

Licensing Sub-Committee Report

Item No:	
Date:	23 January 2020
Licensing Ref No:	19/16017/LIPN - New Premises Licence
Title of Report:	Basement And Ground Floor 40 Great Windmill Street London W1D 7LY
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:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 0207 641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	28 November 2019		
Applicant:	Istanbul Street Food Ltd		
Premises address:	Basement And Ground Floor 40 Great Windmill Street London W1D 7LY	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	This is an application for a new premises licence which will operate as restaurant situated on the ground floor with the kitchen and back of house facilities situated in the basement.		
Premises licence history:	This is a new premises licence application, no premises licence history exists.		
Applicant submissions:	There are no submissions from the applicant.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays immediately prior to Bank Holidays to 00:00					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays immediately prior to Bank Holidays to 00:00.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	09:00
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays immediately prior to Bank Holidays to 00:30.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (<i>Withdrawn 7 January 2020</i>)
Representative:	PC Adam Deweltz
Received:	12 December 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 within the Cumulative Impact Area. 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 be looking for the following condition to be on the premises licence:</p> <p>The premises shall only operate as a restaurant</p> <ul style="list-style-type: none">(i) in which customers are shown to their table,(ii) where the supply of alcohol is by waiter or waitress service only,(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,(iv) which do not provide any take away service of food or drink for immediate consumption,(v) which do not provide any take away service of food or drink after 23.00, and(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p> <p>If this can be agreed, I would be in a position to withdraw my representation.</p> <p>On the 7 January 2020, the Metropolitan Police Service agreed to amend the Model Condition 66 to read as follows and withdrew their representation:</p> <p>The premises shall only operate as a restaurant</p> <ul style="list-style-type: none">(i) in which customers are shown to their table,(ii) where the supply of alcohol is by waiter or waitress service only,(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,(iv) which do not provide any take away service of food or drink after 23.00, and(v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p>	
Responsible Authority:	Environmental Health Service (<i>Withdrawn 10 January 2020</i>)
Representative:	Sally Fabbricatore
Received:	17 December 2019
<p>I refer to the application for a new Premises Licence for the above premises.</p>	

The premises are situated in the West End Cumulative Impact Area as stated in City of Westminster's Statement of Licensing Policy.

This representation is based on the Operating Schedule and the submitted plans, for the ground floor and basement (drawing number ONM/03/04) dated 2nd October 2019.

The applicant is seeking the following on the ground floor:

1. To allow the Supply of Alcohol 'on' and 'off' the premises Monday to Thursday 10:00-23:30 hours, Friday- Saturday 10:00-00:00 hours and Sunday 12:00-22:30 hours. To also allow from the end of New Year's Eve to the start of New Year's Day and on Sundays immediately prior to bank holidays 00:00 hours.

2. To allow Late Night Refreshment 'indoors' Monday-Thursday 23:00-23:30 hours and Friday and Saturday 23:00-00:00 hours. To also allow from the end of New Year's Eve to the start of New Year's Day and on Sundays immediately prior to bank holidays 00:00 hours.

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

1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the cumulative impact area, it may also impact on Public Safety.

2. The provision of Late Night Refreshment may cause an increase in Public Nuisance in the cumulative impact area.

The applicant has proposed conditions within the Operating Schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.

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

Following the agreement of conditions, Environmental Health withdrew their representation on the 10 January 2020.

Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	23 December 2019

I write in relation to the application submitted for a new premises licence for 40 Great Windmill Street, London.

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:

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

Friday to Saturday 23:00 to 00:00

Non Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

On Sundays immediately prior to Bank Holidays to 00:00

• Retail Sale of Alcohol On & Off Premises

Monday to Thursday 10:00 to 23:30

Friday to Saturday 10:00 to 00:00

Sunday 12:00 to 22:30

Non Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

On Sundays immediately prior to Bank Holidays to 00:00

• Opening Hours to Public

Monday to Thursday 08:00 to 00:00

Friday to Saturday 08:00 to 00:30

Sunday 09:00 to 23:00

Non Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

On Sundays immediately prior to Bank Holidays to 00:30

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and RNT2.

The Licensing Authority note that the application is within core hours and the intended use of the premises is a restaurant. As part of the operating schedule the applicant has proposed the following condition:

1. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

The Licensing Authority encourages the applicant to replace the above condition with Westminster's Model Condition 66, to bring the application in line with RNT2;

MC66 - The premises shall only operate as a restaurant

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

meals.

