



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	29 October 2015
Licensing Ref No:	15/07073/LIPV - Premises Licence Variation
Title of Report:	Mele E Pere 46 Brewer Street London W1F 9TF
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	21 August 2015		
Applicant:	1981 Restaurants Limited		
Premises:	Mele E Pere		
Premises address:	46 Brewer Street	Ward:	West End
	London W1F 9TF	Stress Area:	West End
Premises description:	This premises operates as a restaurant across basement and ground floor levels.		
Variation description:	<ul style="list-style-type: none"> Variation of permitted hours for alcohol, late night refreshment and recorded music subject to restaurant condition after 9pm and regulated entertainment being restricted to the basement only. Change the layout including relocation of bar, re-arrangement of seating. Replace conditions 9 and 11 with model condition 66 save that in the area hatched black, alcohol may sold without a meal to persons seated and subject to a capacity of no more than 20 persons in the bar area. See further schedule of proposed conditions. 		
Premises licence history:	This premises is currently under licence 13/06182/LIPDPS. For a full licence history please refer to Appendix 3.		
Applicant submissions:	The applicant has written to all the residents confirming the conditions they have agreed with Environmental Health and requesting an opportunity to meet with each residents prior to the hearing. An example of this letter is attached at Appendix 2.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Exhibition of recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	12:00	00:00	12:00	01:00	GF & Basement	Basement only
Tuesday	12:00	00:00	12:00	01:00	GF & Basement	Basement only
Wednesday	12:00	00:00	12:00	01:00	GF & Basement	Basement only
Thursday	12:00	00:00	12:00	01:00	GF & Basement	Basement only
Friday	12:00	00:00	12:00	01:00	GF & Basement	Basement only
Saturday	12:00	00:00	12:00	01:00	GF & Basement	Basement only
Sunday	12:00	22:30	12:00	23:30	GF & Basement	Basement only

Seasonal variations:	Current:	Proposed:
	The hours for licensable activities may be extended on New Year's Eve until the start of permitted hours on New Year's Day.	None
Non-standard timings:	Current:	Proposed:
	None	Sundays before Bank Holidays: 08:00 to 01:00

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			Indoors	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:00	23:00	01:00	GF & Basement	No change
Tuesday	23:00	00:00	23:00	01:00	GF & Basement	No change
Wednesday	23:00	00:00	23:00	01:00	GF & Basement	No change
Thursday	23:00	00:00	23:00	01:00	GF & Basement	No change
Friday	23:00	00:00	23:00	01:00	GF & Basement	No change
Saturday	23:00	00:00	23:00	01:00	GF & Basement	No change
Sunday	N/A	N/A	23:00	23:30	GF & Basement	No change
Seasonal variations:	Current:			Proposed:		
	The hours for licensable activities may be extended on New Year's Eve until the start of permitted hours on New Year's Day.			None		
Non-standard timings:	Current:			Proposed:		
	None			Sundays before Bank Holidays: 23:00 to 01:00		

Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
		On the premises			On the premises	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	12:00	00:00	08:00	01:00	GF & Basement	No change
Tuesday	12:00	00:00	08:00	01:00	GF & Basement	No change
Wednesday	12:00	00:00	08:00	01:00	GF & Basement	No change
Thursday	12:00	00:00	08:00	01:00	GF & Basement	No change
Friday	12:00	00:00	08:00	01:00	GF & Basement	No change
Saturday	12:00	00:00	08:00	01:00	GF & Basement	No change
Sunday	12:00	22:30	12:00	23:30	GF & Basement	No change
Seasonal variations:	Current:			Proposed:		
	The hours for licensable activities may be extended on New Year's Eve until the start of permitted hours on New Year's Day.			None		
Non-standard timings:	Current:			Proposed:		
	None			Sundays before Bank Holidays: 08:00 to 01:00		

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	00:00	08:00	01:00	GF & Basement	No change
Tuesday	08:00	00:00	08:00	01:00	GF & Basement	No change
Wednesday	08:00	00:00	08:00	01:00	GF & Basement	No change
Thursday	08:00	00:00	08:00	01:00	GF & Basement	No change
Friday	08:00	00:00	08:00	01:00	GF & Basement	No change
Saturday	08:00	00:00	08:00	01:00	GF & Basement	No change
Sunday	12:00	22:30	08:00	23:30	GF & Basement	No change
Seasonal variations:	Current: The hours for licensable activities may be extended on New Year's Eve until the start of permitted hours on New Year's Day.				Proposed: None	
Non-standard timings:	Current: None				Proposed: Sundays before Bank Holidays: 08:00 to 01:00	

1-C Layout alteration
Change the layout including relocation of bar, re-arrangement of seating as per the proposed plans attached at Appendix 1.

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

	<p>alcohol by such persons is ancillary to taking such meals.</p> <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p>
11. The supply of alcohol shall be by waiter or waitress service only.	Notwithstanding condition 9, alcohol may be sold and consumed between 10:00 and 21:00 hours in the bar area hatched black on the plan by up to a maximum at any one time of 20 seated persons.
12. The premises shall implement a proof of age scheme with customers required to produce approved types of identification on request.	No variation proposed
15. An evacuation policy will be put in place that is to the satisfaction of appropriate Authorities.	No variation proposed
13. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Crime Prevention Officer. 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 venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer.	<p>The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.</p> <p>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 entire 31 day period.</p> <p>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.</p>
16. All members of staff shall be trained in emergency evacuation procedures.	No variation proposed
17. Staff shall routinely check the premises during opening hours to ensure that the premises are clean and tidy.	
21. A telephone number giving direct access to the manager on duty at the premises will be made available to local residents within a 75 metre radius of the premises in case of any public nuisance.	No variation proposed
22. Any children attending the premises	No variation proposed

must be in the presence of adults or other responsible people.		
Adult entertainment:	Current position:	Proposed position:
	None	None

