



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	27 June 2016
Licensing Ref No:	16/03005/LIPV - Premises Licence Variation
Title of Report:	28/50 Basement And Ground Floor 15-17 and 19 Marylebone Lane London
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Darren O'Leary Senior Licensing Officer
Contact details	Telephone: 02076417824 Email: doleary@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	22 March 2016		
Applicant:	Latitude Restaurant Ltd		
Premises:	28/50		
Premises address:	Basement And Ground Floor 15-17 and 19 Marylebone Lane London W1U 2NF	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
Premises description:	Wine Workshop and Kitchen – Restaurant and wine bar.		
Variation description:	<p>Application to make the following changes:</p> <ul style="list-style-type: none"> to change the layout in the basement and add a bar servery; to allow the sale of alcohol without food in the basement by up to 12 persons (subject to conditions) to remove condition 10 and replace with a condition that permits off-sales to either persons seated taking a table meal in the external seating area or in sealed containers. <p>NB. The ground floor plan currently attached to the licence remains unchanged. The attached drawing no. 1064-PLN-03 A replaces the basement plan only.</p>		
Premises licence history:	The premises has held a licence since 16 th March 2012.		
Applicant submissions:	None.		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30				
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				

Thursday	23:00	23:30	No Change	No Change	No Change
Friday	23:00	00:00			
Saturday	23:00	00:00			
Sunday	None	None			
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day			No Change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No Change	No Change	No Change	No Change
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:	Current:			Proposed:		
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day			No Change		

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No Change	No Change	No Change	No Change
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:	Current:			Proposed:		
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day			No Change		

1-C Layout alteration
To change the layout in the basement and add a bar server as per drawing no. 1064-PLN-03.

1-D Conditions being varied, added or removed		
Condition	Proposed variation	
Conditions 10: 'There shall be no seating in the external areas of the premises, save for seating permitted by the City Council, where such consent is required.'	Amend to: 'All sales of alcohol for consumption off the premises shall be to patrons seated in any external area of the premise taking a table meal, or in sealed containers only.'	
Condition 18: 'The sale of alcohol in the bar area hatched in revised plans shall be by waiter or waitress service only'	Amend to: 'The sale of alcohol in the bar areas hatched on the attached plans shall be by waiter or waitress service only'	
Condition 24: 'Save for the bar area on the ground floor hatched on the revised plans, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.'	Amend to: 'Save for the bar areas hatched on the plans, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.'	
Condition 26: 'In the bar area on the ground floor hatched in the revised plans (to be submitted by the Applicant), alcohol shall only be supplied to persons who are seated and a maximum of 12 persons shall be permitted in the bar area at any one time.'	Amend to: 'In the bar areas hatched in the, alcohol shall only be supplied to persons who are seated and a maximum of 12 persons shall be permitted in each bar area at any one time.'	
Adult entertainment:	Current position:	Proposed position:
	None	No change

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	David Nevitt
Received:	18 th April 2016
<p>I refer to the above application which seeks to vary Premises Licence 15/05220/LIPDPS to include the following (as described by the applicant):</p> <p><i>'To change the layout in the basement and add a bar servery;</i></p>	

To allow the sale of alcohol without food in the basement by up to 12 persons (subject to conditions);

To remove condition 10 and replace with a condition that permits off-sales to either persons seated taking a table meal in the external seating area or in sealed containers.

NB. The ground floor plan currently attached to the licence remains unchanged. The attached drawing no. 1064-PLN-03 A replaces the basement plan only.'

I wish to make Representations on the following grounds:

- Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

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

Responsible Authority:	Metropolitan Police
Representative:	Toby Janes
Received:	14th April 2016

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.

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.

2-B Other Persons

Name:	Sven Becker		
Address and/or Residents Association:	2 Mandeville Place London		
Status:	Valid	In support or opposed:	Opposed
Received:	4 th April 2016		

I wish to object to the application asking to allow the sale of alcohol without food in the basement of the premises, on the basis that this will affect the quality of life of local residents who are already severely strained by the patrons of many licensed premises in the area.

The lack of food will cause customers to be more inebriated and more uninhibited more quickly which will result in more loud, drunken behaviour in the area when they

congregate outside the premises to smoke or when leaving the premises.