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

The Licensing Authority encourages the applicant to provide further submissions as to how the premises will be operated and controlled, i.e. will the premises operate by way of waiter/waitress service?

The applicant has applied for the sale by retail of alcohol both on and off the premises. The Licensing Authority would encourage the applicant to provide further submissions as to the proposed operation of the 'off sales' from the premises, and how this is intended to be operated and controlled from the premises to ensure that there is no adverse impact within the West End Cumulative Impact Area. The Licensing Authority would propose model conditions 16 and 17 as follows;

1. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
2. There shall be no sales of alcohol for consumption off the premises after 23.00 hours

The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority would like confirmation whether the applicant is agreeable to the above proposed conditions to be able to assess any further relevant policy considerations.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25 December 2019

I would like to express my objection to the application of 40 Great Windmill Street.

My view and main concerns are as follows:

1. Within such a short distance, there are already 4 busy pubs and bars, which are St. James Tavern (from number 45), Lyric (number 36) , Be At One (number 20), Duke of Argyll Pub and other restaurants that also serve alcohol. The Archer Street Bar is just diagonally opposite of Be At One, and they mainly serve alcohol. Further down the street, there is another pub, The White Horse.

1. Sophie's Restaurant and Bar (number 44) is on the same street, they are a large scale restaurant which can hold hundreds of customers with plenty of alcohol sold on the daily and particularly on weekends.

2. A newsagent (38 Great Windmill Street) also sells alcohol.

3. Their young drunk customers not only produce noise, fights, arguments, litter and vomit over the streets nearly every weekend in the evening, but also urinate on every single corner, especially during the summer. The most disastrous area is behind the red telephone booths, next to McDonald's. Another spot is the alley opposite of Soho Primary school. Although there are mobile toilets placed opposite of Sophie's restaurant on Fridays and Saturdays, the situation is still terrible.

As you are probably aware, there is a primary school in very close vicinity to the above applied premises. I believe this can only bring a further negative environment to these children.

Please kindly consider that granting yet another alcohol licence to the applied premises will further damage our environment, negatively affect the community - especially for the primary school nearby, and seriously affect the residents, especially we are living above the premises and will suffer the most.

Thanks for your kind consideration in advance.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	<p>(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.</p> <p>(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.</p>
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 RNT2 applies	<p>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</p>

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.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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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	Metropolitan Police Service	12 December 2019
5	Environmental Health Service	17 December 2019
6	Licensing Authority	23 December 2019
7	Resident 1	25 December 2019

Applicant Supporting Documents

Appendix 2

There are no supporting documents from the applicant.

Premises History

Appendix 3

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
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. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
15. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (TBC) persons.

Proposed condition 15 from Environmental Health and agreed with the applicant so as to form part of the operating schedule:

15. **The number of seated persons (excluding staff) shall not exceed 15 persons on the ground floor of the premises.**
16. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 07.00 hours on the following day.
19. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 on the following day.
20. 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. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service.

21. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
22. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
23. Before the premises are open to the public, the plans deposited with the application (or subsequently substituted plans where there have been changes to layout) will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed.

Conditions proposed by the Metropolitan Police Service and agreed with the applicant so as to form part of the operating schedule:

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

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

Conditions proposed by the Licensing Authority (at the time of writing this report no response had been received):

25. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
26. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.