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	Toby Janes
Received:	3 rd September 2015
<p>Dear Sir</p> <p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.</p> <p>It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.</p> <p>The venue is situated in the West End Stress Area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.</p> <p>The following conditions listed below are those that police would like you to attach to your operating schedule as I believe they will address police concerns in relation to crime and disorder.</p> <p>1. 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.</p> <p>Should you wish to discuss the matter further please contact me on 0207 641 3179 or via email, tjanes@westminster.gov.uk</p> <p>Kind regards Toby</p>	
Responsible Authority:	Environmental Health Service
Representative:	Sally Thomas
Received:	8 th September 2015
<p>I refer to the application for variation of a Premises Licence (13/06182/LIPDPS), issued under the Licensing Act 2003.</p> <p>The premises are situated in the West End Stress Area as stated in City of Westminster's Statement of Licensing Policy.</p> <p>Layout plans have been submitted, showing the proposed layout of the ground floor and the basement, drawing number 07-01, dated July 2015.</p> <p>This representation is based on the Operating Schedule and plan submitted.</p>	

The applicant is seeking the following in the **ground floor and basement**:

1. To alter the layout in accordance with the plan submitted. These works include the following:
 1. Relocation of bar.
 2. Rearrangement of seating.
2. To extend hours of the Supply of Alcohol on the premises from Monday to Saturday 12:00-00:00 hours and Sunday 12:00-22:30 hours to Monday to Saturday 08:00-01:00 hours and Sunday 12:00-23:30 hours.
3. To extend hours of the Late Night Refreshment from Monday to Saturday 23:00-00:00 hours to Monday to Saturday 23:00-01:00 hours and Sunday 23:00-23:30 hours.
4. To extend hours of the Recorded Music from Monday to Saturday 12:00-00:00 hours and Sunday 12:00-22.30 hours to Monday to Saturday 23:00-01:00 hours and Sunday 23:00-23:30 hours.
5. To allow the Sunday before a Bank Holiday the extension for the Supply of Alcohol 08:00-01:00 hours.
6. To allow the Sunday before a Bank Holiday the extension for Late Night Refreshment until 01:00 hours.
7. To allow the Sunday before a Bank Holiday the extension for Recorded Music until 01:00 hours.
8. To amend the following conditions as numbered in 13/06182/LIPDPS:

Delete 9: The supply of alcohol on the premises shall only be to people taking table meals there and for consumption by such a person as ancillary to their meal.

Delete 11: The supply of alcohol shall be by waiter or waitress service only.

Replace with: The premises shall only operate as a restaurant

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

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

Add: Notwithstanding the condition above, alcohol may be sold and consumed between 10:00 and 21:00 hours in the bar area hatched black on the plan by up to a maximum at any one time of 20 seated persons.

Delete 12: The premises shall implement a proof of age scheme with customers required to produce approved types of identification on request.

Delete 13: The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Crime Prevention Officer. 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 venue 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. Recordings shall be made available

immediately upon the request of Police or authorised officer.

Replace with: 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 entire 31 day period.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

Delete 15: An evacuation policy will be put in place that is to the satisfaction of appropriate Authorities.

Delete 16: All members of staff shall be trained in emergency evacuation procedures.

Delete 17: Staff shall routinely check the premises during opening hours to ensure that the premises are clean and tidy.

Delete 21: A telephone number giving direct access to the manager on duty at the premises will be made available to local residents within a 75 metre radius of the premises in case of any public nuisance.

Delete 22: Any children attending the premises must be in the presence of adults or other responsible people

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

1. The change of layout may impact on Public Safety and may have an increase in Public Nuisance in the stress area.
2. The extension of hours of the Supply of Alcohol may have an increase in Public Nuisance in the stress area.
3. The extension of hours of Late Night Refreshment may have an increase in Public Nuisance in the stress area.
4. The extension of hours of Recorded Music may have an increase in Public Nuisance in the stress area.
5. The extension of hours on a Sunday prior to a Bank Holiday of the Supply of Alcohol may have an increase in Public Nuisance in the stress area.
6. The extension of hours on a Sunday prior to a Bank Holiday of Late Night Refreshment may have an increase in Public Nuisance in the stress area.
7. The extension of hours on a Sunday prior to a Bank Holiday of Recorded Music may have an increase in Public Nuisance in the stress area.
8. The amendments of conditions may cause an increase in Public Nuisance in the stress area and may impact on Public Safety.

The applicant have amended their conditions, however this does not fully address the concerns of Environmental Health

The granting of the variation Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the stress area and may impact on Public Safety.

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

Sally Thomas
Environmental Health – Senior Practitioner

Note: The Environmental Health Service have proposed conditions which have been agreed with the applicant and are attached Appendix 3.

