

Licensing Sub-Committee Report

Item No:	
Date:	20 February 2020
Licensing Ref No:	19/08478/LIPN - New Premises Licence
Title of Report:	Filli Café 21 Charing Cross Road London WC2H 0ET
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	09 December 2019		
Applicant:	Fili Europe Limited		
Premises:	Filli Café		
Premises address:	21 Charing Cross Road London WC2H 0ET	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	<p>According to the application form Filli cafe is a tea cafe concept where we do mostly take away and we prepare fresh sandwiches and tea bites.</p> <p>Filli cafe is a Middle east brand and had achieved a huge success in middle east.</p> <p>Filli Cafe at Leicester Square would like to request late night due to huge demand from customers.</p>		
Premises licence history:	<p>The premises held a premises licence, licence number 15/11658/LIPDPS from July 2006 until the licence lapsed in September 2016. An application for a new premises licence was refused by Licensing Sub Committee in May 2017</p> <p>An application for planning permission to vary the use of the premises was refused by the Planning Authority on 26th November 2019. A copy of the planning decision appears at Appendix 4</p>		
Applicant submissions:	Following consultation with the Metropolitan Police Service, the applicant reduced the terminal hour for late night refreshment from 02:00 to 01:00, Monday to Sunday.		

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	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non-standard timings:				None			

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	02:00
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (<i>withdrawn 11 February 2020</i>)
Representative:	Adam Deweltz
Received:	17 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. There are also no conditions contained within the operating schedule.</p> <p>This matter will need to be heard before the Licensing Sub Committee.</p> <p>Following agreement of additional conditions and a reduction in the terminal hour for late night refreshment, the Metropolitan Police withdrew their representation on 11 February 2020</p>	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Koduah
Received:	20 December 2019
<p>I refer to the application for a new Premises Licence number for the above-mentioned premises. premises is located within the West End Cumulative Impact area. I have considered the information that you have provided within and accompanying this application.</p> <p>I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.</p> <p>The applicant is seeking to provide late night refreshment “indoors” Monday to Sunday from 23:00 hours to 02:00 hours.</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 wish to make the following representation:</p> <p>The provision of Late-Night Refreshment and the hours requested may have the likely effect of</p>	

causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area

It is my view that there is insufficient information to address the concerns of Environmental Health and the granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety

Following consultation, the Environmental Health Service have proposed additional conditions which have been agreed by the applicant so as to form part of the operating schedule.

The agreed conditions are set out at in appendix 5 below

2-B Other Persons	
Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	19 December 2019
This is a high street area	
All other local businesses have people off the street by 9/10 and close around 11 That Thursday - Sunday are valuable quieter evening for local residents and must be protected That I do not want tables and chair outside the cafe as I experienced noise disturbance when they were there last time	
Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	4 January 2020
This Representation is against the grant of a Premises Licence to permit Late Night Refreshment for eat in and takeaway by Filli Café at 21 Charing Cross Road, London WC2H 0ET until 02:00 on all days of the week. ██████████ believes that if a licence were granted it would harm the licensing objective of the prevention of Public Nuisance and ask that it is refused.	
The premises are close to residents in 17 Charing Cross Road and also opposite in Garrick House and Faraday House. Allowing the premises to remain open until 02:00 will increase the level of noise and disturbance in the vicinity of the premises and so cause a nuisance for these premises.	
From a Licensing point of view the premises can already trade until 23:00, as LNR is not a Licensable activity until this time. We would point out that the operation has also been refused Planning Permission (19/07582/FULL). Whilst Planning and Licensing are separate regimes the reasons for refusal of Planning permission are relevant to the Licensing Application. They include the impact on the amenity of residents in the vicinity and the intensification is food and drink (aka Licenced) uses in the immediate vicinity.	

asks that the application is refused outright. If the Licensing Authority is minded to any licence at all we ask that any LNR permitted is for consumption on the premises only, that there are conditions regarding no noise emanating from the premises and that windows must remain closed and doors only opened for the access and egress of customers. We are aware that a local resident has made a detailed objection including a number of Policy grounds and based on detailed local knowledge and we fully endorse the points made.

Name:	
Address and/or Residents Association:	
Received:	12 December 2019

I strongly object to this application for extension of trading hours. This business caused a noise nuisance during the summer when they (against the councils instructions) put tables on the pavement and had customers chatting into the night. I made various complaints to the council during this time. The issues are as follows, this area of Charing Cross Rd is very residential. Many residences all rooms including bedrooms overlook Charing Cross Rd.

This is a high stress area so any business can and does attract noisy, drunk people who cause disturbance. Any functioning business has this negative affect unfortunately. This section of the road is also a noise basin so even relatively low levels of noise like conversation carry up into the rooms of local residents. It is very important that this licence application is rejected. It severely impacts the quality of life of residents. Obviously we have noise at the weekends due to the bars etc. However even the public house downstairs has strict rules about closing by 11.30 and drinking on the pavement after 9. We need quiet from Sunday - Thursday so the idea that a business could interfere with this valuable time is unacceptable. I have noted that customers who frequent this business tend to stand outside in mild weather smoking and chatting. I don't believe that the extension should be granted.

Please register my objection. I have also had the experience that this business are very disrespectful of the councils guidelines.

They were very defiant blocking off the pavement with barriers and tables when they did not even have permission.

Name:	
Address and/or Residents Association:	
Received:	05 January 2020

to the premises in question, where I have resided for the past 35 years; and am objecting to this application on the grounds that it will, if granted, severely compromise the Council's licensing criterion on the prevention of public disturbance.

