



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	4 July 2019
Licensing Ref No:	19/05571/LIPV - Premises Licence Variation
Title of Report:	Buddha Bar 145 Knightsbridge London SW1X 7PA
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	9 May 2019		
Applicant:	Stefanov Consultant Ltd		
Premises:	Buddha Bar		
Premises address:	145 Knightsbridge London SW1X 7PA	Ward:	Knightsbridge
		Cumulative Impact Area:	None
Premises description:	The premises operates as a restaurant and cocktail bar specialising in Pan-Asian cuisine.		
Variation description:	<p>The changes sought by way of this application are as follows:-</p> <p>To vary the terminal hour for the following licensable activities on Monday to Saturday as follows:</p> <ol style="list-style-type: none"> 1. Extend the time the premises are open to the public to 02.00am; 2. Extend the sale of late-night refreshment to 02.00am; 3. Extend the sale of alcohol to 1.30am <p>There is no change proposed to Sunday hours</p> <p>There is no change to the hours for performance of live music and the playing of recorded music</p> <ol style="list-style-type: none"> 4. To vary Condition 11 of the Premises Licence reducing the numbers of persons currently specified from 24:00 onwards to: <ul style="list-style-type: none"> • As to the basement -150 persons • As to the ground floor - 150 persons. 		
Premises licence history:	The premises has had the benefit of a Premises Licence since 2005. The current Premises Licence reference is attached as Appendix 1 of this report. Please see Appendix 3 of the report for the full licence history.		
Applicant submissions:	There are no submissions from the applicant		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Performance of Live Music (Basement Only):						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No Change		Basement Only	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	23:30				
Seasonal variations:	Current: None				Proposed: No Change	
Anything of a similar description to Live Music or Recorded Music:						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No Change		First Floor, Ground and Basement	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	23:30				
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	
Recorded Music:						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No Change		First Floor, Ground and Basement	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit:

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No Change		First Floor, Ground and Basement	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	

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	00:30	23:00	02:00	First Floor, Ground and Basement	No Change
Tuesday	23:00	00:30	23:00	02:00		
Wednesday	23:00	00:30	23:00	02:00		
Thursday	23:00	00:30	23:00	02:00		
Friday	23:00	00:30	23:00	02:00		
Saturday	23:00	00:30	23:00	02:00		
Sunday	23:00	00:00	No Change			
Seasonal variations/ Non-standard timings:	Current: The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.				Proposed: No Change	

Sale by Retail of Alcohol

On or off sales		Current :		Proposed:		
		Both		No Change		
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	10:00	01:30	First Floor, Ground and Basement	No Change
Tuesday	10:00	00:00	10:00	01:30		
Wednesday	10:00	00:00	10:00	01:30		
Thursday	10:00	00:00	10:00	01:30		
Friday	10:00	00:00	10:00	01:30		
Saturday	10:00	00:00	10:00	01:30		
Sunday	12:00	23:30	No Change			
Seasonal	Current:				Proposed:	

<p>variations/ Non-standard timings:</p>	<p>(i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00</p> <p>(b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30</p> <p>(c) On Good Friday, 12:00 to 22:30</p> <p>(d) On Christmas Day, 12:00 to 15:00. and 19:00 to 22:30</p> <p>(e) On New Year's Eve, except on a Sunday, 10:00 to 23:00</p> <p>(f) On New Year's Eve on a Sunday, 12:00 to 22:30</p> <p>(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>(ii) Alcohol may be sold or supplied for one hour following the hours set out above other than Christmas Day and New Year's Eve and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.</p>	<p>No Change</p>
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Hours premises are open to the public

	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:30	10:00	02:00	First Floor, Ground and Basement	No Change
Tuesday	10:00	00:30	10:00	02:00		
Wednesday	10:00	00:30	10:00	02:00		
Thursday	10:00	00:30	10:00	02:00		
Friday	10:00	00:30	10:00	02:00		
Saturday	10:00	00:30	10:00	02:00		
Sunday	12:00	00:00	12:00	23:30		

Seasonal variations/ Non-standard timings:	Current:	Proposed:
	<p>(i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00</p> <p>(b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30</p> <p>(c) On Good Friday, 12:00 to 22:30</p> <p>(d) On Christmas Day, 12:00 to 15:00. and 19:00 to 22:30</p> <p>(e) On New Year's Eve, except on a Sunday, 10:00 to 23:00</p> <p>(f) On New Year's Eve on a Sunday, 12:00 to 22:30</p> <p>(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>(ii) Alcohol may be sold or supplied for one hour following the hours set out above other than Christmas Day and New Year's Eve and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours</p>	No Change

	set out above shall continue to apply.	
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1-C Layout alteration
There are no changes sought to the layout by way of this application.