2-B Other Persons			
Name:		Mr Steve Chambers	
Address and/or Residents Association:		The Soho Society St Annes Tower 55 Dean Street London W1D 6AF	
Status:	Outstanding	In support or opposed:	Opposed
Received:	16 th September 2015		
<p>I write to make a relevant representation to the above application on behalf of The Soho Society.</p> <p>The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Stress Area.</p> <p>About The Soho Society</p> <p>The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.</p> <p>Application summary</p> <p>Variation of permitted hours: Alcohol: Mon to Sat - 08:00 to 01:00, Sun 12:00 to 2330, Late Night</p> <p>Refreshment: Mon to Sat 23:00 to 01:00, Sun 23:30 to 23:30, Recorded Music: Mon to Sat 23:00 to 01:00 Sunday 23:00 to 23:30 subject to restaurant condition after 9pm and regulated entertainment being restricted to the basement only. Change the layout including relocation of bar, re-arrangement of seating. Replace conditions 9 and 11 with model condition 66 save that in the area hatched black, alcohol may sold without a meal to persons seated and subject to a capacity of no more than 20 persons in the bar area.</p> <p>Hours of operation</p> <p>The proposal includes licensable activities, including sale of alcohol, outside of Westminster core hours. The premises are in the West End Stress Area, at the end of Great Pulteney Street, a quiet street full of private flats and houses. This is a higher density residential location, and residents in the immediate area are subject to noise and general nuisance every night of the week. We therefore feel it is necessary to keep the operating hours within defined core hours, namely Monday to Thursday 10am - 11.30pm, Friday and Saturday 10 am - 12 midnight and Sunday 12 noon - 10.30 pm.</p> <p>It is noted that the current premises license already includes permission outside these core hours. Any extension of these times would be a further loss to residential amenity and not in compliance with the licensing objectives.</p> <p>Conditions</p> <p>The proposal to remove conditions related to alcohol served without food, intended to prevent</p>			

problematic 'vertical drinking' are objected to. This is a restaurant and the proposed changes are not commensurate with this use.

Licensing policy

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas. For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Licensing Sub-Committee to reject this application.

Please let me know if any proposals are made to amend the application; particularly in respect of the hours sought or any further conditions proposed.

Yours faithfully,
David Gleeson Licensing Chair

Name:		Miss Lesley Isles	
Address and/or Residents Association:		36a Great Pulteney Street London W1F 9NS	
Status:	Outstanding	In support or opposed:	Opposed
Received:	16 th September 2015		

I am writing to object to this license application on the following grounds,

The restaurant is next to a row of large old houses (36-40 Great Pulteney Street) which has many residential dwellings (20+) housing families (50 people plus) from the local community, including young children. Many have lived here for 20+ years, when the flats were first let to local soho families. By turning the upstairs area into a bar with loud music and extending hours til 1am will create a huge public nuisance and result in anti-social behaviour. It will be also be noisy, and drinkers will inevitably also be outside our homes in the street smoking, doors will be opening and closing until 1am and I imagine customers will still be hanging about until 2am.

I wish them well, but we do not feel a 1am noisy bar at the end of our street is at all appropriate nor considerate of the local community.

Yours faithfully

Lesley Isles

Name:	Ms Veronique Jack and Aneela Majid		
Address and/or Residents Association	Great Pulteney Street & Bridle Lane Tenants Association C/o Veronique Jacks 40 Great Pulteney Street W1F 9NY		
Status:	Outstanding	In support of opposed:	Opposed
Received:	17 th September 2015		

The Great Pulteney Street and Bridle Lane Tenants' Association object to the application to vary the above premises licence. We are all tenants of Soho Housing Association. There are 26 flats at 36-40 Great Pulteney Street and John Broadwood House, which are in close proximity to Mele &

Pere, and there are a number of children among our families.

We object to the following,

- 1) Alcohol: Mon to Sat - 08:00 to 01:00. Sunday - 12.00 to 23:30.
- 2) Late night refreshment: Mon to Sat - 23:00 to 01:00. Sunday - 23:30 - 23:30.
- 3) Recorded music: Mon - Sat - 23:00 to 01:00. Sunday - 23-00 - 23-30.
- 4) Subject to restaurant condition after 9pm and regulated entertainment being restricted to the basement only.
- 5) Replace conditions 9 and 11 with module condition 66 save that in the area hatched black, alcohol may be sold without a meal to persons seated and subject to a capacity of no more than 20 persons in the bar area.

The application fails to promote the licensing objectives and we object on the following grounds,

- Prevention of crime and disorder
- Proposed operating hours

We object to the proposed hours of operation being outside core hours. Soho being within the stress area has the highest number of late night establishments in Westminster. The council acknowledges in its Licensing Policy the impact of the night time economy in stress areas, and the cumulative effect of the concentration of late night establishments which has led to serious problems of crime and disorder and public nuisance affecting residents. In our view there is no justifiable reason to grant this extension and deviate from the policy.

The consumption of alcohol late at night also increases the level of violent crime, public order offences, theft, robbery, property damage and anti-social behaviour. Residents in Gt. Pulteney St and Bridle Lane frequently experience crime and disorder at night time in the form of drug taking and dealing. We also suffer from significant anti-social behaviour with people vomiting, urinating and defecating in our door ways. Proposed bar on the ground floor : Mele E Pere is a restaurant, we therefore strongly object to the restaurant operating as a bar and in particular the proposal to remove the condition to serve food, for the reasons stated above.

Prevention of public nuisance; late night disturbance is a real problem for residents in Gt. Pulteney Street and Bridle Lane. An extension to the terminal hour will exacerbate the existing problems of late night disturbance already suffered by the residents. Disturbance is created by people smoking outside our windows, talking in loud and raised voices, noise disturbance from taxis waiting to pick up customers, the closing of car doors and street fouling as stated above. Further the bottles and other refuse would be put out later as well causing more noise at an even later hour. We have real concerns regarding the cumulative impact resulting from the increase in numbers of people released onto the streets from 1am onwards, thereby increasing late night nuisance, disturbance and crime and disorder for residents.

Public safety; concerns as stated above. We would also like to emphasize the drug-dealing problem in our streets and outside our homes. Extending the license as proposed would certainly mean that it continues until an hour or so after closure of the restaurant with all that

this entails.

It is our view that if this application is granted it would fail to promote the licensing objectives. We therefore ask the Licensing Sub-Committee to reject this application.

