



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	26 September 2019
Licensing Ref No:	19/08992/LIPV - Premises Licence Variation
Title of Report:	Shampers Wine Bar Ground Floor 4 Kingly Street London
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 020 7641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	23 July 2019		
Applicant:	Mr Simon Mark Pearson		
Premises:	Shampers Wine Bar		
Premises address:	Ground Floor 4 Kingly Street London W1B 5PE	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The premises trade as a wine bar and restaurant		
Variation description:	To remove condition 5 of the current premises licence to permit draught beer to be served at the premises.		
Premises licence history:	The premises has had the benefit of a premises licence since at least 2005. The current premises licence reference 06/04160/WCCMAP is which is attached as Appendix 1 of this report. Please see Appendix 5 of the report for a full licence history.		
Applicant submissions:	None		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Ground floor	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:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:30	No change		Ground floor	No change
Tuesday	23:00	00:30				
Wednesday	23:00	00:30				
Thursday	23:00	00:30				
Friday	23:00	00:30				
Saturday	23:00	00:30				
Sunday	23:00	00:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On and off		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change		Ground floor	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:				Proposed:	
	Good Friday, 12:00 to 22:30 Christmas Day, 12:00 to 15:00. and 19:00 to 22:30 New Year's Eve, except on a Sunday, 10:00 to 23:00 New Year's Eve on a Sunday, 12:00 to 22:30 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).				No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:30	No change		Ground Floor	No change
Tuesday	10:00	00:30				
Wednesday	10:00	00:30				
Thursday	10:00	00:30				
Friday	10:00	00:30				
Saturday	10:00	00:30				
Sunday	12:00	00:00				
Seasonal variations/ Non-standard timings:	Current: 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).				Proposed: No change	

1-C Layout alteration
No change

1-D Conditions being removed	
Condition	Proposed variation
Condition 5 - There shall be no sale or supply of draught beer	

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	30 July 2019
<p>I refer to the application to vary the Premises Licence number for the above-mentioned premises located within the West End Cumulative Impact Area. I have considered the information that you have provided within and accompanying this application. I have also considered the proposed licensable activities in line with the relevant policies within the Council's Statement of Licensing Policy dated January 2016.</p> <p>Applicant seeks to remove condition 5 which reads "There shall be no sale or supply of draught beer" from the Premises licence</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I</p>	

wish to make the following representations:

The request to sell or supply draught beer at the premises would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact Area

It is my view that, as presented, the application does not fully address the concerns of Environmental Health. Additional conditions may be proposed.

The applicant is asked to contact the undersigned to discuss the application and its wider implication on the licensing objectives of Public Nuisance and Public Safety.

Responsible Authority:	Licensing Authority
Representative:	Angela Seaward
Received:	20 August 2019

I write in relation to the application submitted for a variation of the premises licence for Shampers Wine Bar, Ground Floor, 4 Kingly Street, London, W1B 5PE.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks the following variations:

Variation of the licence in order to serve draught beer.

In order to assess the application to determine that there is unlikely to be any impact to the cumulative impact area, the Licensing Authority encourages the applicant to provide further submissions on how they intend to ensure that there will be no addition to the cumulative impact area from patrons consuming draft beer.

3. Policy & Guidance

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

Policy CIP1 applies	(i) 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.
Policy HRS 1 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

	<p>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></p> <p>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 provision of other licensable activities:</u></p> <p>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 PB2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

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	Current premises licence
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:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 020 7641 8094 Email: kjackaman@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
4	Environmental Health Service representation	30 July 2019
5	Licensing Authority Representation	20 August 2019



Schedule 12
Part A

WARD: West End
UPRN: 999000066035

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

06/04160/WCCMAP

Part 1 – Premises details

Postal address of premises:

Shampers Wine Bar
Ground Floor
4 Kingly Street
London
W1B 5PE

Telephone Number: 020 7437 1692

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Regulated Entertainment:

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

Late Night Refreshment
Sale by Retail of Alcohol

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

Regulated Entertainment:

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

Late Night Refreshment: Monday to Saturday - 23:00 to 00:30

Late Night Refreshment: Sunday - 23:00 to 00:00

Sale by Retail of Alcohol: Monday to Saturday - 10:00 to 00:00

Sale by Retail of Alcohol: 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:

On and Off

Part 2

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

Mr Simon Mark Pearson
114 St Julians Farm Road
London
SE17 0RL
Telephone Number : 020 7439 9910

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

N/A

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

Name:	Simon Mark Pearson
Address:	114 St Julians Farm Road London SE17 0RL
Phone:	Not Supplied

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:	Not Supplied
Licensing Authority:	Not Supplied

Date: _____

Signed: _____
Director of Legal & Administrative Services

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.

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

Conditions for Sale of Alcohol

4. 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.
5. There shall be no sale or supply of draught beer.

