

Licensing Sub-Committee Report

Item No:	
Date:	14 th July 2016
Date.	11 Suly 2010
Licensing Ref No:	16/04691/LIPN - New Premises Licence
Title of Report:	Unit 3 And 4 Bishop's Quarters Bishop's Bridge Road London W2 6ES
Report of:	Director of Public Protection and Licensing
Wards involved:	Bayswater
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Yiannis Chrysanthou Senior Licensing Officer
Contact details	Telephone: 7641 1876

Email: ychrysanthou@westminster.gov.uk

1. Application

1-A Applicant and prem	1-A Applicant and premises				
Application Type:	New Premises Licence, Licensing Act 2003				
Application received date:	11 May 2016				
Applicant:	Babaji Pide Limited				
Premises:	Unit 3 And 4				
Premises address:	Bishop's Quarters Bishop's Bridge Road	Ward:	Bayswater		
	London W2 6ES	Cumulative Impact Area:	Queensway and		
	VV2 020	impact Area.	Bayswater		
Premises description:	The premises are to be operated as a restaurant with an outside area.				
Premises licence history:	The premises have not previously been licensed.				
Applicant submissions:	The Applicant has provided a presentation pack detailing the proposed concept of the restaurant. They have also provided conditions in support of their application which can be found in Appendix 2.				

1-B Pr	1-B Proposed licensable activities and hours							
Recorded Music: Indoors, outdoors or both Indoors					Indoors			
Day:	Mon	Tues	•	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00)	10:00	10:00	10:00	10:00	10:00
End:	00:00	00:00 00:00		00:00	00:00 00:00 00:00			23:30
Seasonal variations/ Non- standard timings: From the end of hours on New Years Eve to the start of hours on New Years Day.								

Late Night Refreshment:				Indoors,	outdoors o	r both	Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	23:30
Seasonal variations/ Non- From the end			of hours or	n New Year	s Eve to th	ne start of	
standard timings:			hours on New	/ Years Day	/ .		

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	23:30
Seasonal variations/ Non- standard timings: From the end hours on New						s Eve to th	ne start of

Hours premises are open to the public								
Day:	Mon	Tues	•	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00)	08:00	08:00	08:00	08:00	08:00
End:	00:30	00:30)	00:30	00:30	00:30	00:30	00:00
Seasonal variations/ Non- standard timings:				om the end ours on New			s Eve to the	e start of
Adult Entertainment:			one		<u>-</u>			

2. Representations

2-A Responsible Authorities				
Responsible Authority:	Environmental Health Service			
Representative:	Mr David Nevitt			
Received:	8 th June 2016			

I refer to the above application which seeks a Premises Licence to include the following Licensable activities:

Regulated Entertainment - Recorded Music 1000hrs-0000hrs Monday to Saturday, 1000hrs-2330hrs on Sunday;

Late Night Refreshment - 'Indoors' and 'Outdoors' until 0000hrs Monday to Saturday and until 2330hrs on Sunday;

The Supply of Alcohol 'On' and 'Off' the premises 1000hrs-0000hrs Monday to Saturday, 1000hrs-2330hrs on Sunday.

Non-Standard Timings:

From the end of hours on New Years Eve to the start of hours on New Years Day.

The applicant has proposed Conditions which are under consideration.

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.

The premises is located in the Queensway/Bayswater Cumulative Impact Area. The hours sought are in excess of the 'Core Hours' as defined in the City Council's Licensing Policy. The application will need to be adjudicated at a Hearing of the Licensing Sub-Committee.

Responsible	Metropolitan Police Service					
Authority:						
Representative:	PC Reaz Guerra					
Received:	1 st June 2016					

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the Queensway Cumulative Impact 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.

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area. It is for these reasons that we are objecting to the application.

2-B Other Persons	
Name:	John Zamit
Address and/or Residents Association:	Chairman SEBRA (South East Bayswater Residents Association) 2 Claremont Court Queensway LONDON W2 5HX
Received: 7 th June 2016	

We object to this application mainly on the grounds that hours of opening, sale of alcohol etc exceed the Councils 'Core Hours' especially as the premises are situated in the Queensway / Bayswater Stress area (or whatever new name is for this previous definition)

We are concerned as to potential problems in respect of loss of amenity (noise) and potential crime and disorder late at night .