Records from the Westminster Noise team will show a number of previous complaints associated with other premises in the immediate area. Polite notices to be quiet simply do not work.

Residents understand that no one chooses to live in W1 for the peace and quiet, but that is no reason to increase their burden and further erode their quality of life.

3. Policy & Guidance

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

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 PB1 applies	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents - None
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

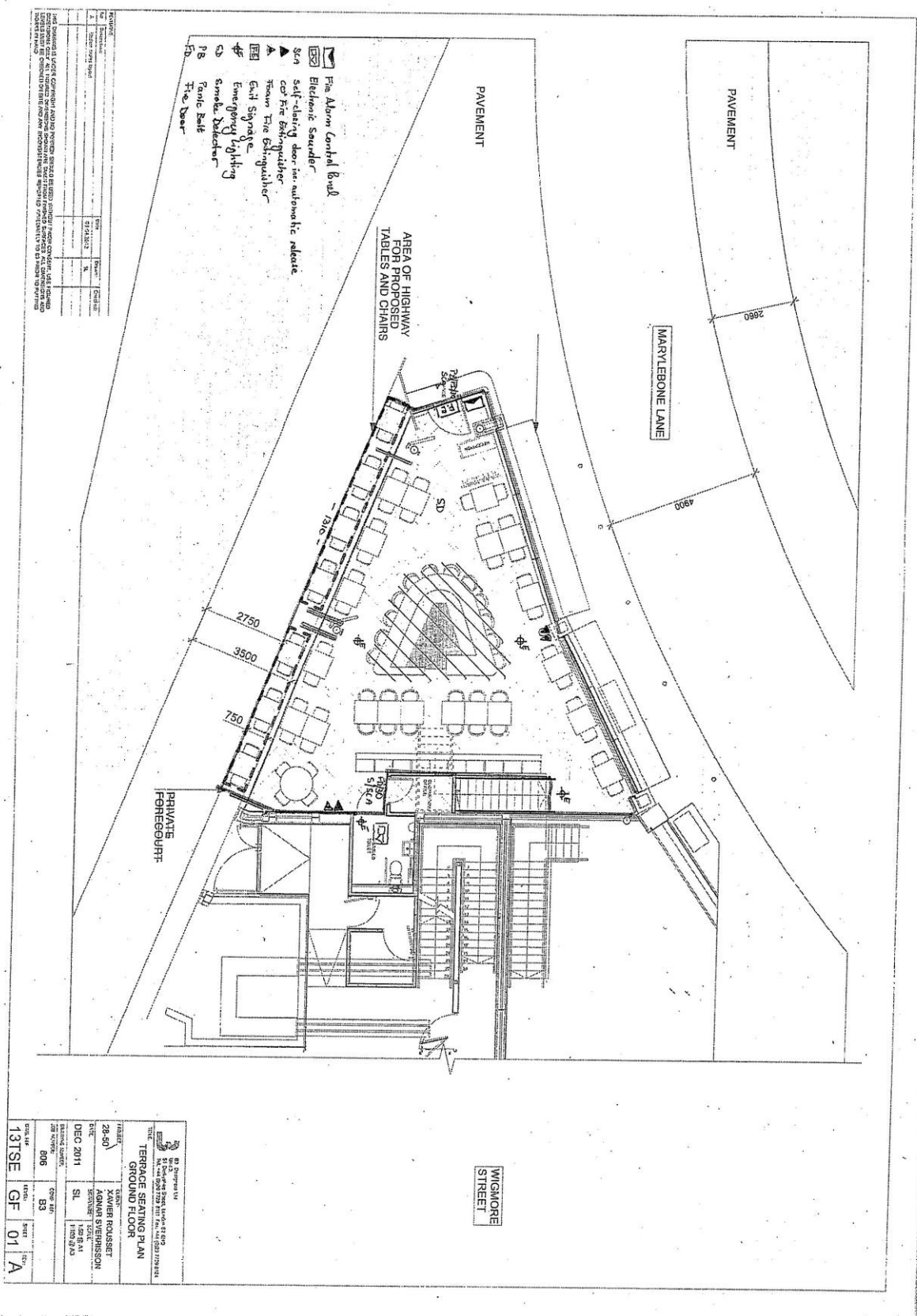
Report author:	Mr Darren O'Leary Senior Licensing Officer
Contact:	Telephone: 02076417824 Email: doleary@westminster.gov.uk