Yours faithfully,
Aneela Majid

Name:	Councillor Paul Church		
Address and/or Residents Association	Deputy Cabinet Member For Children & Young People Westminster City Councillor For West End Ward Serving Our Communities In Fitzrovia, Marylebone, Mayfair & Soho		
Status:	Outstanding	In support or opposed:	Opposed
Received:	17 th September 2015		

As the Ward Councillor for West End Ward, I would like to object to the above application, which seeks to elongate operation hours outside of core hours and, as I understand it, create a bar by stealth, which is exactly what will happen if the condition to serve food is removed. This is particularly unsuitable for a residential street located in a stress area. Having received reports from constituents in Great Pulteney Street and Bridle Lane of crime and anti-social behaviour, I believe that this would be exacerbated by the proposed extension. I also believe that public nuisance would increase dramatically.

On this basis, I would urge the Committee to reject the application.

With every best wish,

Paul

Name:	Ms Christine Colman		
Address and/or Residents Association	Flat 1 49 Brewer Street Soho London W1F 9UG		
Status:	Outstanding	In support or opposed:	Opposed
Received:	18 th September 2015		

Dear Sir/Madam,

I wish to object to any change to the permitted opening hours of Mete E Pere, 46 Brewer Street, London W1F 9TF.

I live opposite the restaurant. My bedroom, and that of the residents of Flat's 2 and 3 in my building, is at the front overlooking the entrance to the restaurant.

I am concerned that an extension to the opening hours will result in increased noise volume in the street as people enter and leaving the restaurant late at night. The street is already a noisy place at night and the noise volume has increased significantly with the opening of Bills restaurant directly opposite and adjacent to Mete E Pere.

I sincerely believe that Soho has enough late night establishments where people can eat, drink and enjoy music without the need for another and I would ask you to please

turn down the application.

Yours Sincerely,

Christine Colman.

3. Policy & Guidance

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

Policy STR1 applies	(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. (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.
Policy HRS1 applies	(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. (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.
Policy MD2 applies	It is the Licensing Authority's policy to refuse applications in the Stress Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
Policy PB2 applies	It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within the Core Hours under Policy HRS1.
Policy RNT2 applies	Applications will be granted subject to other policies 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.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant submissions
Appendix 3	Premises history and existing licence
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Appendix 6	Photos of premises

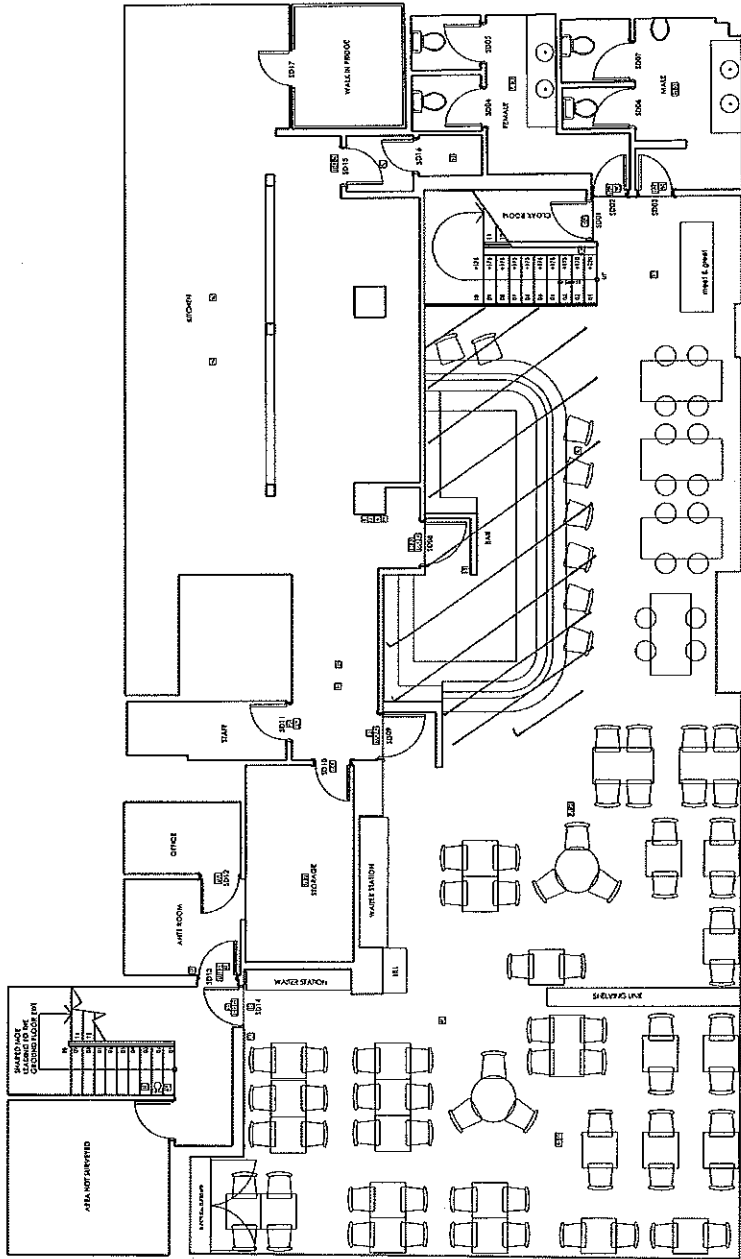
Report author:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact:	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

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

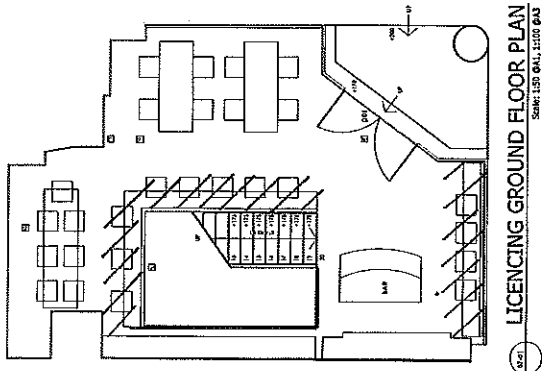
Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	21 st August 2015
5	Existing Licence	21 st August 2015

APPENDIX 1



LICENCING BASEMENT PLAN
SCALE: 1:50 (B.A.U.) 1:100 (G.A.U.)