We wish premises to operate as as a restaurant with alcohol ancillary to taking a substantial meal, seated with waiter/waitress service etc.

Tables and chairs outside should not be used after 23.00 hours - especially as residential units on second floor above premises.

We would like hours of use to follow planning permission on development (see below received from Oliver Gibson in North Team planning department at WCC) to be 23.30 (Sunday 22.30).

Customers shall not be permitted within the restaurant/ cafe units (Units 3 and 5) before 08.00 or after 23.30 Monday to Saturday (not including bank holidays and public holidays) and before 09.00 or after 22.30 on Sundays, bank holidays and public holidays.'

The retail shop unit also has an hours of use condition restricting the hours as follows:

'Customers shall not be permitted within the retail shop units (Units 1, 2, 4 and 6) before 07.00 or after 23.00 Monday to Saturday (not including bank holidays and public holidays) and before 10.00 or after 18.00 on Sundays, bank holidays and public holidays.'

The smaller of two units being combined into one does not have planning permission for A3 (restaurant use) and is designated as A1 (retail use) at present.

We note applicant has offered a number of 'model' conditions and trust they cover all of usual matters, CCTV, deliveries, hours of deliveries and refuse /recycling collections etc.

We also note applicant has applied for 'off sales and we want conditions that must be in sealed containers and no beer or cider over 5.5% alcohol strength.

2-B Other Pe	rsons			
Name:		Mr Dipo Osho		
Address and/or Residents Association:		Flat 133 34 The Colonnades London W2 6AP		
Status:	Valid	In support or opposed:	Opposed	
Received:	16 th May 2016			

4:34 PM on 16 May 2016 I would like to object to this licence application. My main concerns are:

the opening hours

the sale of alcohol during these opening hours

the lack of clarification regarding how alcohol will be sold (i.e. only with substantial meals)

Opening until midnight every week night and 11.30pm on Sundays will cause a great disturbance for the residents - particularly when clearing and cleaning the outside areas. It isn't fair for residents, who have bedroom windows directly above the proposed

outside area, to suffer extensive noise and nuisance at that time of night, I would like to object strongly to any outside tables as they will disturb residents all day, every day as well as every evening and weekend. I strong feel that the hours of sale be reduced to 10pm in line with the Waitrose hours of operation and that Sundays be restricted further.

The sale of alcohol from 10am until midnight every day and 11.30pm on Sundays is excessive. The area is already suffering from increased crime and disorder. There have recently been alcohol related muggings outside Arthur Court on Queensway, as well as my own vehicle broken in to by drunken youths. The Colonnades itself has been subject to crime committed by drunk individuals (a concrete brick through the glass door around the corner from this unit). The area suffers badly from homelessness and begging, which is often aggressive and drink-related. The police themselves have commented on another application for this building that they are already stretched in the area and feel further late license drinking establishments will worsen the situation.

The application gives very little indication of how alcohol will be served. My concerns above regarding crime and disorder, noise nuisance for neighbours and the public safety of the area equally apply to the way in which alcohol is served. We do not need another pub in the area and would like clarification on the service alcohol.

Name:		Afolabi Kuti	
Address and/or Residents Association:		Flat 135 34 The Colonnades London W2 6AP	
Status:	Valid	In support or opposed:	Opposed
Received:	8 th June 2016		

To whom it may concern,

I'm a resident at Flat 135 The Colonnades which is one of 10 residential flats above the retail units.

I'm really excited by the updates to the building, the architects and planners have done a great a job.

I'm very concerned about what type of retail establishments will occupy the retail units.

My two main concerns are late night noise and heavy smoke.

The outdoor retail space is below a row of bedrooms which have windows facing Bishops Bridge Road. It is extremely important that no activity take place on the outdoor space after 10pm. The noise carries extremely easily and was a big headache for residents when the previous tenant occupied that space.

I'm happy for the restaurant to stay open till late but the outdoor patio space must not be used after 10pm. This should be a strict component of the license for the sake of neighbouring residents.

I'd also like to make sure that there will be no heavy smoking outside. Again this is

connected to the previous tenant which was a Hookah lounge/ sheesha cafe. The dense smoke carried straight into the bedroom and throughout the house.