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

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

In this condition, permitted hours means:

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

7. 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.

Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Annex 4 – Plans

Attached

KEY



MANUAL FIRE ALARM CALL POINT



CEILING MOUNTED SMOKE DETECTOR
CONNECTED TO LANDLORDS ALARM SYSTEM



EXTINGUISHER - WATER



EXTINGUISHER - HALON GAS



EXTINGUISHER - DRY POWDER



EXTINGUISHER - CARBON DIOXIDE



EXTINGUISHER - FIRE BLANKET



EXTINGUISHER - FOAM



ELECTRONIC SOUNDER

FE

FIRE EXIT



EMERGENCY EXIT SIGN WITH EU APPROVED ARROW
INDICATING DIRECTION OF TRAVEL



FIRE RESISTANT PARTITIONS NOT LESS THAN 30 MINUTES.

**SHAMPERS WINE BAR, 4 KINGLY STREET,
LONDON, W1R 5LF**

SCALE 1:100

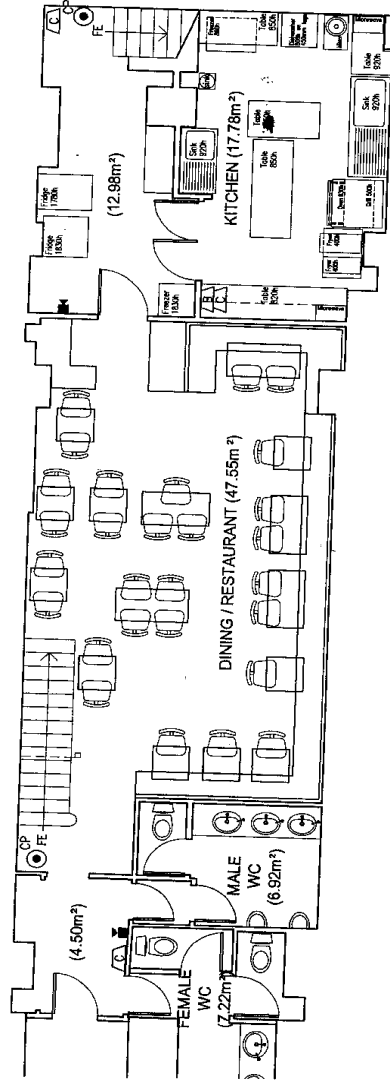
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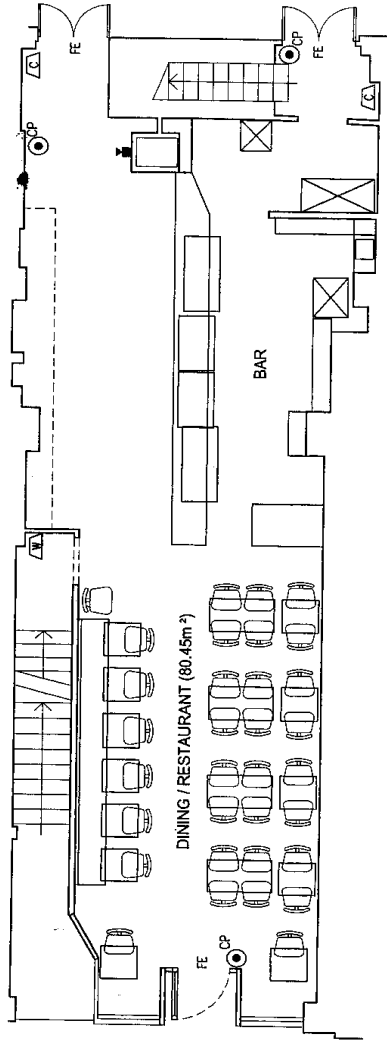
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BASEMENT PLAN



GROUND FLOOR PLAN



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

Schedule 12
Part B

WARD: West End
UPRN: 999000066035

Premises licence
summary

Regulation 33, 34

Premises licence number:

06/04160/WCCMAP

Part 1 – Premises details

Postal address of premises:

Shampers Wine Bar
Ground Floor
4 Kingly Street
London
W1B 5PE

Telephone Number: 020 7437 1692

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Regulated Entertainment:

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

Late Night Refreshment
Sale by Retail of Alcohol

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

Regulated Entertainment:

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

Late Night Refreshment: Monday to Saturday - 23:00 to 00:30

Late Night Refreshment: Sunday - 23:00 to 00:00

Sale by Retail of Alcohol: Monday to Saturday - 10:00 to 00:00

Sale by Retail of Alcohol: 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:

On and Off

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

Mr Simon Mark Pearson
114 St Julians Farm Road
London
SE17 0RL

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

N/A

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

Name: Simon Mark Pearson

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

Restricted

Date: _____

Signed: _____
Director of Legal & Administrative Services

Applicant Supporting Documents

Appendix 2

None submitted

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/10605/LIPC	Conversion	05.10.2005	Granted under delegated authority
06/04160/WCCMAP	Master licence	05.10.2005	Granted under delegated authority

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

Where -

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

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

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

Conditions for Sale of Alcohol

9. 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.
10. There shall be no sale or supply of draught beer.