LICENCING GROUND FLOOR PLAN
SCALE: 1:50 (B.A.U.) 1:100 (G.A.U.)

- FIRE PROTECTION**
- 1. Fire doors shall be installed in accordance with the relevant building regulations.
 - 2. Fire doors shall be self-closing.
 - 3. Fire doors shall be tested in accordance with BS 5834.
 - 4. Fire doors shall be tested in accordance with BS 5834.
 - 5. Fire doors shall be tested in accordance with BS 5834.
 - 6. Fire doors shall be tested in accordance with BS 5834.
 - 7. Fire doors shall be tested in accordance with BS 5834.
 - 8. Fire doors shall be tested in accordance with BS 5834.
 - 9. Fire doors shall be tested in accordance with BS 5834.
 - 10. Fire doors shall be tested in accordance with BS 5834.

NO.	DESCRIPTION	STATUS
1	REVISIONS TO THE DRAWINGS	AS NOTED
2	REVISIONS TO THE DRAWINGS	AS NOTED
3	REVISIONS TO THE DRAWINGS	AS NOTED
4	REVISIONS TO THE DRAWINGS	AS NOTED
5	REVISIONS TO THE DRAWINGS	AS NOTED
6	REVISIONS TO THE DRAWINGS	AS NOTED
7	REVISIONS TO THE DRAWINGS	AS NOTED
8	REVISIONS TO THE DRAWINGS	AS NOTED
9	REVISIONS TO THE DRAWINGS	AS NOTED
10	REVISIONS TO THE DRAWINGS	AS NOTED

DESIGN...
4 St Pauls Place
Brighton
BN1 4SA
01273 805001
info@blenheimdesign.com
BLENHEIM

PROJECT	Mells & Pave 46 Brewer St, London W1F 9TF
TITLE	LICENCING PLAN
DRAWN	MS
DATE	July 2015
SCALE	AS SHOWN
CHECKED	
PROJECT NUMBER	BD 1581
REVISION	07/11

INFORMATION ONLY
APPLICATION FOR LOCAL AUTHORITY
TENDER
CONSTRUCTION

NO.	REVISION	DATE	BY

1. THE DRAWINGS AND SPECIFICATIONS SHALL BE READ IN CONJUNCTION WITH THE LICENCING ACT 2003 AND THE LICENCING REGULATIONS 2005.
2. THE DRAWINGS AND SPECIFICATIONS SHALL BE READ IN CONJUNCTION WITH THE LICENCING ACT 2003 AND THE LICENCING REGULATIONS 2005.
3. THE DRAWINGS AND SPECIFICATIONS SHALL BE READ IN CONJUNCTION WITH THE LICENCING ACT 2003 AND THE LICENCING REGULATIONS 2005.
4. THE DRAWINGS AND SPECIFICATIONS SHALL BE READ IN CONJUNCTION WITH THE LICENCING ACT 2003 AND THE LICENCING REGULATIONS 2005.

GENERAL NOTES
1. ALL DIMENSIONS TO BE GIVEN TO THE FINISHED SURFACE UNLESS OTHERWISE STATED.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LICENCING ACT 2003 AND THE LICENCING REGULATIONS 2005.
3. ALL DIMENSIONS TO BE GIVEN TO THE FINISHED SURFACE UNLESS OTHERWISE STATED.
4. ALL DIMENSIONS TO BE GIVEN TO THE FINISHED SURFACE UNLESS OTHERWISE STATED.
5. ALL DIMENSIONS TO BE GIVEN TO THE FINISHED SURFACE UNLESS OTHERWISE STATED.

GENERAL NOTES
1. ALL DIMENSIONS TO BE GIVEN TO THE FINISHED SURFACE UNLESS OTHERWISE STATED.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LICENCING ACT 2003 AND THE LICENCING REGULATIONS 2005.
3. ALL DIMENSIONS TO BE GIVEN TO THE FINISHED SURFACE UNLESS OTHERWISE STATED.
4. ALL DIMENSIONS TO BE GIVEN TO THE FINISHED SURFACE UNLESS OTHERWISE STATED.
5. ALL DIMENSIONS TO BE GIVEN TO THE FINISHED SURFACE UNLESS OTHERWISE STATED.

APPENDIX 2

Thomas & Thomas Partners LLP

Your ref:
Our ref: AT

38a Monmouth Street
London WC2H 9EP
tel: 020 7042 0410
fax: 020 7379 6618

David Gleeson
The Soho Society
St Anne's Tower
55 Dean Street
London W1D 6AF

Licensing@thesohosociety.org.uk

20 October 2015

Dear Mr Gleeson

Mele e Pere

We act for the applicant in the above matter and have seen a copy of your representation.

We have since agreed further conditions with the Environmental Health Officer which are appended to this letter. You will see that contact details will be available to local residents.

We understand that there is a hearing on the 29th if there is any opportunity of meeting with you to discuss your concerns, our client would greatly appreciate that. Please do let us know whether and when that would be convenient.