With this being a Turkish restaurant I know that there is restaurant in soho from the same company which doesn't offer hookah pipes but I'd like to make sure that this place does not either.

Thanks and best, Afolabi

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 CIP1 applies** It is the Licensing Authority's policy to refuse applications in the Cumulative Impact 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 Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas. Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, **Policy RNT2 applies** PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history

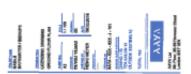
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

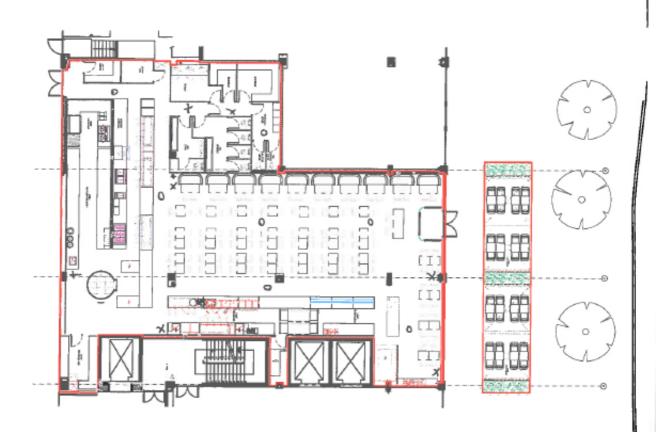
Report author:	Mr Yiannis Chrysanthou		
	Senior Licensing Officer		
Contact:	Telephone: 7641 1876 Email: ychrysanthou@westminster.gov.uk		

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

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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		
5	EH Representation		
6	Police Representation		
7	SEBRA Representation		
8	Mr Dipo Osho Representation		
9	Afolabi Kuti Representation		







Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated III OS III.

BABAJI PIDE

APPLICATION FOR NEW RESTAURANT PREMISES LICENCE



PRESENTATION TO WESTMINSTER CITY COUNCIL

BABAJI PIDE

Babaji is a contemporary restaurant and they are looking to open their second restaurant in Londonat the Bishops quarter site.

The first is located in the heart of London, near Piccadilly Circus, on Shaftesbury Avenue at the corner with Wardour Street. Pide, sometimes called 'Turkish pizza,' is a boat-shaped flat bread with a variety of toppings that may include ground lamb, or beef; 'Sucuklu,' with Turkish sausage (the 'c' is pronounced, 'j)'; or 'Peyniri', Black Sea-style, with lashings of butter and cheese. Seven kinds of pide are served from the brick oven that sits at the warm heart of Babaji.

Babaji is Alan Yau's response to the disappointment he felt upon trying pide, in London and Istanbul, and finding nothing special. "It seemed to me that nobody was taking particular pride in their pide," notes Mr Yau.

"Pide fascinates me from the point of view of its potential as a World Food. To have a global impact on food culture, the product has to be both sufficiently generic and at the same time it must have the capability of crossing cultural boundaries. I feel that pide has those attributes."

"In terms of the simplicity of the product, it has only two to three components; it's carbohydrate-based; it's extremely easy to replicate. I think those three criteria are most important to my definition of 'World Food,' a food product that has universal appeal. Here is something very close to a Pizza, but which sits in the middle of a very niche, extremely ethnic menu, that most people won't have heard of."

"The evolution of a World Food is a migratory process and there is no single example that achieved that status by staying at home. It requires a certain transformative evolution that comes from going out into the world." Karadeniz pide (Black Sea pide) was not widely available in Istanbul until the large scale migrations from the Black Sea in the 60's & 70's and, in fact, the most venerable Pide Salonu in Istanbul is only about 50 years old.

'Babaji' is the affection a Daddy's girl or boy has for their father, spelled 'babaçi' in Turkish, but pronounced, 'babaji'. Affable and avuncular types from the Mediterranean through to India are affectionately called, 'Babaji,' so the name, like the pide, crosses cultural boundaries.

Set out on the next few pages are the achievements of the operator and a small snapshot of the quality to expect.

The applicant will work closely with the responsible authorities and local residents to promote the four licensing objectives.