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

11. (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.

12. 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.

Annex 2 – Conditions consistent with the operating Schedule

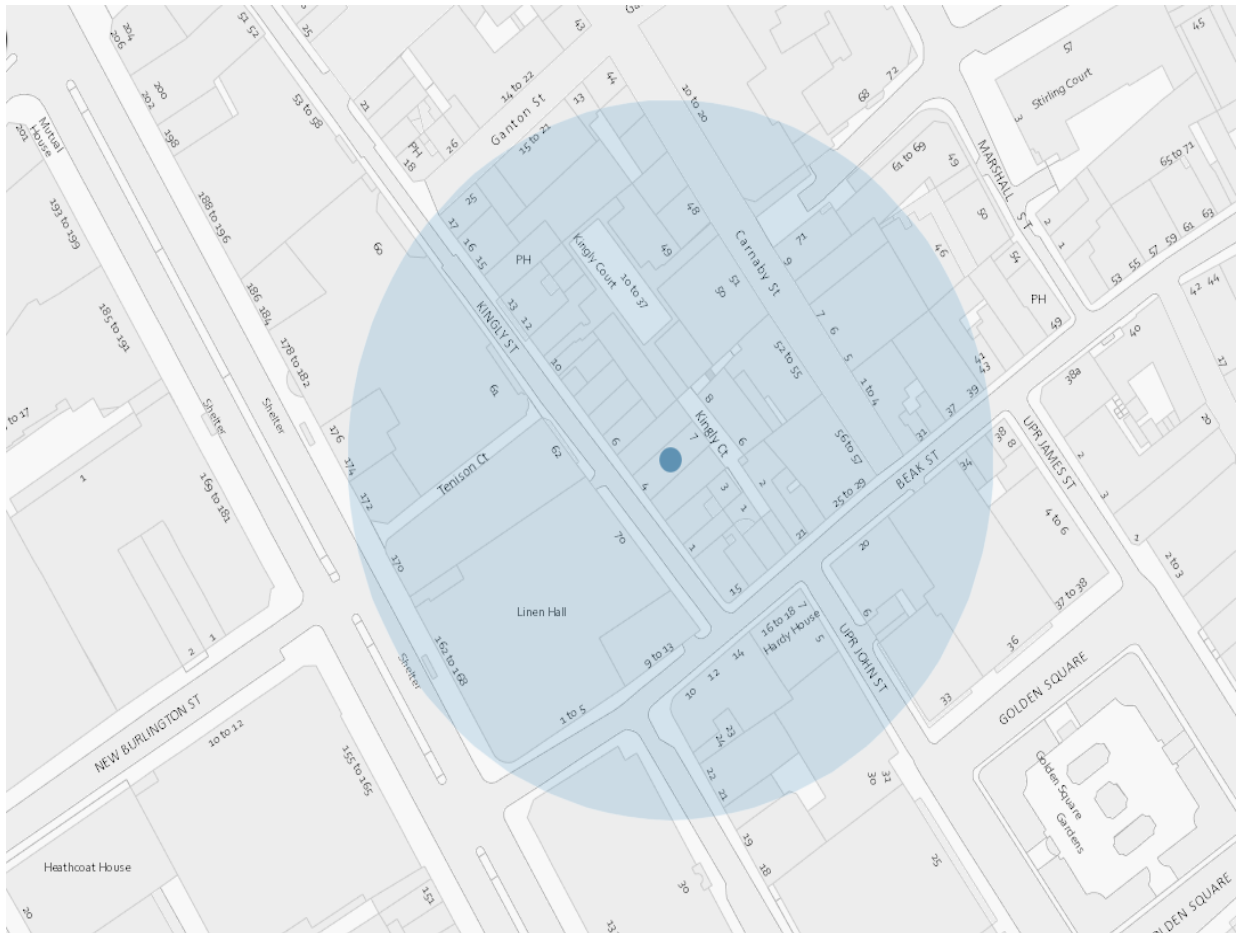
None

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

None

Conditions proposed by the Environmental Health

13. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
14. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
15. No deliveries to the premises shall take place between 23.00 hours and 08.00 hours on the following day.