Yours faithfully



Thomas & Thomas Partners LLP
tel: 020 7042 0412
email: athomas@tandtp.com

Mele E Pere, 46 Brewer Street

15/07073/LIPV

Proposed EH conditions

09/10/15 version 2

1. 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.
2. 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.
3. All doors and windows of the premises shall be kept closed when regulated entertainment is taking place or after 23.00 hours except for immediate access and egress.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
New 09/05205/LIPN	Application to permit sale of alcohol, recorded music and late night refreshment	20.08.2009	Granted by Licensing Sub-Committee
DPS Variation 10/04205/LIPDPS	Application to vary the DPS	11.06.2010	Granted under delegated authority
Transfer 11/08013/LIPT	Application to transfer the licence	19.09.2011	Granted under delegated authority
DPS Variation 11/08014/LIPDPS	Application to vary the DPS	19.09.2011	Granted under delegated authority
DPS Variation 13/06182/LIPDPS	Application to vary the DPS	13.09.2013	Granted under delegated authority
Variation 15/07073/LIPV	Current Application		Pending

There is no appeal history



Schedule 12
Part A

WARD: West End
UPRN: 100023470007

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

Premises licence

Regulation 33, 34

Premises licence number:

13/06182/LIPDPS

Original Reference:

09/05205/LIPN

Part 1 – Premises details

Postal address of premises:

Vabene
46 Brewer Street
London
W1F 9TF

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
Sale by Retail of Alcohol

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

Playing of Recorded Music

Monday to Saturday: 12:00 to 00:00
Sunday: 12:00 to 22:30

Late Night Refreshment

Monday to Saturday: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Saturday: 12:00 to 00:00
Sunday: 12:00 to 22:30

The opening hours of the premises:

Monday to Saturday: 08:00 to 00:00
Sunday: 12:00 to 22:30

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

1981 Restaurants Limited
Sutherland House
1759 London Road
Leigh-On-Sea
Essex
SS9 2RZ

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

07533966

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

Name: Mr Peter Hughes

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: 2012/00418/LAPER
Licensing Authority: London Borough Of Hammersmith & Fulham

Date: _____ 8th June 2015 _____

This licence has been authorised by Miss Bina Patel 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.

