET LONDON W1K 4QZ
Registered number (where applicable) 05860223 and 05860230
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY

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)
 Restaurant and bar.

Premises licence no. 15/02369/LIPT authorises licensable activities across no.16 and no.17-18 Henrietta Street. The premises historically operated as 2 restaurants (Covent Garden Grill at no. 16 and Porter's English Restaurant at no.17-18) under the same premises licence.

The application proposes to regularise that position by splitting the licence into 2 separate licences, effectively on the same terms as existing. Following pre application advice 15/00954/ECPALM this will be achieved by:

(a) No. 17-18 - varying the existing licence 15/02369/LIPT to remove no.16 from the licensed area and change the layout.

(b) No. 16 - a new premises licence application with appropriate model conditions.

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

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	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			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)		
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)			<u>Will the boxing or wrestling entertainment 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 boxing or wrestling entertainment</u> (please read guidance note 4)		
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</u> (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"/>
				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 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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	00:30	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	23:00	00:30			
Wed	23:00	00:30	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	23:00	00:30			
Fri	23:00	00:30	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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	23:00	00:30			
Sun	23:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance 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 performance of dance (please read guidance note 4)		
Wed					
Thur			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 (please read guidance note 5)		
Fri					
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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

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 checked="" 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	23:00	00:30			
Tue	23:00	00:30			
Wed	23:00	00:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23:00	00:30			
Fri	23:00	00:30			
Sat	23:00	00:30	<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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	23:00	00:00			

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)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00	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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	12:00	23:30			

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).

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	00:30	<p>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)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	12:00	00:00	

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)

Please see attached operating schedule following pre-application advice from the District Surveyor and Environmental Health Officer.

The proposed conditions will ensure the promotion of all four licensing objectives. The proposed licensable activities and hours are consistent with the existing premises licence. This will ensure no addition to the cumulative impact in the City Council's Stress Area.

b) The prevention of crime and disorder

Please see a) above

c) Public safety

Please see a) above

d) The prevention of public nuisance

Please see a) above

e) The protection of children from harm

Please see a) above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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 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.**

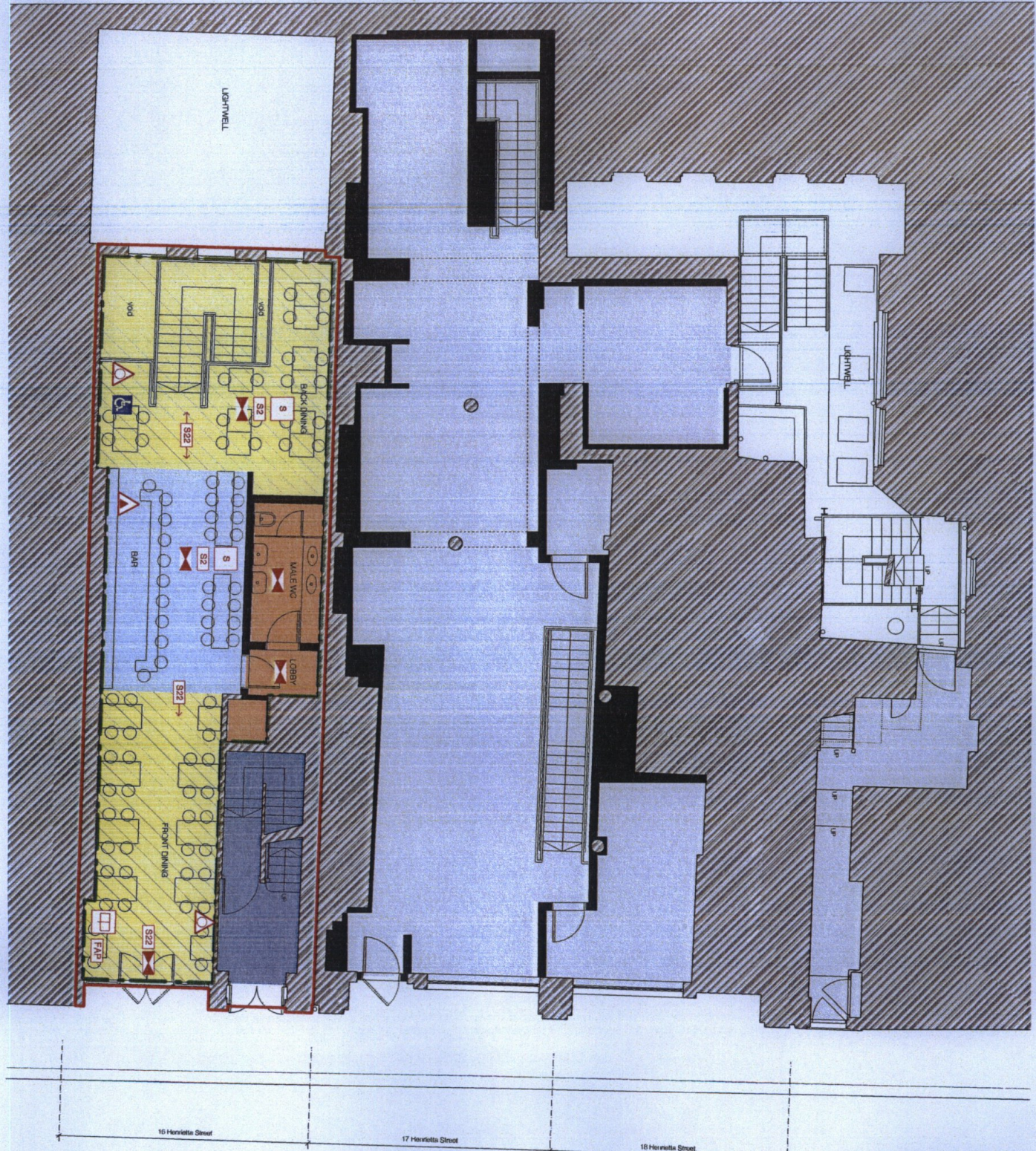
Signature	<i>Thomas & Thomas</i>
Date	20/05/2015
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf of the Applicant