1-D Conditions being varied:	
Condition	Proposed variation
<p>11. The maximum numbers of persons, including staff, to be present in the licensed premises shall not exceed the numbers specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The numbers currently specified:</p> <ul style="list-style-type: none"> • As to the basement, 200 persons • As to the ground floor, 200 persons. 	<p>11. The maximum numbers of persons, including staff, to be present in the licensed premises from 00:00 shall not exceed the numbers specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The numbers currently specified:</p> <ul style="list-style-type: none"> • As to the basement, 150 persons • As to the ground floor, 150 persons.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police
Representative:	Cheryl Boon
Received:	24 May 2019
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are making a representation against this application.</p> <p>The venue is situated outside the Cumulative Impact Area but it is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>I would like to try and arrange a meeting at the venue to discuss this application further. Would you be available for this in the afternoon on either the 3rd or 4th June 2019?</p>	
Responsible Authority:	Environmental Health
Representative:	Anil Drayan
Received:	28 May 2019
<p>I refer to the application for variation of the Premises Licence for the above premises.</p> <p>The applicant is seeking the following variations:</p> <ol style="list-style-type: none"> 1. Extend the terminal hour for the Provision of Late Night Refreshment 'indoors' to 02.00am Monday to Saturday. 2. Extend the terminal hour the Sale of Alcohol 'on' and 'off' the premises to 1.30am Monday to Saturday. 	

Representation is made in relation to the application:

1. The extension to the hours for the Provision of Late Night Refreshment may lead to an increase in Public Nuisance in the area.
2. The extension to the hours for the Sale of Alcohol 'on' and 'off' the premises may lead to an increase in Public Nuisance in the area.

Environmental Health also makes the following further comments:

- The applicant has not submitted a comprehensive Appendix 11 (of City of Westminster's Statement of Licensing Policy) assessment to indicate the likely impact on Public Nuisance of the proposals and how any potential impact will be minimised.

For information - a premises history check of Environmental Health's database shows no nuisance complaints made against the premises for at least the last 5 years.

- Further information is requested on the nature and likely number of 'pre-booked private functions' and clarification on whether the full 'restaurant' condition applies from 11pm or midnight.
- Additional conditions have been provided in the operating schedule and these are under consideration as to whether they adequately address Environmental Health concerns should the Licensing sub Committee be minded to grant the variation.

The applicant is therefore requested to contact the undersigned to discuss the above.

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	29 May 2019		
<p>I object to this application as the later hours, especially bar use is likely to result in increased noise and disturbance at night which will disrupt the much needed rest of local families at night. I am concerned for my children, who even more than adults, need a good night's rest to be focused and learn at school; this proposed extension goes directly against the health interests of children and families. Knightsbridge has historically been a residential area and later opening hours disrupts the right to quiet enjoyment of residents and changes the character of the area from residential to retail/commercial without any regard to the local residents who have invested their lives in the neighbourhood. Extension of the opening hours is therefore a public nuisance. Later hours are also likely to increase crime and disorder which has already increased very substantially in recent years because of the increased restaurant/bar activity in the close vicinity for example on Raphael Street due to the Zuma restaurant and bar. Extension of opening hours in short comes at a disproportionate cost to local residents and families' safety and right to quiet enjoyment of their homes and contributes to degrading the residential character of Knightsbridge. it also sets a very bad precedent for other business in the area who may wish to do the same.</p>			