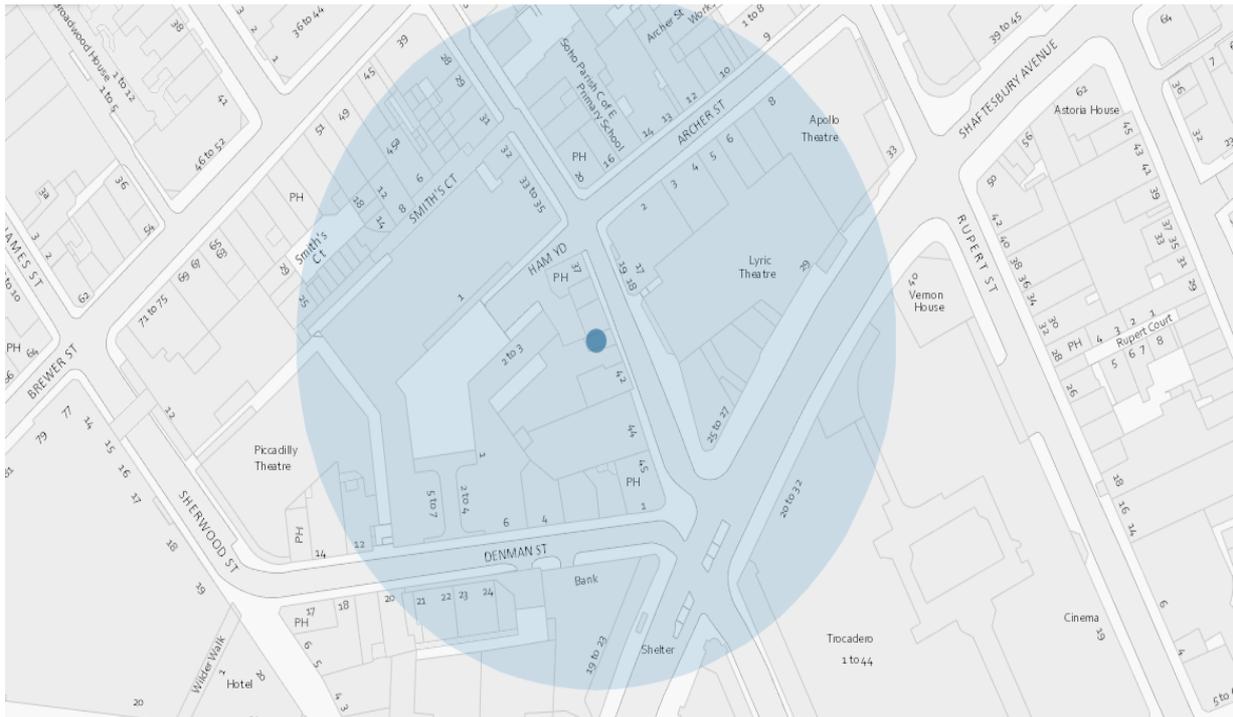
Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the operating schedule:

27. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
28. There shall be no self service of alcohol.
29. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
30. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.

31. They shall be no off sales beyond 23:00 hours.

Residential Map and List of Premises in the Vicinity

Appendix 5



Resident Count within a 75 metre radius of the premises: 81

Licence Number	Trading Name	Address	Premises Type	Time Period
14/07220/LIPN	(Restaurant)	Basement And Ground Floor 39 Great Windmill Street London W1D 7LX	Restaurant	Monday to Saturday; 11:00 - 01:00 Sunday; 11:00 - 00:00
18/01482/LIPN	West End Metro	Ground Floor 38 Great Windmill Street London W1D 7LU	Shop	Monday; 07:00 - 02:00 Tuesday; 07:00 - 02:00 Wednesday; 07:00 - 02:00 Thursday; 07:00 - 02:00 Friday; 07:00 - 02:00 Saturday; 07:00 - 02:00 Sunday; 07:00 - 02:00
16/08679/LIPT	The Lyric Public House	37 Great Windmill Street London W1D 7LT	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday;

				10:00 - 00:00 Sunday; 12:00 - 22:30
14/08609/LIDPSR	The Lyric Public House	37 Great Windmill Street London W1D 7LT	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
18/08234/LIPDPS	The Windmill	17 - 19 Great Windmill Street London W1D 7JZ	Night clubs and discos	Monday to Saturday; 09:00 - 05:30 Sunday; 09:00 - 03:00
19/00196/LIPN	Not Recorded	17 - 19 Great Windmill Street London W1D 7JZ	Sexual Entertainment Venue	Monday to Saturday; 09:00 - 05:30 Sunday; 09:00 - 03:00
17/00087/LIPT	Sophie's Steakhouse	42 - 44 Great Windmill Street London W1D 7ND	Restaurant	Monday to Saturday; 09:00 - 01:30 Sunday; 09:00 - 23:00
17/15045/LIPDPS	Sophies	42 - 44 Great Windmill Street London W1D 7ND	Restaurant	Monday to Saturday; 09:00 - 01:30 Sunday; 09:00 - 23:00
19/13655/LIPDPS	Ham Yard Hotel	Ham Yard Hotel 1 Ham Yard London W1D 7DT	Hotel, 4+ star or major chain	Not Recorded; XXXX - XXXX
15/12078/LIPDPS	Engawa	2 Ham Yard London W1D 7DT	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
08/06982/LIPDPS	Lyric Theatre	Avenue House 25-27 Shaftesbury Avenue London W1D 7EG	Theatre	Monday to Sunday; 09:00 - 00:00
18/06239/LIPRW	Shaftesbury Food And Wine	Ground Floor Middle Avenue House 25 - 27	Shop	Monday to Sunday; 07:00 - 01:00