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) Our ref: AT/JS/COV.5.7 Ryan Peermamode Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	020 7042 0417		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) rpeeramode@tandtp.com			

NOTE:
Setting layout indicative only



DO NOT SCALE FROM THIS DRAWING.

- PHASED and CHANGE NEW**
- Existing state
 - Proposed state
 - Shared Commercial area
 - Neighbouring property
 - Demolish by
- USE**
- Use 1: Licensed premises
 - Use 2: Public house
 - Use 3: Public house
 - Use 4: Public house
- FIRE STRATEGY NOTES**
1. Make services engineering drawings.
 2. Fire strategy report.
 3. Fire engineer's report.
- At fire alarm, detection systems and escape lighting to be shown on Services Engineers drawings and specification.**
- Production and location of Fire Extinguishers subject to review by Building Control and Fire and Rescue Services.**
- All lighting to be positioned in accordance with BS 5408: Part 4**
- Head to be used for kerelable activities
 - Extent of restaurant
 - Extent of bar
 - Extent of back of house and WC facilities

- Fire alarm call point with action Fire Action sign adjacent
- Doors free from all obstructions
- action panel
- Door with smoke seals
- Water Fire Extinguisher
- Fire Blanket in container
- Carbon Dioxide Fire Extinguisher
- Emergency Lighting
- Refuge Area

- Also covered by Automatic Heat Detectors
- Also covered by Automatic Smoke Detectors
- Directional Arrow
- Notice suspended above hand height at right hand end of escape route with graphic symbol on the opposite side
- Notice suspended above hand height at right hand end of escape route with graphic symbol of both sides of notice
- Notice internally illuminated
- Fire exit, Emergency exit notice
- No Smoking
- Fire escape keep clear
- Fire Door Keep Shut
- Fire Rated Window
- Fire Door Keep Locked Shut
- Fire Alarm Panel
- Accessible WC Alarm System

- Directional Arrow
- Notice suspended above hand height at right hand end of escape route with graphic symbol on the opposite side
- Notice suspended above hand height at right hand end of escape route with graphic symbol of both sides of notice
- Notice internally illuminated
- Fire exit, Emergency exit notice
- No Smoking
- Fire escape keep clear
- Fire Door Keep Shut
- Fire Rated Window
- Fire Door Keep Locked Shut
- Fire Alarm Panel
- Accessible WC Alarm System