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	31 May 2019		
I strongly object to the extension of the licence to serve drinks for the Buddha bar. Knightsbridge is a residential area and we do not want to turn it into Soho. I therefore hope the councillors will oppose this application.			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support of opposed:	Opposed
Received:	23 May 2019		
<p>We are concerned about this particular application, on the grounds of prevention of public nuisance, specifically the additional noise and disruption to the lives of local residents as a result of the proposed extension of hours. To that end we take this opportunity to refer to the Westminster City Council Statement of Licensing Policy 2016, effective since 7 January 2016, and to amended Guidance to Section 182 of the Licensing Act 2003 issued in April 2018. The application envisages extending the terminal hour for the sale of alcohol to 01.30, Monday to Saturday, and the provision of late night refreshment to 02.00. This would be contrary to at least two of the City of Westminster's licensing objectives, being the prevention of crime and disorder and the prevention of public nuisance. Granting the application to extend permitted hours would increase the disturbance experienced by local residents. Furthermore, the hours sought are beyond City of Westminster's core hours.</p> <p>The Council's policy states at para 2.3.4 that "the hours at which noise may occur and disturbance of residents' rest, and relaxation and sleep will be of particular concern". Residential apartments close to the Buddha Bar will be subject to increased disturbance resulting from the arrival and departure of traffic and associated dispersal of clientele, up to and beyond 2 a.m. We also refer to Policy HRS 1 which states that regard will be had to a number of factors including:</p> <ol style="list-style-type: none"> 1. Possible impact on crime and disorder, public safety and public nuisance. 2. Whether there is residential accommodation likely to be adversely affected. 3. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 4. The existing hours and the past operation of the premises. 5. Whether customers and staff have adequate access to public transport when arriving and leaving. <p>Further comments from [REDACTED] dated 23 May 2019:</p> <p>I write to object to the grant of the above application, on the basis that the application, if granted, would be to harm the licensing objectives of prevention of public nuisance.</p> <p>Background</p> <p>Since 1961 the Knightsbridge Association ("KA") has promoted the interests of residents, businesses and visitors of the Knightsbridge neighbourhood. Knightsbridge is not a well-</p>			

defined term but, roughly, it includes the area from Hyde Park Corner to the east to Queen's Gate to the west and from Hyde Park to the north to Brompton Road to the south.

The Knightsbridge Association is a not for profit, non-political, voluntary organisation representing local residents and businesses in relation to residential and commercial planning applications and monitors licensing applications. It also monitors street cleaning and lighting and liaises with the police on crime prevention.

Many of our residents have communicated their concerns to us and the Knightsbridge Association's representation reflects these concerns. We understand that these residents either have done or are likely to make their own representations to the Premises Licensing Committee.

Prevention of public nuisance

We are concerned about this particular application, on the grounds of prevention of public nuisance, specifically the additional noise and disruption to the lives of local residents as a result of the proposed extension of hours. To that end we take this opportunity to refer to the Westminster City Council Statement of Licensing Policy 2016, effective since 7 January 2016, and to amended Guidance to Section 182 of the Licensing Act 2003 issued in April 2018. The application envisages extending the terminal hour for the sale of alcohol to 01.30, Monday to Saturday, and the provision of late night refreshment to 02.00. This would be contrary to at least two of the City of Westminster's licensing objectives, being the prevention of crime and disorder and the prevention of public nuisance. Granting the application to extend permitted hours would increase the disturbance experienced by local residents. Furthermore, the hours sought are beyond City of Westminster's core hours.

The Council's policy states at para 2.3.4 that "*the hours at which noise may occur and disturbance of residents' rest, and relaxation and sleep will be of particular concern*". Residential apartments close to the Buddha Bar will be subject to increased disturbance resulting from the arrival and departure of traffic and associated dispersal of clientele, up to and beyond 2 a.m. We also refer to Policy HRS 1 which states that regard will be had to a number of factors including:

1. *Possible impact on crime and disorder, public safety and public nuisance.*
2. *Whether there is residential accommodation likely to be adversely affected.*
3. *The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.*
4. *The existing hours and the past operation of the premises.*
5. *Whether customers and staff have adequate access to public transport when arriving and leaving.*

In relation to point 5 above, we note that most of the bar's clientele arrive and depart by car, creating significant noise at all hours.

Finally and perhaps most importantly, I believe that the application if granted would set a precedent to be used by other hotels, restaurants, bars and cafes in the area to argue for late night opening that matched that granted to the Buddha Bar.

Accordingly, we lodge our objection and ask the Sub-Committee to take this representation into account when considering the application. Please let me know the date of the hearing once it is known, so that either I or another representative of the KA can attend.