Resident count: 22

Licensed premises within 75 metres of 4 Kingly Street, W1

06/04160/WCCMAP	Shampers Wine Bar	Ground Floor 4 Kingly Street London W1B 5PE	Wine bar	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/08888/LIPVM	Tatty Bogle Club T/a Casa Bonita	5 Kingly Street London W1B 5PF	Restaurant	Monday; 09:00 - 01:10 Tuesday; 09:00 - 01:10 Wednesday; 09:00 - 01:10 Thursday; 09:00 - 01:10 Friday; 09:00 - 01:10 Sunday; 09:00 - 01:00

19/02088/LIPDPS	Two Floors	Ground Floor 3 Kingly Street London W1B 5PD	Shop	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00
17/09285/LIPDPS	Rum Kitchen, First Floor, Units 1.12 And 1.13	Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
11/07877/LIPDPS	Open Space	Kingly Court London	Park / Open Space	Monday to Sunday; 00:00 - 00:00
17/12158/LIPDPS	Senor Ceviche	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
19/02435/LIPDPS	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
14/04377/LIPDPS	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
16/12530/LIPVM	Dirty Bones Units 2.12 And 2.13	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
14/11127/LIPVM	Oka Restaurant Units 1.14 - 1.16	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00

15/11467/LIPDPS	Le Bab (Units 2.10 And 2.11)	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/04862/LIPVM	Disrepute	Basement And Ground Floor 4 Kingly Court London W1B 5PW	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00 Sundays before Bank Holidays; 09:00 - 01:30
17/07358/LIPDPS	Darjeeling Express, Unit 2.14-2.16	Former Ground Floor Unit G2 Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
14/06042/LIPDPS	Life Goddess	Former Unit 1.9 Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/09824/LIPCH	Shoryu	Former Unit G3 Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/03113/LIPVM	Whyte And Brown	Former Ground Floor Unit G2 Kingly Court London	Restaurant	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30
06/06301/WCCMAP	Myung Ga Restaurant	15 Beak Street London W1F 9SX	Cafe	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/09005/LIPCH	Flat Iron	17 Beak Street London W1F 9RW	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00

18/03059/LIPDPS	Soho Grind	Basement And Ground Floor 19 Beak Street London W1F 9RP	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
19/03433/LIPDPS	The Court	9 Kingly Street London W1B 5PH	Club or institution	Monday to Friday; 09:00 - 03:30 Saturday; 09:00 - 00:30 Sunday; 12:00 - 23:00
18/02217/LIPDPS	Pizza Pilgrims	11 Kingly Street London W1B 5PL	Shop	Monday to Sunday; 08:00 - 00:30
15/00525/LIPN	Pizza Pilgrims Kiosk	11 Kingly Street London W1B 5PL	Shop	Monday to Saturday; 08:00 - 23:00 Saturday; 10:00 - 23:00 Sunday; 10:00 - 22:30
19/05416/LIPDPS	Cahoots	Unit G 13 Kingly Court London W1B 5PW	Night clubs and discos	Monday to Wednesday; 09:00 - 03:00 Thursday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00
18/13744/LIPV	Wright Brothers Soho	12 - 13 Kingly Street London	Restaurant	Monday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00
18/01074/LIPT	Byron	Hardy House 16- 18 Beak Street London W1F 9RD	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Sundays before Bank Holidays; 08:00 - 00:00
19/02708/LIPDPS	Be At One	10 Beak Street London W1F 9RA	Restaurant	Monday; 09:00 - 03:00 Monday; 09:00 - 01:30 Tuesday to Thursday; 09:00 - 03:30 Friday to Saturday; 09:00 - 04:30 Sunday; 09:00 - 01:00 Sundays before Bank Holidays; 09:00 - 03:00

17/14852/LIPN	Sweaty Betty	1 - 2 Carnaby Street London W1F 9QG	Shop	Monday to Sunday; 08:00 - 20:00
16/10514/LIPDPS	Red Lion Public House	14 Kingly Street London W1B 5PR	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/00042/LIPDPS	Jinjuu	Basement And Ground Floor 15 - 16 Kingly Street London W1B 5PT	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/10085/LIPDPS	Rosas	23A Ganton Street London W1F 9BW	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00 Christmas Eve; 12:00 - 00:00 Christmas Eve; 10:00 - 00:00
17/03861/LIPDPS	NOPI	21 - 22 Warwick Street London W1B 5NE	Restaurant	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 00:00
17/09470/LIPV	Premises Is 19 Ganton Street	15-21 Ganton Street London W1F 9BN	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
18/07664/LIPDPS	Cirque Le Soir	Basement 15-21 Ganton Street London W1F 9BN	Night clubs and discos	Monday; 00:00 - 00:00 Wednesday to Saturday; 00:00 - 00:00
18/16015/LIPDPS	Dehesa	17 Kingly Street London W1B 5PU	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/12533/LIPDPS	M & C Saatchi	36 Golden Square London W1F 9JX	Office	Monday to Sunday; 00:00 - 00:00

19/01980/LIPT	Polpo	Ground Floor 41 - 43 Beak Street London W1F 9SB	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00
16/11722/LIPVM	Sacred Cafe	13 Ganton Street London W1F 9BL	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30