- Directional Arrow
- Notice suspended above hand height at right hand end of escape route with graphic symbol on the opposite side
- Notice suspended above hand height at right hand end of escape route with graphic symbol of both sides of notice
- Notice internally illuminated
- Fire exit, Emergency exit notice
- No Smoking
- Fire escape keep clear
- Fire Door Keep Shut
- Fire Rated Window
- Fire Door Keep Locked Shut
- Fire Alarm Panel
- Accessible WC Alarm System

- Directional Arrow
- Notice suspended above hand height at right hand end of escape route with graphic symbol on the opposite side
- Notice suspended above hand height at right hand end of escape route with graphic symbol of both sides of notice
- Notice internally illuminated
- Fire exit, Emergency exit notice
- No Smoking
- Fire escape keep clear
- Fire Door Keep Shut
- Fire Rated Window
- Fire Door Keep Locked Shut
- Fire Alarm Panel
- Accessible WC Alarm System

- Directional Arrow
- Notice suspended above hand height at right hand end of escape route with graphic symbol on the opposite side
- Notice suspended above hand height at right hand end of escape route with graphic symbol of both sides of notice
- Notice internally illuminated
- Fire exit, Emergency exit notice
- No Smoking
- Fire escape keep clear
- Fire Door Keep Shut
- Fire Rated Window
- Fire Door Keep Locked Shut
- Fire Alarm Panel
- Accessible WC Alarm System

- Directional Arrow
- Notice suspended above hand height at right hand end of escape route with graphic symbol on the opposite side
- Notice suspended above hand height at right hand end of escape route with graphic symbol of both sides of notice
- Notice internally illuminated
- Fire exit, Emergency exit notice
- No Smoking
- Fire escape keep clear
- Fire Door Keep Shut
- Fire Rated Window
- Fire Door Keep Locked Shut
- Fire Alarm Panel
- Accessible WC Alarm System

1773 (06/011)

16 Henrietta Street

Proposed Ground Floor Plan

16-18 Henrietta Street

1773 (06/011)

16 Henrietta Street

Proposed Ground Floor Plan

16-18 Henrietta Street

COVENT GARDEN

capco

Mr & Mrs P McIntyre
14/17-19 Bedford Street
Covent Garden
WC2E 9HE

29 June 2015

Dear Mr & Mrs McIntyre

**Application for Premises Licences
16-18 Henrietta Street London WC2E 8QH**

We have been passed a copy of your letter in respect of our Premises Licence applications. We hope to address your concerns below.

Capital and Counties own the buildings at 16-18 Henrietta Street and are currently implementing substantial improvement works. As you may know, the premises were previously operated as 'Covent Garden Grill' and 'Porters English Restaurant'. They operated under one Licence, which could still be used by either one or two restaurants.

The historical Licence still permits each restaurant to have a designated bar area and hours beyond Westminster's core hours. Our proposal is to regularise and improve the existing Licence by splitting it in two individual Licences on the same terms as the existing Licence. In addition, we have agreed to add a comprehensive schedule of the Council's Model Licence Conditions to both Licences, a copy of which is enclosed.

Thank you for your consideration of this letter. If you would like to discuss our applications further, please do not hesitate to contact us.

Yours sincerely,



Sam Cotton
Asset Manager

Encl.



Operating Schedule – Agreed Licence Conditions for:
16 Henrietta Street
And
17-18 Henrietta Street

1 - 8 Mandatory Conditions;

9. The area hatched black on the deposited plans shall only operate as a restaurant,
- i) In which customers are shown to their table,
 - ii) Where the supply of alcohol is by waiter or waitress service only,
 - iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - iv) Which do not provide any take away service of food or drink for immediate consumption,
 - v) Which do not provide any take away service of food or drink after 23:00, and
 - vi) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking a substantial table meal there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
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. 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 waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.
15. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.



17. 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.
18. 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.
19. 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.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
21. The number of persons accommodated at any one time (excluding staff) shall not exceed [140 for 16 Henrietta Street and 220 for 17-18 Henrietta Street](or such other limit agreed with the Environmental Health Consultation Team).
22. The application will have no effect until the Licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the district surveyor's association – technical standards for spaces of entertainment and the reasonable requirements of Westminster environmental health consultation team, at which time this condition will be removed from the licence.