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

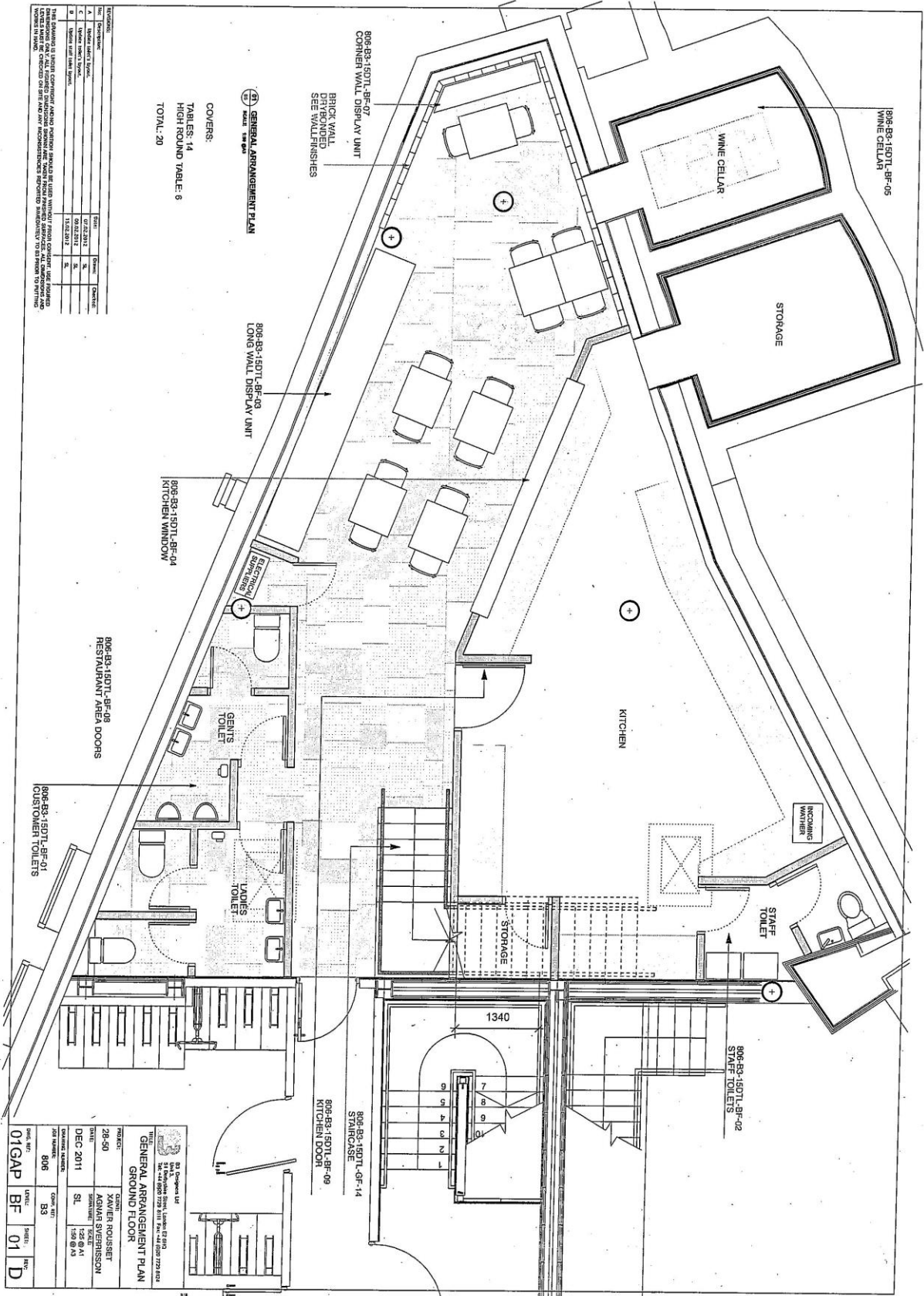
Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	22 nd March 2016
5	Notice of hearing letter/email	8th June 2016
6	Premises Licence 15/05220/LIPDPS	13 th November 2015
7	Representation – Dave Nevitt	18 th April 2016
8	Representation – Toby Janes	14 th April 2016
9	Representation – Sven Becker	4 th April 2016
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Current Ground Floor Plan