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]

Status:	Valid	In support or opposed:	Opposed
Received:	24 May 2019		
This is a residential area and we really do not need any further attractions for unsociable behavior			
Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	3 June 2019		
<p>[REDACTED] overlooks Knightsbridge with bedrooms that overlook The Paxtons Head, Mr Chows and the Budha Bar. Currently we suffer from a great deal of excess noise created by smokers standing outside these premises and patrons turning out late at night.</p> <p>This letter is submitted in objection to the application seeking variation to licensable activities. Granting a licence would provide a further nuisance to the residents in the area.</p> <p>The proposal as submitted to Westminster City Council raises issues in relation to:</p> <p>Nuisance to residents Crime and disorder Loss of Amenity/Character and Appearance Refuse and Cleaning</p> <p>Nuisance to Residents: There are many flats that both overlook and have bedrooms that face onto Knightsbridge. Without doubt the proposal will introduce, into the early hours of the morning, a significant increase in noise.</p> <p>Crime and Disorder: Potential for damage to property if customers are allowed to leave in the early hours of the morning having drunk significant quantities of alcohol.</p> <p>Loss of Amenity/Character and Appearance: Any significant increase in noise will impact adversely on issues of amenity, character and appearance of the area.</p> <p>Refuse and Cleaning: Any extension to the current license will result in an increase in smokers standing outside the premises and as a consequence a greater number of uses cigarette ends strewn around the area.</p>			
Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	4 June 2019		
This will increase noise and disorderly behaviour at unreasonable hours within close proximity to our home.			

I also do not support that there is a demand for these hours to be extended.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed

Received: 31 May 2019

2019 I am against the grant of the license extension. I am concerned that the later terminal hour and the bar use (as opposed to restaurant) it is likely to result in an increase in noise and disturbance to residents.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	

Status:	Valid	In support or opposed:	Opposed
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Received: 23 May 2019

[REDACTED]
[REDACTED]
[REDACTED] immediately affected by the application.

This letter is submitted in objection to the application seeking variation to licensable activities. Granting a licence would provide a further nuisance to the residents in the area.

The proposal as submitted to Westminster City Council raises issues in relation to:

- o Nuisance to residents
- o Crime and disorder
- o Loss of amenity/Character and appearance
- o Refuse and cleaning

Loss of amenity/character and appearance

There are a significant number of residential flats/units that either look onto Knightsbridge road or have their entrance on it. It is beyond peradventure that the proposal will introduce a significant level of noise. This is and will be an unwanted and unwelcome intrusion into the immediate vicinity that will impact adversely on issues of amenity, character and appearance of the area.

Refuse and cleaning

Those patrons wanting to smoke will also have to congregate further out or along Knightsbridge road and used cigarette ends will tend to be spread further and wider as a direct result.

Crime and disorder

Potential for damage to property if customers are allowed to leave in the early hours of the morning, having drunk significant quantities of alcohol.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	

Status:	Valid	In support or opposed:	Opposed
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Received: 6 June 2019

I object to the licensing application made by the Buddha Bar to serve drinks after midnight.

Extending the licence for the bars to serve drinks will encourage people to stay longer in the bar and to drink more.

This will increase noise, disturbance and crime for the neighbourhood.

Knightsbridge is a residential area where there are already too many bars.

I therefore hope the licence will be rejected.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	3 June 2019		

We act for the [REDACTED]. We are instructed to submit this letter of representation in respect of the application ("the Application") by Stefanov Consultants Ltd ("the Applicant") for the variation of its premises licence ("Premises Licence") at the Buddha Bar, 145 Knightsbridge SW1X 7PA ("the Venue").

Preliminary matters

We wish at the outset to point out that the Applicant's name is incorrectly set out in the Application. We believe that the licence holder is Stefanov Consultant Ltd and not Stefanov Consultants Ltd.

The Applicant, through its solicitor, invited our client to meet to discuss the Application. There was some confusion as an application had already been submitted and withdrawn. The Applicant's solicitor has explained that this was in order that they could find out what fee was payable to Westminster City Council.

At the meeting the Applicant, through its legal representatives, informed our client of the application that was to be submitted. Our client wishes to make it clear that it did not see this as a consultation.

[REDACTED]

[REDACTED] represents the residents ("the Residents") of 1 [REDACTED] ("the Apartments"). The Apartments consist of 201 apartments occupied by approximately 500 people including many families with young children and elderly people.

The Apartments are located to the west of the Venue on Knightsbridge.

[REDACTED] is authorised by the Residents to submit this letter of representation.

Policy and Guidance

We make reference in this representation to the Westminster City Council Statement of Licensing Policy 2016 ("the Policy") and to amended guidance issued under section 182 of the Licensing Act 2003 ("the Guidance")

Grounds for the representation

The Application may be summarised as a proposal to extend the hours permitted for licensable activities at the Venue.

This representation is made on the basis that the Application, if granted, is likely to be contrary to the licensing objectives, being the prevention of crime and disorder, public safety, the protection of children from harm and, in particular, the prevention of public nuisance.