Additional condition proposed by the applicant:

23. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.



Schedule 12
Part A

WARD: St James's
UPRN: 010033551344

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/02369/LIPT

Original Reference:

05/04651/LIPC

Part 1 – Premises details

Postal address of premises:

Porter's English Restaurant
Ground Floor
16 Henrietta Street
London
WC2E 8QH

Telephone Number: Not Supplied

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 00:30
Sunday: 23:00 to 00:00

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 00:00
Sunday: 12:00 to 23:30

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 00:30

Sunday: 12:00 to 00:00

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:

Capital _CountiesCG Ltd And Capital _Counties CG Nominee Ltd
15 Grosvenor Street
London
W1K 4QZ

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

05860223 and 05860230

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

Name: Adam James Garfield

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: 2009/00404/LAPER
Licensing Authority: Brighton And Hove City Council

Date: 2 July 2015

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

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

Conditions for Sale of Alcohol

9. In the area hatched black on the deposited plan intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
10. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
11. The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The number specified are:
- (a) as to the ground floor in Porters Bar (no. 16) 100 persons.
 - (b) as to the basement in Porters Bar (no. 16) 40 persons.

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

12. (i). Alcohol may be sold or supplied:
- (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).
- (ii). Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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.

- 13. 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.

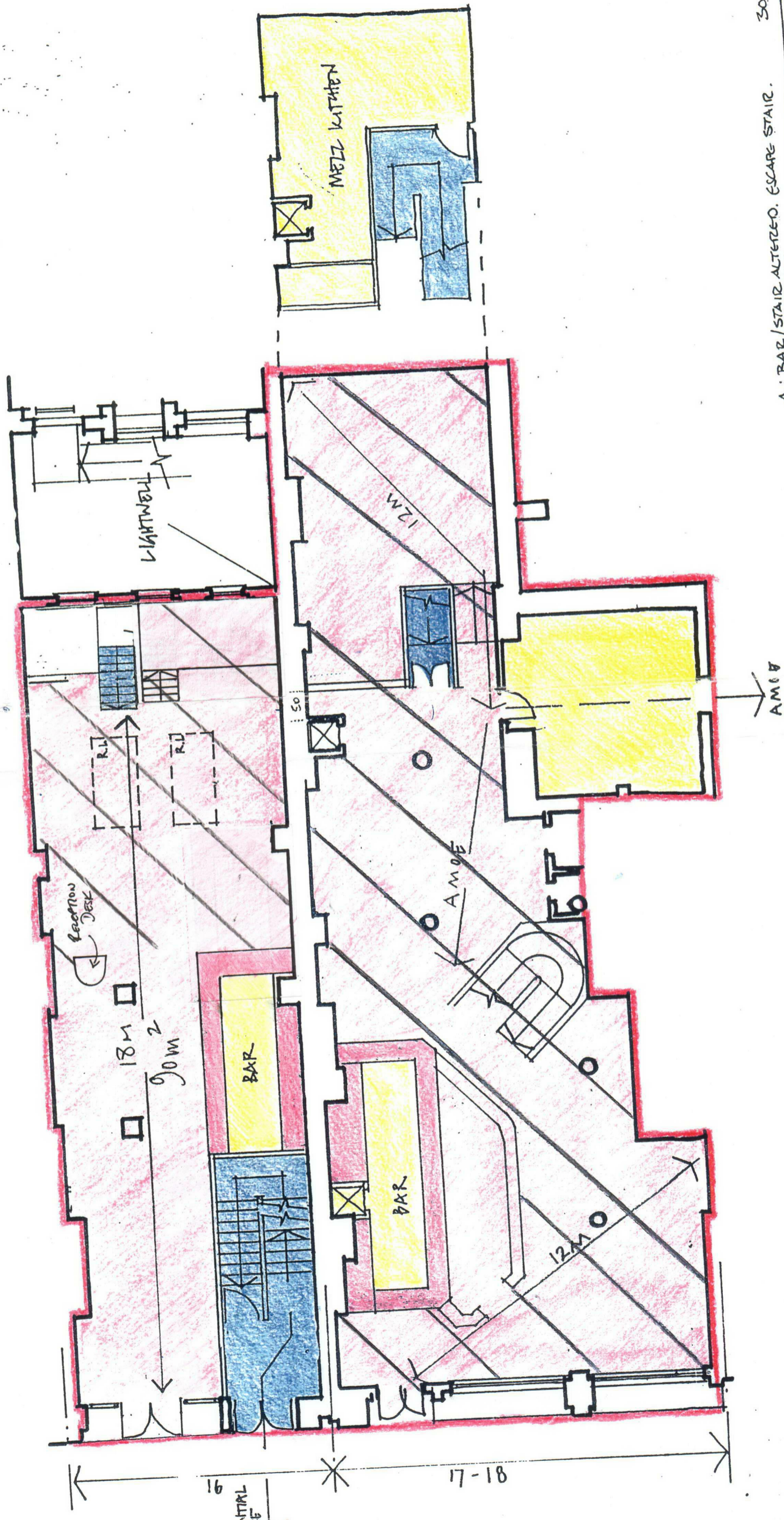
- 14. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