		Shaftesbury Avenue London W1D 7EQ		
16/06157/LIPT	McDonald's	Ground Floor Right And Basement Avenue House 25 - 27 Shaftesbury Avenue London W1D 7EQ	Restaurant	Monday to Thursday; 05:00 - 00:00 Friday to Saturday; 05:00 - 01:00 Sunday; 05:00 - 23:00
18/13694/LIPVM	St James Tavern Public House	45 Great Windmill Street London	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Sundays before Bank Holidays; 07:00 - 00:00
19/09766/LIPCH	Shoryu Soho	2-3 Denman Street London W1D 7HA	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
06/06847/WCCMAP	Chilli Shaker Indian Cuisine	4 Denman Street London W1D 7HD	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/04243/LIPVM	Archer Street	Basement And Ground Floors 3 - 4 Archer Street London W1D 7AP	Night clubs and discos	Monday; 09:00 - 01:30 Tuesday; 09:00 - 01:30 Wednesday; 09:00 - 01:30 Thursday; 09:00 - 01:30 Friday; 09:00 - 01:30 Saturday; 09:00 - 01:30 Sunday; 09:00 - 23:00 Sundays before Bank Holidays; 09:00 - 00:00
19/15732/LIPDPS	Be At One	20 Great Windmill Street London W1D 7LA	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to

				Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:50
17/02349/LIPDPS	Soju Restaurant	32 Great Windmill Street London W1D 7LR	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
18/11379/LIPT	Not Recorded	21 Great Windmill Street London W1D 7LB	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/15084/LIPT	Andina	31 Great Windmill Street London W1D 7LP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/09387/LIPCH	Bocca Di Lupo	Basement And Ground Floor 12 Archer Street London W1D 7BB	Restaurant	Monday; 07:30 - 00:00 Tuesday; 07:30 - 00:00 Wednesday; 07:30 - 00:00 Thursday; 07:30 - 00:00 Friday; 07:30 - 00:00 Sunday; 11:00 - 23:30
18/06468/LIPDPS	Gelupo	7 Archer Street London W1D 7AU	Cafe	Tuesday to Saturday; 11:00 - 01:00 Sunday to Wednesday; 11:00 - 23:00
18/13324/LIPDPS	Rainforest Cafe	20-24 Shaftesbury Avenue London W1D 7EU	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 03:00
19/12490/LIPDPS	Not Recorded	20-24 Shaftesbury Avenue London W1D 7EU	Miscellaneous	Monday to Sunday; 09:00 - 04:00
18/09335/LIPT	Golden Nugget Casino	22 - 32 Shaftesbury Avenue London W1D 7EJ	Casino or gambling club	Monday to Saturday; 10:00 - 06:30 Sunday; 12:00 - 06:30
19/09769/LIPCH	Japan Centre	19 Shaftesbury	Shop	Monday to Saturday;

		Avenue London W1D 7ED		08:00 - 23:30 Sunday; 12:00 - 23:00
10/03172/LIPN	Kim's Mart	24-25 Denman Street London W1D 7HS	Shop (large)	Monday to Sunday; 09:00 - 22:00
16/09243/LIPV	Kricket Soho	12-14 Denman Street London W1D 7HJ	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
13/10107/LIPDPS	Masters Club	Basement 12 - 14 Denman Street London W1D 7HL	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00
14/05537/LIPVM	Apollo Theatre	Apollo Theatre 31 - 33 Shaftesbury Avenue London W1D 7EZ	Theatre	Monday to Sunday; 09:00 - 00:00
17/09357/LIPN	Fiorucci	39-43 Brewer Street London W1F 9UD	Shop	Saturday to Sunday; 08:00 - 20:00
15/02567/LIPVM	Blacklock	25 Great Windmill Street London W1D 7LH	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 22:30
19/16055/LIPVM	Dirty Bones	Ground Floor 14 Denman Street London W1D 7HJ	Restaurant	Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Sunday; 12:00 - 00:00