Current Basement Floor Plan



Proposed Basement Floor Plan

BOXES LIKE THIS INDICATE SIGNS. THE FOLLOWING CODES SHOW THE WORDING DISPLAYED ON THE NOTICES.

ALL NOTICES SHOULD NORMALLY CONFORM TO THE BRITISH STANDARD BS 5892 PART 1. THE MINIMUM SIZE OF LETTERING IS AS INDICATED BELOW (UNLESS OTHERWISE SHOWN/ADJACENT TO THE CODE ON PLAN).

S23 SLIDE TO OPEN (WITH ARROW INDICATING DIRECTION)

S20 FIRE ESCAPE KEEP CLEAR

S19 GANTRYWAY KEEP CLEAR

S17 SECURE DOOR OPEN WHEN PREMISES ARE OCCUPIED

S8 HIGHLY FLAMMABLE MATERIAL - KEEP LOCKED

S2 NO SMOKING

S13 FIRE DOOR KEEP SHUT

S14 FIRE DOOR KEEP LOCKED

ALL WALLS AND PARTITIONS TO BE MINIMUM HALF-HOUR FIRE RESISTANT. EMERGENCY LIGHTING TO COMPLY WITH BS 5266 PART 1

FIRE SAFETY RELATED SIGNS AND NOTICES TO COMPLY WITH BS 5499 BS 5306.

FIRE FIGHTING EQUIPMENT TO COMPLY WITH BS 5499

WALL AND CEILING LININGS ARE TO BE CLASS 1 SPRAYED OF FLAME RESISTANT TO BS 579 PART 7) IN PUBLIC AREAS AND CLASS 0 IN ESCAPE ROUTES.

UPHOLSTERED SEATING/FURNITURE TO COMPLY WITH THE FOLLOWING:

- IGNITION SOURCE (CIGARETTE TEST) AS SPECIFIED IN BS 5892 PART 2. FIRE TESTS FOR FURNITURE METHODS FOR TEST SUSCEPTIBILITY BY SMOKERS.
- BS 5892 PART 2. FIRE TEST FOR FLUENT USE METHODS OF TEST FOR THE SOURCE. MINIMUM TEST TO BE CIGARETTE SOURCE.

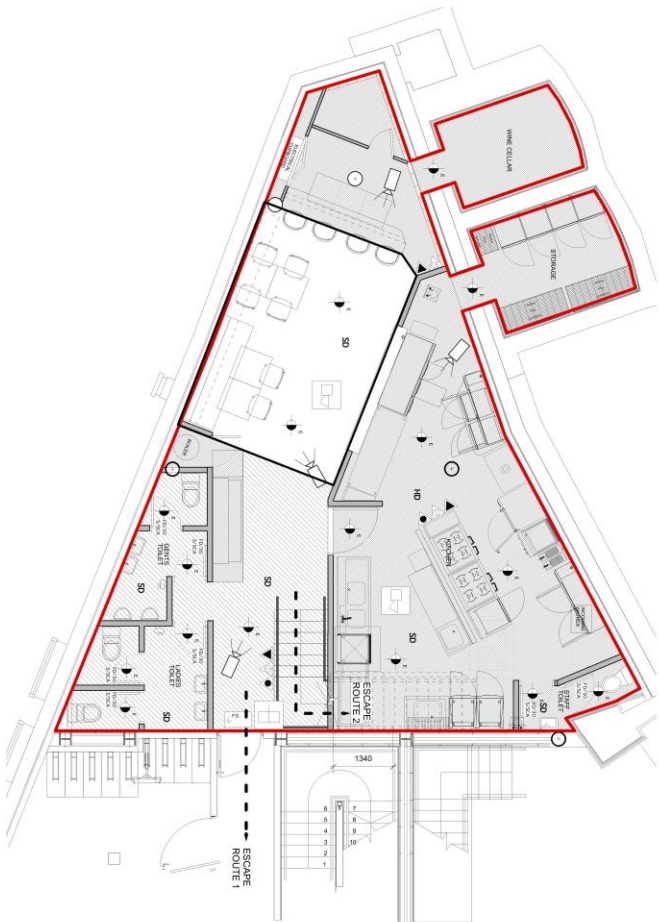
PANIC BARriers THAT USE HAND ASHES REQUIRE TREATMENT TO PASS THE WATERSOAK TEST AS DETAIL IN BS 5891. TEST CERTIFICATES TO BE SUBMITTED TO THE FIRE AUTHORITY.