None



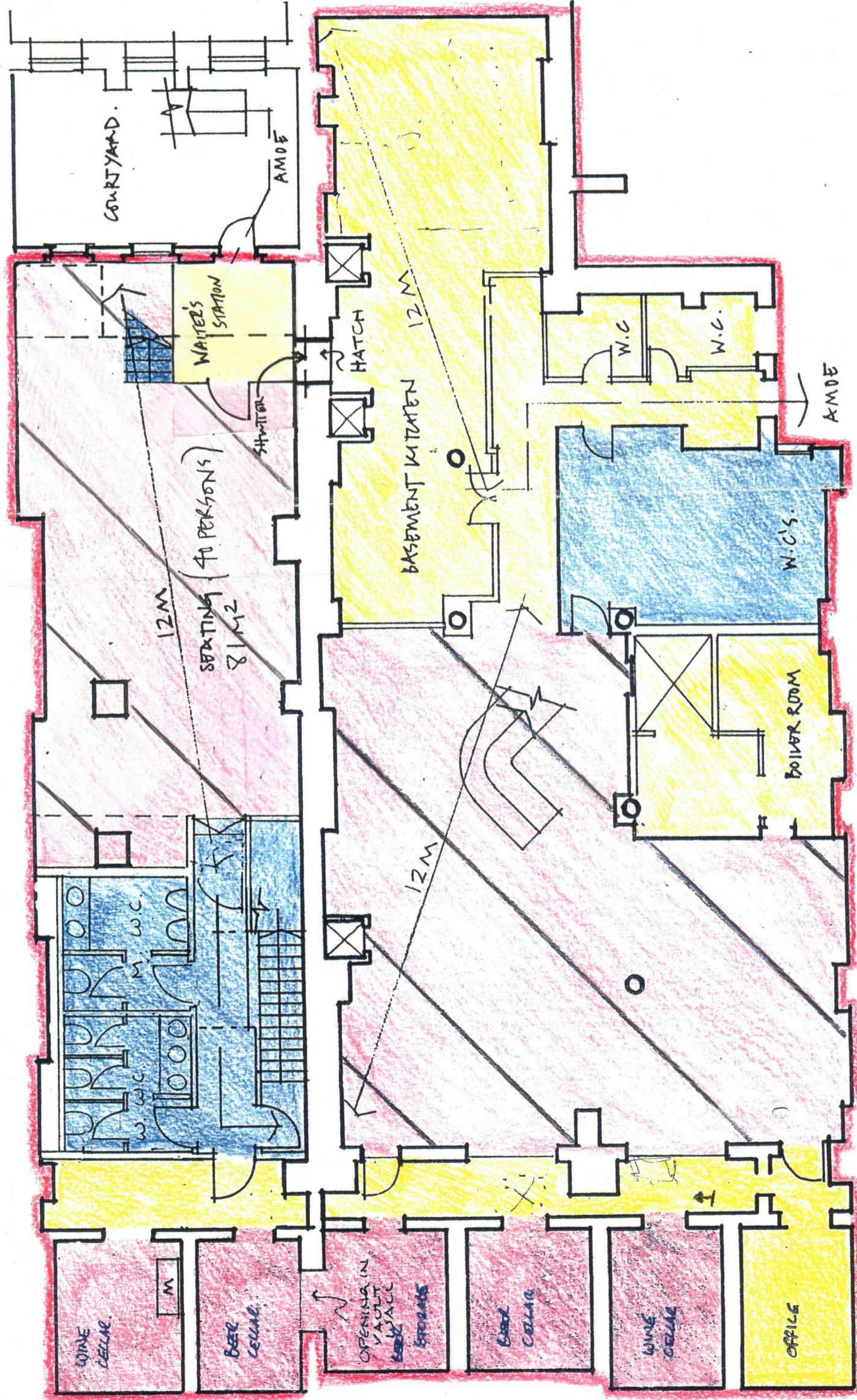
30.04.97

A: BAR/STAIR ALTERED. ESCAPE STAIR. FRONT DOORS.

PROJECT: 16-18 HENRIETTA ST. W.02

DRAWING STATUS	FOR INFORMATION	<input checked="" type="checkbox"/>
	FOR TENDER	<input type="checkbox"/>
DRAWING NO.	644/GA/03	REVISION
	A	
DRAWING TITLE	PROPOSED GROUND FLOOR	DATE
SCALE	1:100	APRIL 04
DESIGNED BY	AH	DRAWN BY
<small>INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE COPYRIGHT OF ORMS ARCHITECTURE DESIGN AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE PERMISSION OF ORMS ARCHITECTURE DESIGN</small>		
ORMS ARCHITECTURE DESIGN 1 PINE STREET LONDON EC1A 0JA TEL 0171 833 8333 FAX 0171 837 1515		

Proposed Ground floor



30.04.97

A : TOILETS/ STAIR ALTERED

PROJECT 16-18 HENRIETTA ST. W.C.

DRAWING TITLE PROPOSED BASEMENT

SCALE 1:100

DATE APRIL 04

DWN BY AH

FOR INFORMATION

FOR TENDER

FOR CONSTRUCTION

ORMS

ARCHITECTURE DESIGN

1 PINE STREET LONDON EC1R 0PH
TEL 0171 833 8433 FAX 0171 837 7575

DRAWING NO 644/GA/04

REVISION A

Proposed Basement

TO Licensing Officer

REFERENCE 15/03912/LIPN

FROM EH Consultation Team
REFERENCE 15/018494/EHCT
BEING DEALT WITH BY Rebecca St. Rose (rstrose@westminster.gov.uk)
TELEPHONE 020 7641 2291
DATE 16th June 2015

The Licensing Act 2003

Restaurant & Bar, Ground Floor, 16 Henrietta Street

I refer to the application for a New Premises Licence for the above named premises. The applicant has submitted plans; Drawing Number (06)011, Rev D – Ground Floor dated May 2015 and Drawing Number (06)010, Rev D - Basement, dated April 2015.

This representation is based on the plans and the operating schedule submitted.

The premises are located within the West End Stress Area.

The applicant is seeking the following:

1. To permit the playing of recorded Music (indoors) on Monday on Saturday from 23:00 to 00:30, Sunday from 23:00 to 00:00 and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
2. To permit the provision of Late Night Refreshment (Indoors) on Monday to Saturday from 23:00 to 00:30, Sunday from 23:00 to 00:00 and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
3. To permit the Supply of Alcohol (Off & On) on Monday to Saturday from 10:00 to 00:00, Sunday from 12:00 to 23:30 and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

I wish to make Representations on the following grounds:

1. The Licensable Activity and hours requested for recorded Music (Indoors) will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.
2. The Licensable Activity and hours requested for Late Night Refreshment (Indoors) will have the likely effect of causing an increase within the West End Stress Area.

3. The Licensable and hours requested for the Supply of Alcohol (On & Off) will have the likely effect of causing an increase in the West End Stress Area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress area.

The applicant has provided additional information along with proposed conditions with the application which is being considered but do not fully address the concerns of Environmental Health

Rebecca St. Rose
Environmental Health Officer

From: [Liz Keegan](#)
To: [Premises Licensing](#)
Subject: Application for new premises licence ref: 15/03912/LIPN
Date: 16 June 2015 09:19:41

Licensing Applications
Westminster City Council
4th Floor (South)
City Hall
64 Victoria Street
London SW1E 6QP

By email: premiseslicensing@westminster.gov.uk

16 June 2015

Dear Sir/Madam,

16-18 Henrietta Street, London WC2E 8QH
Application for new premises licence ref: 15/03912/LIPN

We live at 14/17-19 Bedford Street Covent Garden WC2E 9HE almost directly opposite this premises.