We set out below, in further detail, the grounds for KMRC's representation.

Policy HRS1

The Application is for hours outside of Westminster's core hours.

The Policy states at paragraph 2.3.4 that "the hours at which noise may occur and disturbance of residents' rest, relaxation and sleep will be of particular concern."

We refer to paragraph 2.3.2 of Policy HRS 1.

The operating schedule within the Application gives no consideration to the limited availability of public transport in the early hours of the morning. The nature of the Venue's clientele is that a large percentage of their patrons expect to be dropped off and collected by car, immediately outside of the Venue. The grant of the Application to extend permitted hours would increase this activity.

We refer to Policy HRS1 which sets out the criteria for applications outside of core hours.

This includes;

1. Possible impact on crime and disorder, public safety and public nuisance.
2. Whether there is residential accommodation likely to be adversely affected.
3. The past operation of the premises.
4. Whether customers and staff have adequate access to public transport when arriving and leaving.

Should the Application be granted, there is a significant likelihood of an increase in public nuisance and possible issues of public safety and crime and disorder.

As indicated elsewhere in this representation there is residential accommodation likely to be adversely affected by the grant of the Application.

The Application does not address the inadequate access to public transport for customers and staff when arriving and leaving the Venue particularly late at night and for the hours being the subject of the Application.

Public Nuisance

Policy PN1

As indicated above, the Venue is in an area of residential accommodation and there is significant residential accommodation immediately adjacent to the Venue.

Paragraph 2 of the schedule of proposed conditions ("the Schedule") suggests that patrons will be admitted to the Venue as late as 0100 hours.

Then, even later, patrons will be allowed to leave the Venue to smoke and then be readmitted. This activity, in the early hours, will be likely to cause a public nuisance.

Paragraph 5 of the Schedule provides that the Venue will operate as a restaurant but only after 00.00 hours. █████ considers it unusual for a bar to transform into a restaurant at midnight and questions how this could possibly be managed or enforced.

Paragraph 5 of the Schedule is inconsistent with the Applicant's own Application. In Box M paragraph (a) on page 11 the Applicant proposes a restaurant condition that applies after 23:00.

█████ notes with concern that the Applicant proposes that the restaurant condition (whether this be from 23.00 or 00.00) does not apply to persons attending pre-booked private functions. There is no limit to the number of or frequency of such functions.

The issues that are likely to arise from the grant of the Application are:

1. Increased numbers of people, many of whom will be in high spirits, departing from the premises late at night and making noise as they do so.
2. Increased numbers of people arriving and departing from the premises at any time during the day, evening and night and making noise as they do so.
3. Increased numbers of taxis or private vehicles congregating and leaving their engines on whilst waiting to pick up passengers with additional disturbance created by the noise of doors opening and closing and horns being used.
4. Increased numbers of people congregating to smoke outside the premises, conversing and otherwise making noise whilst standing there.
5. Increased numbers of staff being present on site to serve customers and these staff gathering (most likely) outside of the building when enjoying breaks (not necessarily when smoking) and again making noise.
6. The increased use of the Venue for events may attract photographers and journalists congregating on Knightsbridge, obstructing the highway and creating public nuisance through noise and general disturbance.
7. Additional deliveries to the premises due to larger scale and more frequent events.

The grant of the Application would significantly increase the impact of the public nuisance due to the extended hours sought by the Applicant for licensable activities.

Policy CD1

The Applicant has not explained how the operation of the Venue to the early hours of the morning will promote the prevention of crime and disorder.

The Policy refers in Appendix 12 to the widely acknowledged link between consumption of alcohol and crime. It also states that alcohol causes an increase in anti-social behaviour.

█████ expects that should the Application be granted, it is likely that there will be an increase in crime and disorder in the area.

Policy CH1

Many of the Residents have young children. The grant of the Application is likely to result in late

night noise and so disturbance to sleep.

The Residents have a legitimate expectation of a good night's sleep.

Policy PS1

The position of the Venue does not lend itself to the safe departure of large numbers of patrons and in particular late at night. An increase in anti-social behaviour inside and immediately outside the Venue, an increase in patrons smoking on the pavement outside the Venue and the inevitable increase in traffic for the drop off and collection of patrons is likely to threaten public safety.

Guidance

The Guidance states at paragraph 2.16 that public nuisance is not defined in the Licensing Act 2003 and retains its broad common law meaning. Guidance states:

“It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises”.