REQUIREMENTS TO BE BS 5897

REQUIREMENTS TO BE BS 5897

ARTIFICIAL FOLIAGE AND DECORATIVE EFFECTS TO BE FIRE RETARDANT TO THE SATISFACTION OF THE AUTHORITY.

	RESTAURANT PREMISES
	AREA FOR CONSUMPTION OF ALCOHOL
	TOILET ACCOMMODATION AND CIRCULATION
	REFUSE STORAGE
	KITCHEN & STAFF AREAS
	BLOCK WORK - PLASTERBOARD WALL FULL HEIGHT
	EXISTING FULL HEIGHT WALLS
	MANUAL FIRE EXTINGUISHER
	CCTV
	MAINTAINED EMERGENCY LIGHT FITTING TO BS 5266 PART 1
	MAINTAINED EMERGENCY LIGHT FITTING
	SMOKE DETECTORS
	HEAT DETECTORS



SELF-CLOSING DOOR INCORPORATING AN AUTOMATIC RELEASE (E.G. ELECTRO MAGNETIC DOOR HOLDER).

DOORS WILL BE PROVIDED WITH A PANIC BAR. THERE IS NO REQUIREMENT FOR THE DOOR TO BE KEPT OPEN. THE METHOD OF OPENING (MINIMUM 1 LETTERING) AND IMMEDIATELY OPENABLE BY A PERSON ON HIS/HER WAY OUT LEVER HANDLE ETC. (E.G. BANGKEL BOLTS, NIGHT LATCH, LEVER HANDLE, ETC.)

FIRE ALARM TELEPHONE POINT

A PANEL OF CLEAR GLASS IN THE DOOR OR ADJACENT PARTITION SHOWN ON PLAN. IT SHOULD BE OF AN APPROPRIATE SIZE AND IN A SUITABLE POSITION WHICH GIVES THE OCCUPANT OF THE INNER ROOM A CLEAR VIEW OF THE DOOR OR PARTITION. IT SHOULD BE FIRE RESISTING IF THE DOOR OR PARTITION IS SHOWN AS SUCH.

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DOOR ASSEMBLY WHICH IS ABLE TO RESIST THE PASSAGE OF SMOKE AND HEAT, TESTED IN ACCORDANCE WITH THE BRITISH STANDARD BS 476 PART 3. THE STATE OF DEFORMATION SHALL BE AS DESCRIBED IN THE STATE OF DEFORMATION TABLE.

FIRE EXTINGUISHER (E.G. 12A OR 12B). NUMBER INDICATES THE NUMBER OF EXTINGUISHERS. IN CASE OF FIRE THAT THE EXTINGUISHER IS SUITABLE FOR. FOR FURTHER INFORMATION SEE OUR GUIDANCE NOTE BS 5891 PART 8.

ADOLESCENT FILM FORMING FOAM EXTINGUISHER.

CLASS F FIRE EXTINGUISHER.

FIRE BLANKET EXTINGUISHER.

CARBON DIOXIDE FIRE EXTINGUISHER.

DRY POWDER EXTINGUISHER.

FOAM FIRE EXTINGUISHER.

INDICATES THE LENGTH OF THE TUBING IN METRES.

SAND BUCKET.

AREA COVERED BY FIRED FIRE EXTINGUISHER INSTALLATION (M² < 50).