We write to object to this application on the grounds that the likely effect will be to harm the licensing objective of 'prevention of public nuisance'. I also object on the grounds of cumulative impact in what is a designated 'stress area' under Westminster City Council's Statement of Licensing Policy 2011.

Background

We live opposite the premises and our two bedrooms, living room and kitchen windows look directly on it.

We are aware that this application is one of two (the other being 15/03907/LIPV) which have the combined effect of seeking to create two licences from one licence. We believe that the premises has previously been licensed under ref: 09/02377/LIPDPS. We are advised that the licence is a 'converted' licence from the previous legislation, and therefore contains no modern conditions which are commonly proposed/agreed to promote the licensing objectives.

This application seeks a new licence which seems to be broadly in similar terms to the existing licence. However, due to the points made below about the public nuisance already experienced by us and other residents, We do not think that the application should be granted on the terms applied for; the hours granted should

comply with the Council's 'core hours' policy, and the licence granted should be restricted to restaurant use only. Although the applicant has proposed some additional conditions, they do not cover all our concerns by any means.

Prevention of public nuisance, and Cumulative impact

-

The application raises a number of issues. We fear that the whole area is losing its heart and community and theatre land in favour of late night drinking culture and all that comes with it. Both the applications for this site propose a later terminal hour, beyond the Council's 'core hours' Policy, and neither are restricted to full 'restaurant' conditions. The streets surrounding are already inundated with eateries theatre pubs bars and restaurants do making the establishments bigger and longer hours will set a precedence for all the other bars and clubs. Resident life is being squeezed out as closing hours lengthen, bottle collection and refuse collection mounts up, revellers roam the streets and early deliveries make living in the area harder and harder. All these issues are explicitly recognised in the City Council's Statement of Licensing Policy, and get worse with late licences being granted. Creating two licences from the existing licence could increase these current issues. We do not know who the proposed operators are, or how they intend to operate the premises.

These are very real problems, and have a day-to-day effect on residents' lives. However, in this case, we appreciate that a licence already exists, which reduces the prospect of these two applications being refused entirely. We appreciate that the current licence requires 'restaurant' conditions in only part of the premises. However, given the problems that residents in this area experience with increasing noise and nuisance as more and more applications are granted, we think it is appropriate that the full restaurant condition (Model Condition 66) applies to this licence throughout the premises. Ideally, we would also like the licence to be restricted to core hours. The licence applied for is to a terminal hour of 12.30am. This is a time when residents really should be able to expect to sleep, not to be woken up by customers leaving this premises.

Other conditions could be agreed (or, if not, imposed by Licensing Sub-Committee), such as limits on the times when deliveries take place, and when rubbish, including glass bottles, is collected. We think that servicing of this type should only be carried out between 8am and 9pm Mon-Fri, 9am to 8pm Saturday and Sunday.

We would like outside drinking to be forbidden, so at least noise is restricted inside

the premises apart from when people leave, which is a concern. Does the applicant have an operator in mind for this premises? Do they have robust policies, procedures and training to ensure that customers are directed away from residential areas? Given the proximity to residential accommodation, a limit on the number of smokers permitted outside at any one time should be imposed, to alleviate noise nuisance.

We should be grateful if the applicant confirm a couple of points for clarification:

- Is the overall licensable area increasing as a result of these two applications?
- Is the overall capacity increasing as a result of these two applications?

If the answer to either or both of these questions is 'yes', then this directly on the cumulative impact policies which the City Council has in place.

Conclusion

We look forward to being kept informed of any developments and would like to attend or be represented at any subsequent hearing in this matter.

Yours faithfully,

Philip and Caroline McIntyre
14/17-19 Bedford Street
Covent Garden
WC2E 9HE

From: [Liz Keegan](#)
To: [Nelson, Nicholas](#)
Subject: Notice of hearing for 16-18 Henrietta Street variation (15/03912/LIPN)
Date: 02 July 2015 09:23:11

Dear Mr Nelson

I believe that the application has now reverted back to 2 separate applications with strong conditions that exist already: No drinking without food etc.