Annex 2 – Conditions consistent with the operating Schedule

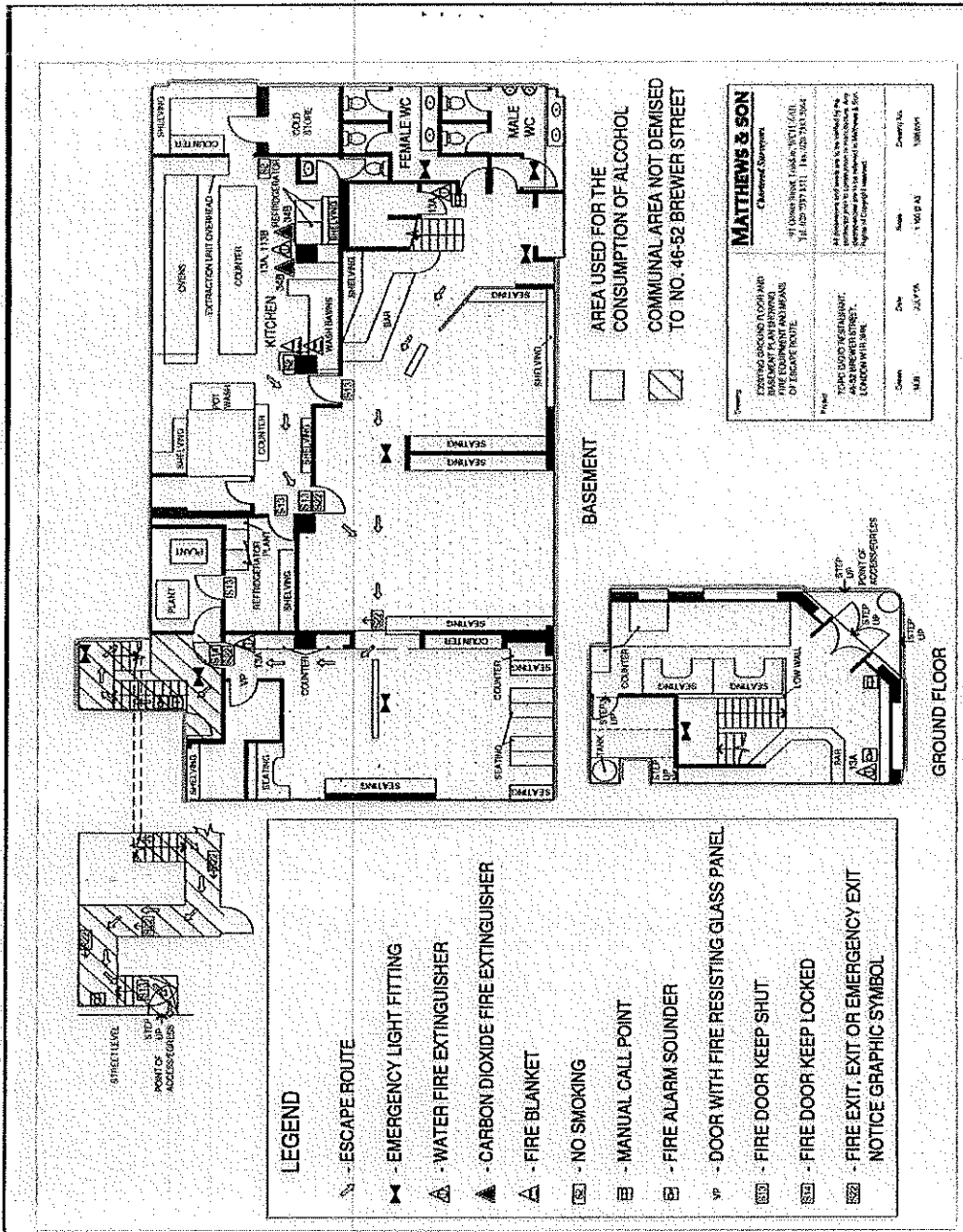
None

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

9. The supply of alcohol on the premises shall only be to people taking table meals there and for consumption by such a person as ancillary to their meal.
10. Suitable beverages other than alcohol (including drinking water) shall be equally available with or otherwise as ancillary to meals served during the permitted hours in the licensed premises.
11. The supply of alcohol shall be by waiter or waitress service only.
12. The premises shall implement a proof of age scheme with customers required to produce approved types of identification on request.
13. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Crime Prevention Officer. 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 venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer.
14. All exit doors shall be regularly checked and all emergency escape doors maintained unobstructed and effectively self closing.
15. An evacuation policy will be put in place that is to the satisfaction of appropriate Authorities.
16. All members of staff shall be trained in emergency evacuation procedures.
17. Staff shall routinely check the premises during opening hours to ensure that the premises are clean and tidy.
18. Staff shall be trained to ask customers to leave quietly in the evening when necessary.
19. The premises shall display notices asking customers to leave quietly in the evening.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. A telephone number giving direct access to the manager on duty at the premises will be made available to local residents within a 75 metre radius of the premises in case of any public nuisance.
22. Any children attending the premises must be in the presence of adults or other responsible people.
23. Patrons temporarily leaving the premises or going to external areas of the premises for the purposes of smoking shall not take any drinks with them.
24. The highway and public spaces in the vicinity of the premises shall be kept free of litter from the premises at all material times to the satisfaction of the Council.
25. No rubbish including bottles shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.

26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. The capacity shall be a maximum of 120 people (excluding staff) at any one time.
28. The hours for licensable activities may be extended on New Years Eve until the start of permitted hours on New Year's Day.

Annex 4 – Plans





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

Schedule 12
Part B

WARD: West End
UPRN: 100023470007

Premises licence
summary

Regulation 33, 34

Premises licence number:

13/06182/LIPDPS

Part 1 – Premises details

Postal address of premises:

Vabene
46 Brewer Street
London
W1F 9TF

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
Sale by Retail of Alcohol

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

Playing of Recorded Music

Monday to Saturday: 12:00 to 00:00
Sunday: 12:00 to 22:30

Late Night Refreshment

Monday to Saturday: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Saturday: 12:00 to 00:00
Sunday: 12:00 to 22:30

The opening hours of the premises:

Monday to Saturday: 08:00 to 00:00
Sunday: 12:00 to 22:30

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

Alcohol is supplied for consumption on the Premises.

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

1981 Restaurants Limited
Sutherland House
1759 London Road
Leigh-On-Sea
Essex
SS9 2RZ

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

07533966

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

Name: Mr Peter Hughes

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

Restricted

Date: _____ 8th June 2015 _____

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

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

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

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

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

Conditions: On Current Licence -

Annex 1 – Mandatory conditions

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the operating schedule

None

Annex 3 – Conditions attached after a hearing by the Licensing Authority

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

The applicant is proposing to amend this to read:

The premises shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iv) which do not provide any take away service of food or drink for immediate consumption,

(v) which do not provide any take away service of food or drink after 23.00, and

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

10. Suitable beverages other than alcohol (including drinking water) shall be equally available with or otherwise as ancillary to meals served during the permitted hours in the licensed premises.
11. The supply of alcohol shall be by waiter or waitress service only.

The applicant is proposing to amend this to read:

Notwithstanding condition 9, alcohol may be sold and consumed between 10:00 and 21:00 hours in the bar area hatched black on the plan by up to a maximum at any one time of 20 seated persons.

12. The premises shall implement a proof of age scheme with customers required to produce approved types of identification on request. ***(The applicant is seeking to remove this condition)***
13. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Crime Prevention Officer. 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 venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer.

The applicant is proposing to amend this to read:

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 entire 31 day period.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

14. All exit doors shall be regularly checked and all emergency escape doors maintained unobstructed and effectively self closing.
15. *An evacuation policy will be put in place that is to the satisfaction of appropriate Authorities. (The applicant is seeking to remove this condition)*
16. *All members of staff shall be trained in emergency evacuation procedures. (The applicant is seeking to remove this condition)*
17. *Staff shall routinely check the premises during opening hours to ensure that the premises are clean and tidy. (The applicant is seeking to remove this condition)*
18. Staff shall be trained to ask customers to leave quietly in the evening when necessary.
19. The premises shall display notices asking customers to leave quietly in the evening.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. *A telephone number giving direct access to the manager on duty at the premises will be made available to local residents within a 75 metre radius of the premises in case of any public nuisance. (The applicant is seeking to remove this condition)*
22. *Any children attending the premises must be in the presence of adults or other responsible people. (The applicant is seeking to remove this condition)*
23. Patrons temporarily leaving the premises or going to external areas of the premises for the purposes of smoking shall not take any drinks with them.
24. The highway and public spaces in the vicinity of the premises shall be kept free of litter from the premises at all material times to the satisfaction of the Council.
25. No rubbish including bottles shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. The capacity shall be a maximum of 120 people (excluding staff) at any one time.

28. The hours for licensable activities may be extended on New Year's Eve until the start of permitted hours on New Year's Day.

Conditions proposed by EH and agreed with the applicant

29. 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.
30. 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.
31. All doors and windows of the premises shall be kept closed when regulated entertainment is taking place or after 23.00 hours except for immediate access and egress.