ALL FIRE FIGHTING EQUIPMENT SHOULD BE SO PLACED AS TO BE READILY AVAILABLE FOR USE. THEY SHOULD BE MOUNTED ON BRACKETS OR SUITABLE SHELVES IN CONSPICUOUS POSITIONS SO THAT THE CARRYING HANDLES OF THE EQUIPMENT ARE EASILY ACCESSIBLE. THE HANDLES OF THE SMALLER FIRE EXTINGUISHERS OR FIRE BLANKETS ARE APPROXIMATELY 1.5M FROM THE FLOOR.

FIRE ALARM CONTROL PANEL.

FIRE ALARM CALL POINT WITH FIRE ACTION SIGN ADJACENT TO IT. THE CONTENTS OF WHICH SHOULD BE BASED ON THE FIRE RISK ASSESSMENT. THE FIRE ACTION SIGN SHOULD BE PROVIDED WITH SP-FASTENING AS DESCRIBED ON PLAN.

DOORS MUST BE ABLE TO BE OPENED FROM EITHER SIDE OF THE DOOR BY A PERSON WHO IS UNABLE TO INDEPENDENTLY REACH A FINAL EXIT AREA (E.G. STAIRWAY, ESCAPE ROUTE).

ELECTRONIC SQUANDER.

CONTROL PANEL, ILLUMINATED SIGNALS.

AREA COVERED WITH A SYSTEM OF ESCAPE LIGHTING THAT ILLUMINATE THE AREA VALUE OF THE NORMAL LIGHTING SUPPLY TO A SUFFICIENT STANDARD TO ENABLE PERSONS TO ESCAPE SAFELY TO A PLACE OF SAFETY. THE SYSTEM SHALL BE CONFORM TO THE BRITISH STANDARD CURRENT AT THE TIME OF INSTALLATION AND A CERTIFICATE TO THIS EFFECT MUST BE PROVIDED TO THE FIRE AUTHORITY.

REFUGER AREA TEMPORARY ASSEMBLY POINT FOR THOSE PERSONS WHO ARE UNABLE TO INDEPENDENTLY REACH A FINAL EXIT AREA (E.G. STAIRWAY, ESCAPE ROUTE).

AREA COVERED BY AUTOMATIC HEAT DETECTORS.

AREA COVERED BY AUTOMATIC SMOKE DETECTORS.

AREA COVERED BY PRESSURISATION.

AREA COVERED BY MECHANICAL SMOKE EXTRACTION.

AREA COVERED BY MECHANICAL SMOKE EXTRACTION.

PRESSURISATION OVERRIDE CONTROL.

SYSTEM DESIGNED TO BS 5899 PART 11.2002

CATEGORY OF SYSTEM: L2

SYSTEM DETAILS: CONVENTIONAL FIRE PANEL

INSTALLATION METHOD: FPM900 INSTALLED ON CABLE TRAY FIXED TO STRUCTURE

NOTES:

SYSTEM DESIGNED TO BS 5899 PART 11.2002

CATEGORY OF SYSTEM: L2

SYSTEM DETAILS: CONVENTIONAL FIRE PANEL

INSTALLATION METHOD: FPM900 INSTALLED ON CABLE TRAY FIXED TO STRUCTURE

R3 DESIGN

IERS

1064 PLN-03

29-50 MARYLEBONE LANE

DATE: 10/02/2016 SCALE: 1:50 (B1) / 1:50 (B2)

DRAWN: AMB CHECKED: JLB

PROJECT: 1064 PLN-03

CLIENT: 29-50 MARYLEBONE LANE

STATUS: CONCEPT

PROPOSED GAP

1064-PLN-03

REV: A

Applicant supporting documents

None.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
15/05220/LIPDPS Vary DPS Application	To change the DPS to Simon Clark	14 th July 2015	14 th July 2015
13/02528/LIPT Transfer Application	To transfer the licence to Latitude Restaurant Ltd	8 th May 2013	17 th May 2013
12/06012/LIPV Variation Application	1. To include the outside area in Jason Court, as delineated on the attached plan, in the ambit of the licence; NB. There is no change to the basement plan or the internal layout on the ground floor. 2. As a consequence to remove condition 28 ("There shall be no seating in the external areas of the premises") and to amend conditions 27 to read "All doors and windows onto Jason Court shall be kept closed after 23:00, except for emergency access and egress".	30 th August 2012	30 th August 2012
12/03845/LIPDPS Vary DPS Application	To change the DPS to Xavier Rousset	24 th May 2012	25 th May 2012
11/12513/LIPN New Premises Licence Application	For the provision of late night refreshment and sale by retail of alcohol	16 th February 2012	23 rd February 2012