The grant of the Application would clearly be contrary to the Guidance as the proposals of the Venue, if implemented, are likely to result in increased nuisance to many people who live locally.

Summary

In the light of the above the [REDACTED] opposes the grant of the Application on the grounds that it would be contrary to the licensing objectives, the Policy and the Guidance.

[REDACTED] is concerned that should this variation be granted, there will be numerous other venues who will feel encouraged to apply for later hours. Applicants will expect consistency from Westminster City Council and so we run the risk of multiple late night venues in what is a residential area.

We reserve the right, on the part of our client, to expand on the contents of this letter of representation by way of the submission of additional information and to call witnesses to support the points that our client has made in this letter.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
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.
Policy RNT1 applies:	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. 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:	Michelle Steward Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: msteward1@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	April 2018
3	Metropolitan Police Service Representation	24 May 2019
4	Environmental Health Service Representation	28 May 2019
5	Public Representation 1	29 May 2019
6	Public Representation 2	31 May 2019
7	Public Representation 3	23 May 2019
8	Public Representation 4	24 May 2019
9	Public Representation 5	3 June 2019
10	Public Representation 6	4 June 2019
11	Public Representation 7	31 May 2019
12	Public Representation 8	23 May 2019
13	Public Representation 9	6 June 2019
14	Public Representation 10	3 June 2019

Applicant Supporting Documents

Appendix 2

None

Licence & Appeal History



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

Schedule 12
Part A

WARD: Knightsbridge
And Belgravia
UPRN: 200001093780

Premises licence

Regulation 33, 34

Premises licence
number:

14/02652/LIPT

Original Reference:

05/08642/LIPC

Part 1 – Premises details

Postal address of premises:

Buddha Bar
145 Knightsbridge
London
SW1X 7PA

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Live Music

Monday to Saturday: 10:00 to 00:00 (Basement only)
Sunday: 12:00 to 23:30 (Basement only)

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music or Recorded Music

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

Part 2

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

Stefanov Consultant Ltd
Flat 21
Garrick House
Carrington Street
London
W1J 7AF

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

08271350

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

Name: Mr Stefan Konstaninov Stefanov

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: 13/09817/LIPERS
Licensing Authority: City Of Westminster Council

Date: 25th September 2014

Signed: pp

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Operational Director - Premises Management

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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
8. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

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.

9(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.

9(ii) For the purposes of the condition set out in paragraph 9(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.
- 9(iii). Where the permitted price given by Paragraph 9(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.
- 9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Conditions for Sale of Alcohol

10. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
11. The maximum numbers of persons, including staff, to be present in the licensed premises shall not exceed the numbers specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The numbers currently specified:
- As to the basement, 200 persons
 - As to the ground floor, 200 persons.

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

12. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00. and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30

- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above other than Christmas Day and New Year's Eve and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 13. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

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

Annex 2 – Conditions consistent with the operating Schedule

15. In the basement, the Supply of Alcohol shall be by waiter or waitress service only except when the premises are being used for private or pre-booked functions.
16. The basement of the premises shall be set out with tables and chairs at all times save for events which have been notified in advance to the Metropolitan Police and Environmental Health Consultation Team.
17. The premises will install and maintain a comprehensive CCTV system as per the recommendations 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 to the public and the recordings shall be kept available for a minimum period of 31 days with time and date stamping. Recordings shall be made available, immediately upon the request of an authorised officer or a police officer together with facilities for viewing throughout the preceding 31 day period.
18. Live music shall take place in the basement only. If amplified live music is to take place, all instruments and sound generating equipment shall be routed through the sound limiter device.
19. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person.
20. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
21. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. All entrance doors and windows to be kept closed except for immediate access and egress of persons.
24. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
25. No speakers to be directly attached to the building structure.
26. 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.
27. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.

28. 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.
29. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

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

None

Annex 4 – Plans

Attached



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

Schedule 12
Part B

Premises licence
summary

WARD: Knightsbridge
And Belgravia
UPRN: 200001093780

Regulation 33, 34

Premises licence
number:

14/02652/LIPT

Part 1 – Premises details

Postal address of premises:

Buddha Bar
145 Knightsbridge
London
SW1X 7PA

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Live Music

Monday to Saturday: 10:00 to 00:00 (Basement only)
Sunday: 12:00 to 23:30 (Basement only)

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music or Recorded Music

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

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

Stefanov Consultant Ltd
Flat 21
Garrick House
Carrington Street
London
W1J 7AF

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

08271350

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

Name: Mr Stefan Konstaninov Stefanov

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

Restricted

Date: 25th September 2014

Signed: pp

A highly stylized, cursive handwritten signature in black ink. The signature is composed of several overlapping loops and sharp, sweeping strokes that extend across the width of the page.