Conditions proposed by the Police

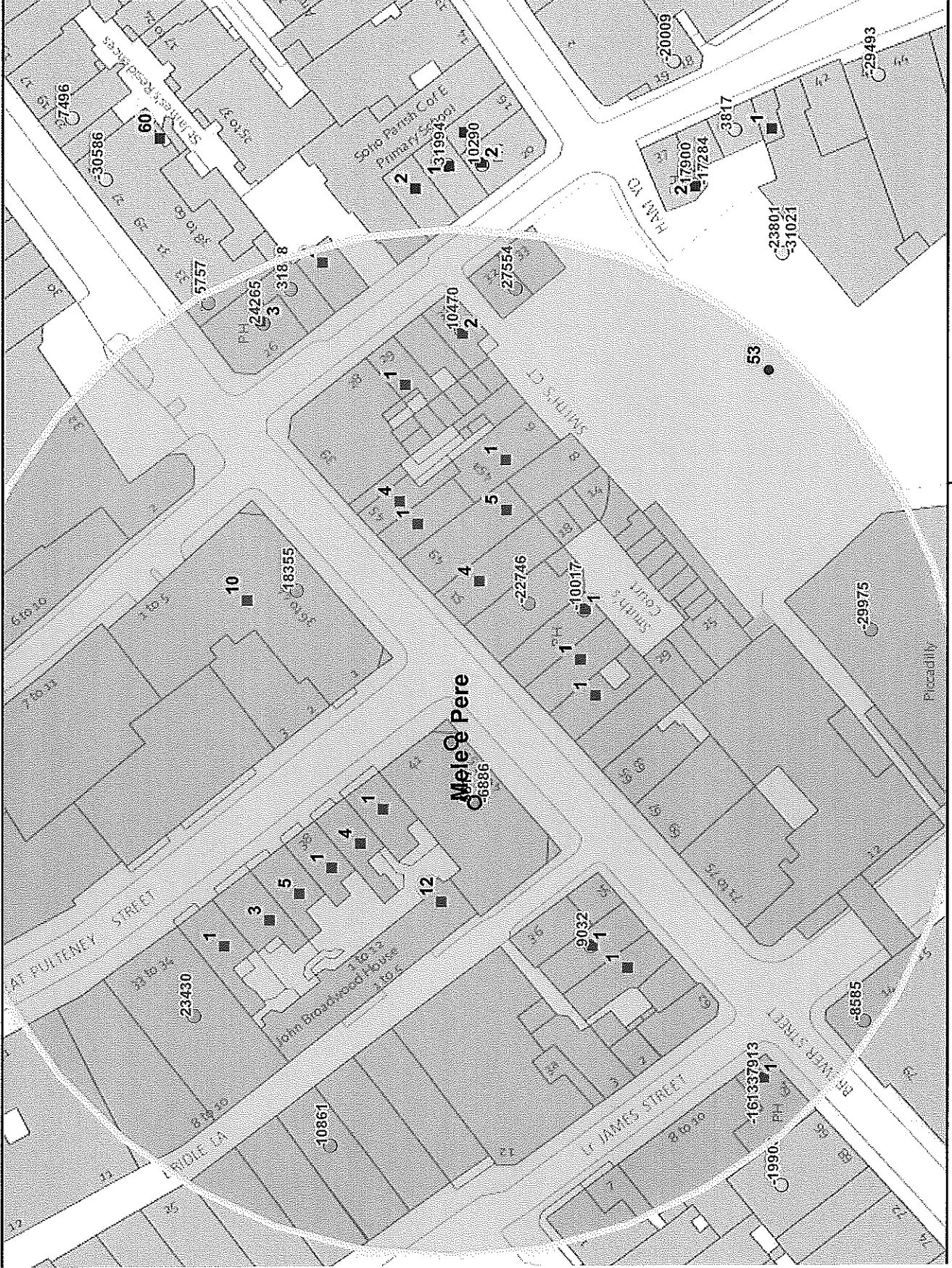
32. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
(Please note: this condition has been agreed by the applicant during the extended hours only)



City of Westminster

Mele e Pere, 46 Brewer Street, London W1F 9TF

APPENDIX 5



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Residential/ Proposed Residential	119
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

Data Source: Uniform Database
Date: 19/10/2015

9 Meters

Premises within 75 metres of: Mele e Pere, 46 Brewer Street, London

p / n	Name of Premises	Premises Address	Opening Hours
23430	Urban Golf	33-34 Great Pulleney Street London W1F 9NT	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
9032	Ten Ten Tei Restaurant	Ground Floor 56 Brewer Street London W1F 9TJ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
24265	Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
27554	Soju Restaurant	32 Great Windmill Street London W1D 7LR	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
31888	Blacklock	25 Great Windmill Street London W1D 7LH	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 22:30
-29975	Piccadilly Theatre	Piccadilly Theatre Denman Street London W1D 7DY	Saturday to Sunday 09:00 - 03:00 Monday to Friday 09:00 - 04:00
-22746	Scoop Fine Italian Gelato	53 Brewer Street London W1F 9UD	Monday to Sunday 10:00 - 02:00 Monday to Sunday 11:00 - 22:00
-19595	Wagamama	10A Lexington Street London W1F 0LD	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-16133	Crown Public House	64 Brewer Street London W1F 9TP	Friday to Saturday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30
-10017	Glasshouse Stores Public House	55 Brewer Street London W1F 9UJ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
5817	Vabene	46-52 Brewer Street London W1F 9TF	Monday to Saturday 08:00 - 00:00 Sunday 12:00 - 22:30
-8585	Mash	77 Brewer Street London W1F 9ZN	Monday to Sunday 11:30 - 01:30
-6886	Arigato	48-50 Brewer Street London W1F 9TG	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
7913	Crown Public House	64 Brewer Street London W1F 9TP	Friday to Saturday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30
10470	Piccadilly Restaurant	31 Great Windmill Street London W1D 7LP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
10861	Nine Golden Square Restaurant	Basement And Ground Floor 9 Golden Square London W1F 9HZ	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
15757	Lights Of Soho	35 Brewer Street London W1F 0RU	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
18355	Bilis	36 Brewer Street London W1F 9TA	Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30

APPENDIX 6