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv).
 - (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

- 9. All doors and windows onto Jason Court shall be kept closed after 23:00, except for emergency access and egress.
- 10. There shall be no seating in the external areas of the premises, save for seating permitted by the City Council, where such consent is required.

The applicant proposes to amend this condition to read:

- 10. All sales of alcohol for consumption off the premises shall be to patrons seated in any external area of the premise taking a table meal, or in sealed containers only.
- 11. External tables and chairs shall be rendered unusable by 23:00 hour.

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

- 12. 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.
- 13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police 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 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to

the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

15. An incident book shall be kept and be available for inspection by the statutory authorities.
16. Notices shall be displayed reminding customers to leave quietly.
17. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
18. The sale of alcohol in the bar area hatched in revised plans shall be by waiter or waitress service only.

The applicant proposes to amend this condition to read:

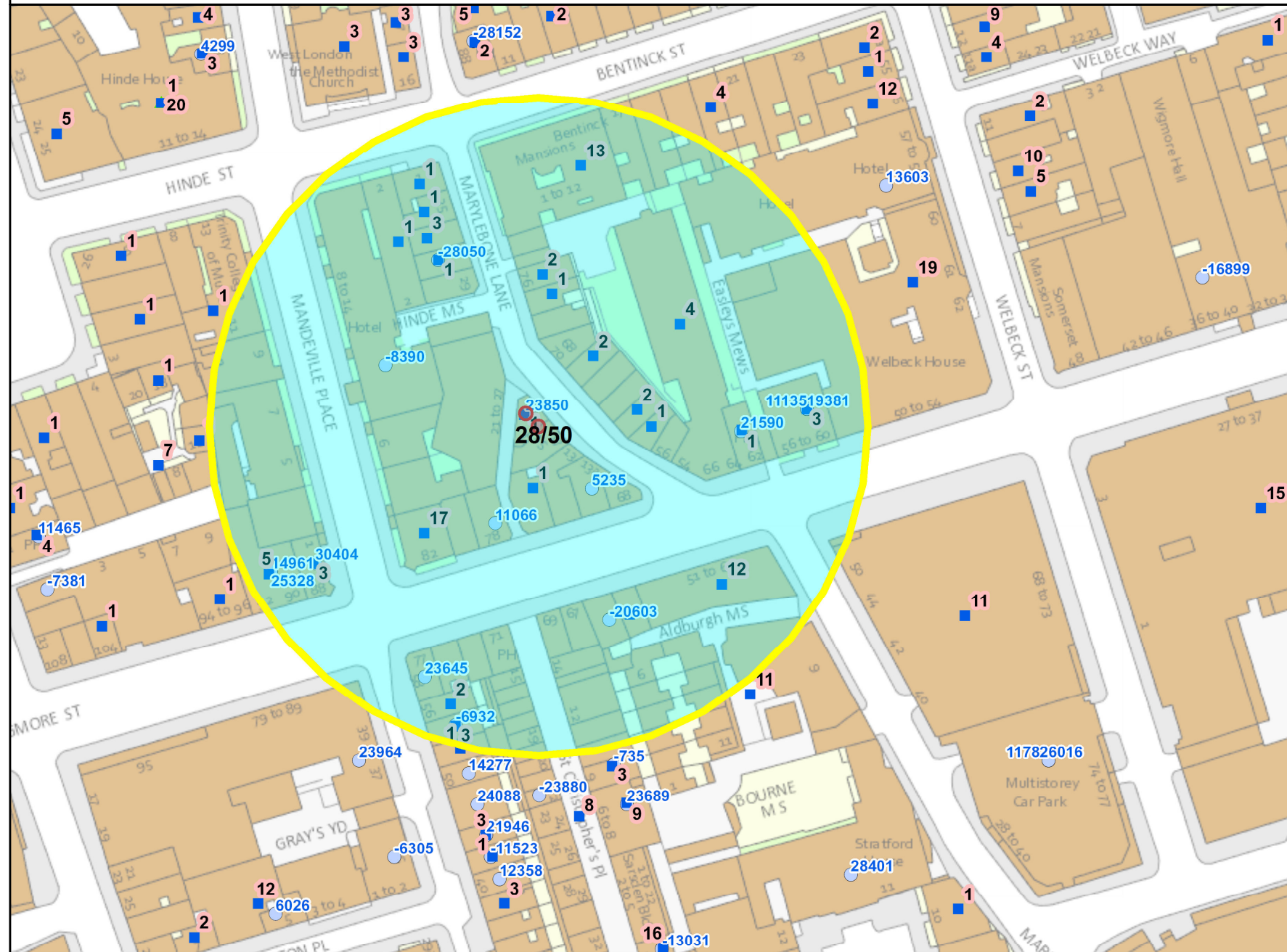
18. *The sale of alcohol in the bar areas hatched on the attached plans shall be by waiter or waitress service only'*
19. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
20. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
21. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
22. No deliveries to the premises shall be arranged between 23:00 and 08:00 hours.
23. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
24. Save for the bar area on the ground floor hatched on the revised plans, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