ALAN YAU

2015 Launch of Babaji

2015 Launch of Duck and Rice and Park Chinois

ALAN YAU OBE



Alan Yau OBE, the globally known and respected restaurateur, is the creative force behind the culinary, design and musical vision of Park Chinois.



THE DESIGN OF THE BABAJI

Turkish design studio Autoban, led by Seyhan Ozdemir and Sefer Caglar, has designed Babaji Pide Salonu from their office in Istanbul. It is the first restaurant they have created for Alan Yau, having built up a dialogue and mutual understanding over several years.

In the relatively short period since Autoban was founded in 2003, the studio has secured a strong reputation for its work across spectacular interiors, furniture, lighting and accessories. In many respects, Ozdemir and Caglar have invented a new image for Turkish design on the international stage, creating a design language that respects the traditions of their country in parallel with a strong contemporary vernacular. This approach makes Autoban a clear design partner for Yau, as they share many philosophies and ideals.



"We have always admired Yau's ability to mix the heritage of food with contemporary ideas," claims Ozdemir. Of course, Yau's vision to create a contemporary pide restaurant in the heart of London sparked the imagination of the design duo. "Alan first described his concept to us in 2011, and a few years later when he had secured this fantastic site, ideas in our heads started to become a reality."

IMAGES OF BABAJI





SAMPLE MENU





· MEZE ·
SAMPHIRE V
CACIK V
KISIR *
HOMEMADE HUMUS V
CHARGRILLED RED PEPPERS V 4.80 With olive oil, garlic & lemon
OVEN BAKED HALLOUMI V5.50 With tomato & oregano
FRIED CALAMARI
BÖREK 4.80
ROASTED EGGPLANT V
HAMSİ 4.50 Pan-fried whitebait in breadcrumb
LAMB SHISH

TURKISH-STYLE PIZZA IS CALLED 'PIDE' (PEE-DEH')

PIDE IS A KIND OF BREAD MADE WITH LEAVENED DOUGH THAT'S FLATTENED OUT WITH THE FINGERS TO GIVE IT ITS SPECIAL SHAPE

PIDE ORIGINATES FROM THREE TURKISH REGIONS: THE BLACK SEA, AEGEAN SEA & MIDDLE ANATOLIA AND IS A GREAT EXAMPLE OF TURKISH REGIONAL CUISINE KNOWN FOR ITS RICH FLAVOURS

#perfectpide

· SOUP ·

SERVED WITH WARM FLATBREAD

LENTIL SOUP V4.50 CHICKEN SOUP5.50

· SALAD ·

COBAN SALAD Y.....6.90 HÜNKAR BEĞENDİ Sicilian vine tomato, cucumber, red onion, parsley, Turkish green pepper BEETROOT SALAD V

.....6.60 Sicilian vine tomato, wild rocket,

· STOVE & GRILL ·

Turkish beef ravioli with yogurt, Turkish chilli flake & butter

Roast chicken stuties was currant & pilav rice

Beef stew with eggplant purée

with tomato & red chilli

TANDIR 12.50 Srilled lamb, tomato sauce, yogurt & Crushed bistachio.

**TOMATO & WALNUT SALAD ** ... 4.50 Oven braised lamb stew & pilav rice With pomegranate dressing

Lentil & pilav rice

10.50 CHICKEN BEYTİ 10.50 KÜNEFE Minced chicken, parsley, Turkish red chilli flake & bulgur rice

9.80 With flatbread, Carliston pepper & red onion CHARGRILLED BABY CHICKEN. 12.00

CHARGRILLED BABY CHICKEN

KURU FASÜLYE Y

7.20 Pomegranate, pistachio & mint bulgur

slow cooked Dermason bean stew wheat salad

· DESSERT ·

Sweet shredded pastry, cheese & pistachio WARM CHOCOLATE & WALNUT BROWNIE Vanilla ice cream Pumpkin, walnut & clotted cream HOMEMADE Vanilla ice cream wafer sandwich & crushed pistach '-& crushed pistachio

v Suitable for vegetarians Prices includes 20% VAT Discretionary service charge of 12.5% will be added to your bill

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TURKISH TEA

TURKISH COFFEE 3.00

3.00

POMEGRANATE JUICE

· TURKISH EGGS ·

FREE RANGE EGGS

LKIED	Euus	& SUCUK	6.80
FRIED	EGGS	& FETA V	6.00
		& SLOW COOKED	
FRIED With hor		& SUCUKfries	6,80
FRIED With pin		& SPINACH V	5.80
FRIED	EGGS	v	5.50
		Cartiston peppers	7.00

BIR * 6.50 ed eggs with Greek yoghurt & chilli oil . RDEAD & JAMS .