If this is correct then maybe there is no reason for a hearing?

I am hoping that the new application on Henrietta street will not allow drinking in the street it will add to the noise pollution and encouraging an already out of control drinking culture surely?

It seems that the government are informing of dangers of binge drinking and anti social behaviour on the one hand and encouraging and expanding the drinking culture on the other.

We cannot attend that day but can we be informed if someone can represent the residents of the area and stand up for a diminishing quality of life in the area forcing people to chose alternative areas to live in.

Eventually the vital life force of the area will be beaten by the ever increasing late night activity. Policing is nonexistent and sleep deprivation is a problem with the loss of office and retail in favour of restaurants and drinking. As it is the building garbage pile ups on every street alley, doorway, roadside and street corner and it will just be come intolerable.

It is a real drain on resources and waste.

With regards

Mrs CJ McIntyre
14,19 Bedford Street
London
WC2E 9HE

Begin forwarded message:

From: "Nelson, Nicholas"
<nnelson@westminster.gov.uk>
Date: 1 July 2015 15:48:58 BST
To: Liz Keegan <Liz@mcintyre-ents.com>
Subject: Notice of hearing for 16-18 Henrietta Street variation (15/03912/LIPN)

Dear Mr McIntyre,

Please find attached the notice of hearing letter for the above application.

Kind regards,

Nick

Nick Nelson
Senior Licensing Officer
Licensing Team
Public Protection and Licensing Department
Westminster City Council
4th Floor East
64 Victoria Street
London SW1E 6QP
Tel: 020 7641 3431
E-mail: nnelson@westminster.gov.uk
Web: www.westminster.gov.uk/licensing

<image001.png>

<image003.jpg>

You can now apply online for the majority of licensing regimes that the authority is responsible for. Please visit www.westminster.gov.uk/licensing and following the relevant links to apply.

 please don't print this e-mail unless you really need to

Find hundreds of free and low-cost summer activities for your family with Summer in the City. Visit <http://www.mysummerinthecity.org.uk>

If you have a business in Westminster, we can take care of your commercial waste or recycling. Visit <http://cleanstreets.westminster.gov.uk> or call 020 7641 6180.

Westminster City
Council: www.westminster.gov.uk

This E-Mail may contain information which is privileged, confidential and protected from disclosure.
If you are not the intended recipient of this E-mail or any part of it, please telephone Westminster City Council immediately on receipt. You should not disclose the contents to any other person or take copies.

<NofH - McIntyre.pdf>

**TARGA**
CONSTRUCTION SERVICES
www.targa ltd.co.uk
Tel. 020 8944 7864

WARNING
Obstruction
of the
footway

PÂTISSERIE VALERIE
EST. 1924

01/06/2015 15:43

COVENT GARDEN
capce



ANDERSTON
COVENT GARDEN SALON



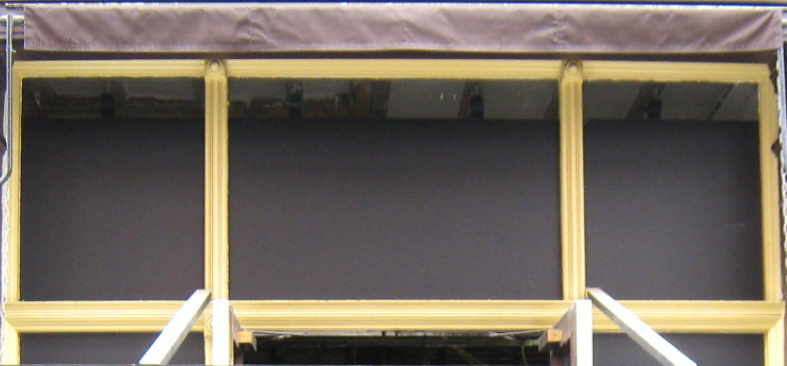
01/06/2015 15:43



 **TARGA**
CONSTRUCTION SERVICES
www.targaltd.co.uk
Tel. 020 8944 7884



01/06/2015 15:43



TARGA

CONSTRUCTION SERVICES

www.targaltd.co.uk

Tel. 020 8944 7864

01/06/2015 15:43