The applicant proposes to amend this condition to read:


24. *Save for the bar areas hatched on the plans, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.*
25. The supply of alcohol shall be by waiter or waitress service only.
26. In the bar area on the ground floor hatched in the revised plans (to be submitted by the Applicant), alcohol shall only be supplied to persons who are seated and a maximum of 12 persons shall be permitted in the bar area at any one time.

The applicant proposes to amend this condition to read:

26. *In the bar areas hatched in the plans, alcohol shall only be supplied to persons who are seated and a maximum of 12 persons shall be permitted in each bar area at any one time.*
27. The number of persons permitted inside the premises at any one time when licensable activities take place (excluding staff) shall not exceed 80 persons.



Residential / Proposed Residential	82
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10
 Meters

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Data Source: Uniform Database
 Date: 17/06/2016

Premises within 75 metres of: 28/50, 15-17 and 19 Marylebone Lane, London W1U 2NE

p / n	Name of Premises	Premises Address	Opening Hours
11135	Ask	Ground Floor 56-60 Wigmore Street London W1U 2RZ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
23645	Ayoush	77 Wigmore Street London W1U 1QE	Monday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
25328	Black & Blue	90-92 Wigmore Street London W1U 3RF	Monday to Saturday 10:00 - 00:30 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
-28050	Cocoro Restaurant	31 Marylebone Lane London W1U 2NH	Sunday 12:00 - 22:30 Monday to Saturday 12:00 - 23:00
30404	Carmina Cafe	Basement Floor To Ground Floor 88 Wigmore Street London W1U 3RB	Monday to Saturday 08:00 - 23:00 Sunday 09:00 - 22:00
-20603	Comptoir Libanais	Basement And Ground Floor 65 Wigmore Street London W1U 1QT	Sunday 08:00 - 22:30 Monday to Saturday 08:00 - 23:30
-6932	Patty & Bun	54 James Street Marylebone London W1U 1EU	Friday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30
11066	Levant Restaurant	76 Wigmore Street London W1U 2SH	Monday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
21590	The Cock & Lion Public House	62 Wigmore Street London W1U 2SA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
23850	28/50	Basement And Ground Floor 19 Marylebone Lane London W1U 2NF	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 22:30
-8390	Mandeville Hotel	6 - 14 Mandeville Place London W1U 2BE	Monday to Sunday 00:00 - 00:00
5235	Sourced Market	70 Wigmore Street London W1U 2SF	Friday to Saturday 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Sunday 10:00 - 22:30
14961	Basement 92	Basement And Ground Floor 90-92 Wigmore Street London W1U 3RF	Monday to Friday 08:00 - 23:30 Saturday to Sunday 09:00 - 00:00 Sundays before Bank Holidays 09:00 - 00:00
19381	Ask	Ground Floor 56-60 Wigmore Street London W1U 2RZ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00