. BKEAD & J	4 M 2 .
BREAD BASKET *	2.50
SIMIT Y	1.90
CORN BREAD WITH ARGAN OIL V	2.00
HOMEMADE JAM V	1.50



· BREAKFAST MEZE ·

HONEY & KAYMAK V	4.00
SÖĞÜŞ ▼ Cut cucumber & Sicilian vine tomat	
GEMLIK BLACK OLIVES V	2.50
IZMIR GREEN OLIVES V	2.50
PAN-FRIED HALLOUMI V With egg, paprika & chilli	4.50
OVEN BAKED HALLOUMI V With Datterini vine tomato & oregan	
TAHINI HELVA With Pistachio V	2.50
HOMEMADE HUMUS V	4.20
CACIK V	3.50
CHEESE & SPINACH BÖREK	4.80
·CHEESE	•
FETA Y	4.00

OHELO	
FETA Y	4.00
HOMEMADE LOR V	3.00
ESKI KAŞAR V	4.00
KARS CHEDDAR "	4.00

· PIDE ·

PİDE DEVELİ 8.80 Diced beef, tomato, Turkish green pepper & parsley	
AFYON 8.80 Beef sucuk, tulum kaşar cheese, red chilli & parsley	
KAYSERİ 9.50	

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)

CARAMELISED ONIONS & WALNUT PIDE V Caramelised onions, walnut, Izmir tulum	7.60
& kaşar cheese	
MEVLANA	9.90
Beef, lamb, beef sucuk & kaşar cheese	
FOUR CHEESE PIDE	

· SOUP ·

SERVED WITH WARM FLATBREAD

CHICKEN SOUP	5.50
· SALAD ·	
CORAN SALAD V	690

Sicilian vine tomato, cucumber, red onion, parsley, Turkish green pepper BEETROOT SALAD V

.....6.60 Sicilian vine tomato, wild rocket, pomegranate, lemon & honey dressing

· STOVE & GRILL ·

Turkish beef ravioli with yogurt,
Turkish chilli flake & butter
TOPKAPI CHICKEN 9.00
Roast chicken stuffed with spiced
current & pilay rice

90 HÜNKAR BEĞENDİ....9.80 Beef stew with eggplant purée Slow cooked Dermason bean stew with tomato & red chilli

PAN-FRIED HADDOCK.... 12.50

LENTIL SOUP 4.50 MANTI 10.50 CHICKEN BEYTI

Minced chicken, parsley, Turkish red chilli flake & bulgur rice Carliston pepper, tomato & pilav rice

CHICKEN SHISH .. With flatbread, Carliston pepper & red onion

CHARGRILLED BABY CHICKEN. 12.00 Pomegranate, pistachio & mint bulgur wheat salad

Grilled lamb, tomato sauce, yogurt

· SWEET PIDE ·

· DESSERT ·

KÜNEFE Sweet shredded pastry, cheese & pista	
WARM CHOCOLATE & WALNUT BROWNIE Vanilla ice cream	5.00
KABAK	5.00
HOMEMADE PISTACHIO BAKLAVAVanilla ice cream	6.00
KAĞIT HELVA	6.00

Vanilla ice cream wafer sandwich & crushed pistachio



THE FOOD













CONDITIONS

CONDITIONS PROPOSED WITH APPLICATION

- 1. Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale or supply of alcohol.
- 2. The licence holder shall maintain a CCTV system that ensures the entry point is covered to enable frontal identification of every person entering. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.
- 3. 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.
- 4. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 5. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
- 6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
- 7. Substantial food shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
- 8. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed XXX persons

- (Number to be determined upon completion of works by the District Surveyor)
- 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
- 10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 11. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
- 12. 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.
- 13. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
- 14. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