Operational Director - Premises Management

Application	Details of Application	Date Determined	Decision
05/08642/LIPC	Conversion of Premises Licence	26 September 2005	Granted under delegated authority
07/00611/WCCMAP	Master Licence	2 August 2007	
07/01177/LIPDPS	Application to vary the Designated Premises Supervisor	22 February 2007	Granted under delegated authority
07/04654/LIPDPS	Application to vary the Designated Premises Supervisor	5 July 2007	Granted under delegated authority
07/06297/LIPT	Application to transfer the premises licence	18 July 2007	Granted under delegated authority
07/06681/LIPDPS	Application to vary the Designated Premises Supervisor	18 July 2007	Granted under delegated authority
08/00472/LIPT	Application to transfer the premises licence	25 April 2008	Granted under delegated authority
08/00474/LIPDPS	Application to vary the Designated Premises Supervisor	25 April 2008	Granted under delegated authority
08/01204/LIPV	Application to vary the premises licence	18 March 2008	Granted under delegated authority
09/01278/LIPDPS	Application to vary the Designated Premises Supervisor	27 February 2009	Granted under delegated authority
11/06279/LIPDPS	Application to vary the Designated Premises Supervisor	8 July 2011	Granted under delegated authority
12/02218/LIPV	Application to vary the premises licence	24 April 2012	Granted under delegated authority
12/04471/LIPT	Application to transfer the premises licence	12 June 2012	Granted under delegated authority

12/07793/LIPV	Application to vary the premises licence	11 October 2012	Granted under delegated authority
12/09245/LIPDPS	Application to vary the Designated Premises Supervisor	6 November 2012	Granted under delegated authority
13/01300/LIPDPS	Application to vary the Designated Premises Supervisor	14 March 2013	Granted under delegated authority
13/03979/LIPDPS	Application to vary the Designated Premises Supervisor	17 June 2013	Granted under delegated authority
13/06576/LIPV	Application to vary the premises licence	24 October 2013	Refused
13/10228/LIPDPS	Application to vary the Designated Premises Supervisor	24 January 2013	Granted under delegated authority
14/02652/LIPT	Application to transfer the premises licence	14 May 2014	Granted under delegated authority
19/04572/LIPV	Application to vary the premises licence	18 April 2019	Withdrawn
19/04573/LIPV	Application to vary the premises licence	18 April 2019	Withdrawn

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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

- (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
8. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

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.

9(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.

9(ii) For the purposes of the condition set out in paragraph 9(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.

9(iii). Where the permitted price given by Paragraph 9(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.

9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

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

Conditions for Sale of Alcohol

10. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
11. The maximum numbers of persons, including staff, to be present in the licensed premises shall not exceed the numbers specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The numbers currently specified:
- As to the basement, 200 persons
 - As to the ground floor, 200 persons.

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

12. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
 - (c) On Good Friday, 12:00 to 22:30
 - (d) On Christmas Day, 12:00 to 15:00. and 19:00 to 22:30
 - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
 - (f) On New Year's Eve on a Sunday, 12:00 to 22:30
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above other than Christmas Day and New Year's Eve and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
 - (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
 - (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

13. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

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

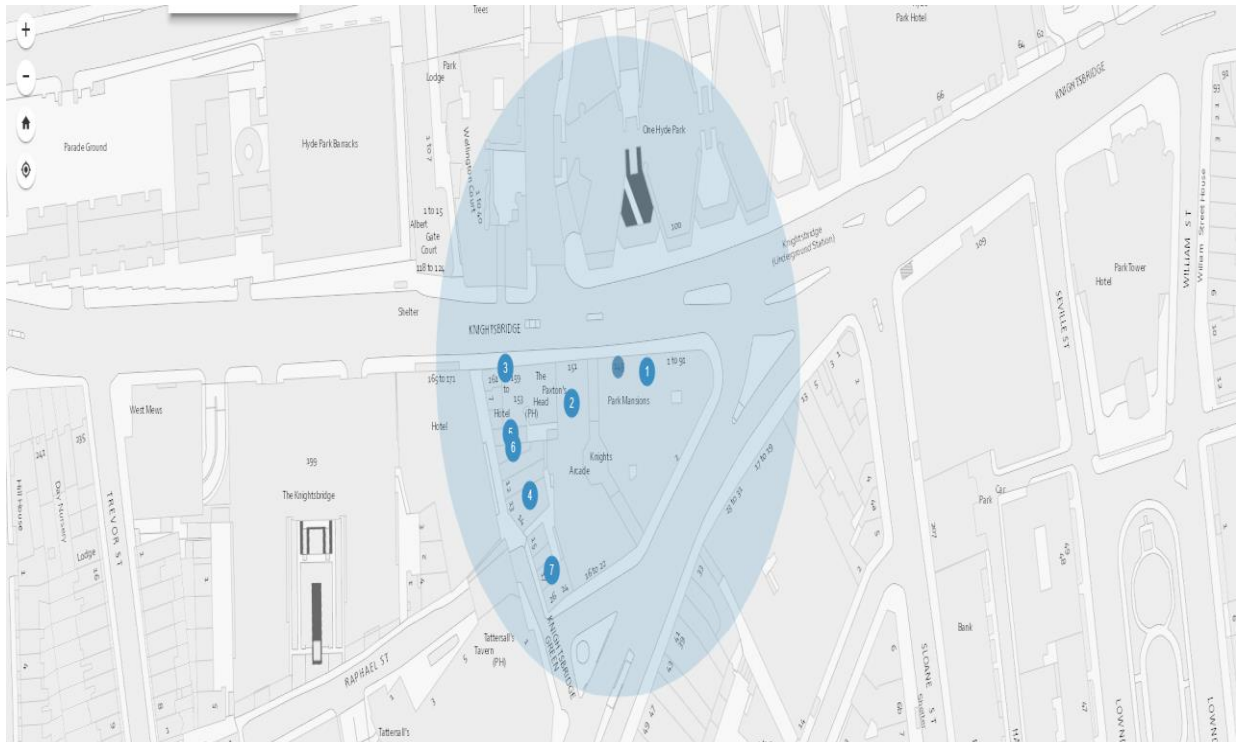
Annex 2 – Conditions consistent with the operating Schedule

15. In the basement, the Supply of Alcohol shall be by waiter or waitress service only except when the premises are being used for private or pre-booked functions.
16. The basement of the premises shall be set out with tables and chairs at all times save for events which have been notified in advance to the Metropolitan Police and Environmental Health Consultation Team.
17. The premises will install and maintain a comprehensive CCTV system as per the recommendations 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 to the public and the recordings shall be kept available for a minimum period of 31 days with time and date stamping. Recordings shall be made available, immediately upon the request of an authorised officer or a police officer together with facilities for viewing throughout the preceding 31 day period.
18. Live music shall take place in the basement only. If amplified live music is to take place, all instruments and sound generating equipment shall be routed through the sound limiter device.
19. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person.
20. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
21. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. All entrance doors and windows to be kept closed except for immediate access and egress of persons.
24. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
25. No speakers to be directly attached to the building structure.
26. 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.
27. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.

28. 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.
29. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

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

None



Resident Count: 100

Premises within 75 metres of Buddha Bar, 145 Knightsbridge, London, SW1X 7PA				
Licence Number	Trading Name	Address	Premises Type	Time Period
14/02652/LIPT	Buddha Bar	145 Knightsbridge London SW1X 7PA	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/08765/LIPDPS	Mr Chow Restaurant	151 Knightsbridge London SW1X 7PA	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/13288/LIPDPS	Paxtons Head Public House	153 Knightsbridge London SW1X 7PA	Public house or pub restaurant	Monday to Sunday; 10:00 - 01:30
18/08049/LIPCH	Signor Sassi	13 - 14 Knightsbridge Green London SW1X 7QL	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00 Sundays before Bank Holidays; 12:00 - 01:00

17/04182/LIPT	Kateh Restaurant	9 Knightsbridge Green London SW1X 7QL	Restaurant	Monday to Saturday; 11:00 - 23:00 Sunday; 12:00 - 22:30 New Year's Eve; 11:00 - 01:00
07/01492/WCCMAP	Sunny News	10 Knightsbridge Green London SW1X 7QL	Shop	Monday to Sunday; 05:30 - 23:00
16/14239/LIPN	Not Recorded	17 Knightsbridge Green London SW1X 7QL	Restaurant	Monday to Thursday; 06:00 - 23:30 Friday to Saturday; 06:00 - 00:00 Sunday; 06:00 - 22:30