There is no licence or appeal history for the premises

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

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

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

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

Mandatory Conditions

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

Where -

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

Conditions consistent with the operating schedule

- 1. Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale or supply of alcohol.
- 2. The licence holder shall maintain a CCTV system that ensures the entry point is covered to enable frontal identification of every person entering. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.
- 3. 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.
- 4. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 5. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
- 6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
- 7. Substantial food shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
- 8. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed XXX persons umber to be determined upon completion of works by the District Surveyor)
- 9. 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

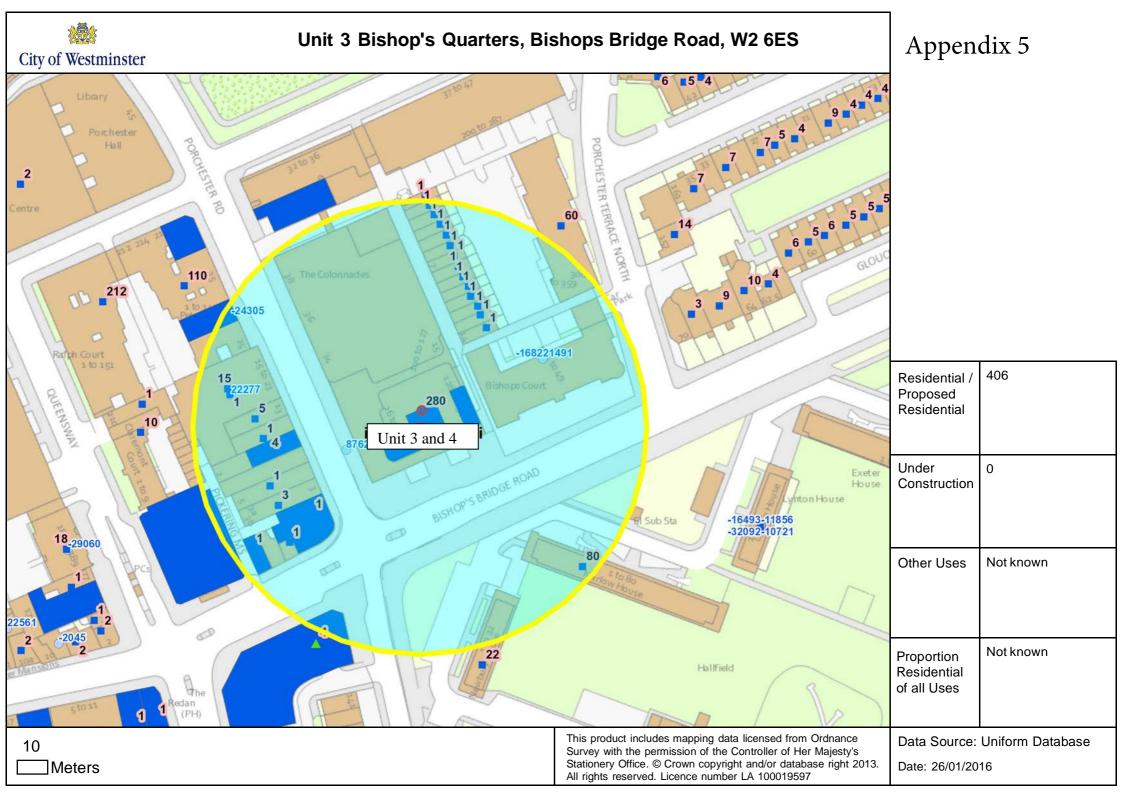
- 10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
- 12. 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.
- 13. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
- 14. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None



Premises within 75 metres of: Unit 3 and 4 Bishop's Quarters				
p/n	Name of Premises	Premises Address	Opening Hours	
-24305	BBQ Express	29-31 Porchester Road London W2 5DP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00	
-1682	Bishop Cut Price	Flat 2 Bishops Court 72-82 Bishop's Bridge Road London W2 6BE	Monday to Sunday 06:00 - 22:00	
8762	Waitrose	38 Porchester Road London W2 6ES	Monday to Sunday 08:00 - 23:00	
21491	Nokia	First Floor The Colonnades 82 Bishop's Bridge Road London W2 6BB	Monday to Sunday 00:00 - 00:00	
22277	Porchester Hall	Flat 10 23 Porchester Road London W2 5DP	Monday to Sunday 09:00 - 01:00	