The southernmost part of Charing Cross Road, where these premises are situate, is a comparatively narrow thoroughfare, which is, at night, intensely congested, with the heaviest footfall of any street in the country, and the present proposal is calculated to exacerbate the tumult which already exists at this time. The café stands in the midst of a number of pubs, some of which are late-closing, and hard by a heavily frequented night-bus stop, and the facility it proposes, with its 'honeypot' attraction to closing-time revellers, will unfailingly increase the incidence of unsocial, or anti-social, disturbance.

No fewer than four long-established apartment buildings – Burleigh Mansions, Charing Cross

Mansions, Faraday House and Garrick Mansions – stand in close proximity to these premises; and Garrick Mansions is obliquely, and the southern wing of Faraday House directly, opposite them. These buildings consist of 18 flats, and 24 bedrooms, including 12 children’s bedrooms. The licensing conditions imposed on (and observed by) ‘The Garrick Arms’, which is immediately adjacent to Garrick Mansions, and stands below the directly facing Faraday House south wing, are that they close by 11.30 p.m., and that all drinking outside –with the closure of all windows – end at 10 p.m. It would therefore seem both consistent and equitable that the ‘Filli Café’ should abide by the same not unreasonable conditions.

Lastly, I think it of possible relevance to draw to your attention that an objection submitted by myself and my neighbours to an application about a year ago, made by the same party, under the different rubric of Planning, but to very much the same effect as – certainly closely similar to – this present, and opposed by us likewise on closely similar grounds, was fully upheld by the Council’s Planning Sub-Committee.

This concludes the substance of my Objection, and I thank you for your kind attention.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	03 January 2020

Introduction

I write to make a ‘relevant representation’ under s18 Licensing Act 2003 in respect of the above application.

My representation is made on the basis that the likely impact of the application, if granted, will be to harm the licensing objectives, particularly ‘prevention of public nuisance’ and ‘prevention of crime and disorder’.

My background:

I live [REDACTED] which is a block containing 22 flats. The building is split into two wings, with one facing the applicant unit and the front entrance near by. I have lived here for 23 years, negotiating license and planning applications locally on behalf of residents and also previously, as a member of the CGCA.

Basis of objection

I object to the increased cumulative stress this planning application is likely to create noting the current existence high rates of accumulative impact already occurring within the vicinity:

1. The application-site exists within a designated area of high stress (West End Cumulative Impact Area CIA). Adverse impact specific to and already affecting the local amenity include:

- Highest pedestrian foot/fall – traffic in the UK and one of the highest in Europe
- Major through-fare for large groups moving between entertainment venues during evenings, often under the influence of alcohol.
- Directly adjacent to a major and busy 24 hours day/night service bus stop
- Directly adjacent to 3 popular on-street 24 hour cash-point dispensers
- In close proximity to a busy 24 hour shop, licensed to sell alcohol
- Directly opposite a busy pedestrian crossing
- Directly adjacent to a large hotel whose designated 24hr coach arrival/ pick up is opposite the application site on the east side of Charing Cross Rd (Guests must pass the application site)
- Associated with persistent high crime rates, including pick-pocketing and drug dealing
- Associated with high concentrations of persistent rough sleeping and begging
- Directly opposite 17 street facing residential family units, including bedrooms containing

young children in Garrick Mansions and Faraday House

Adjacent to a major hotel immediately to the north with 90+ rooms and many street facing bedrooms spread over 8 floors

2. Local residents already report historical issues of problems with noise, violation of planning permissions and congregation of crowds after 11pm, including rough sleepers, beggars and drug dealers directly within this vicinity.

3. It is also noted that special policies apply within the Leicester Square Conservation Area, made when the area was formally known as the Leicester Square Development Zone. These promoted the retention of food and drink establishments in the Leicester Square area so that they are never in the vicinity of residential units and primarily contained within:

Irving Street

Bear Street

Cranbourn Street

Leicester Square

Charing Cross Rd is a prolifically used public highway with a high density of residential units and should be protected by the spirit of this developmental policy.

Reference to Council Policy:

The hours sought are for takeaway and eat in. This directly contrary to the Council's SLP, policies HRS1, CIP1 and FFP2.

The Council's Statement of Licensing Policy 2016 (SLP) addresses concerns around 'late night refreshment' premises operating late at night, particularly premises which fall within Policy FFP2, and which provide takeaway and/or provide an area for customers to consume food outside the premises building. This will add to the cumulative impact of licensed premises in the area already stated.

The application is contrary to the City Council's 'cumulative impact' policy CIP1(ii). The rationale for the policy set out at para 2.4.1 is directly relevant to this application:

'These areas have been identified as Cumulative Impact Areas because the cumulative effect of the concentration of late night and drink led premises and/or night cafés has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The extent of crime and disorder and public nuisance in the Cumulative Impact Areas arises from the number of people there late at night; a considerable number of them being intoxicated, especially in the West End Cumulative Impact Area. Public services, including police, health and emergency, transport, environmental services (cleansing and refuse services) are placed under chronic strain by existing levels of activity, as are civic amenities and the quality of residential life. The urban infrastructure cannot sustain any further growth in alcohol sales or in late night-time activity levels without accentuating the risk of a variety of harmful outcomes. The retention of people late at night contributes to the cumulative impact. This arises both from the lack of late night transport and the existence of facilities such as fast food outlets that encourage people to stay on after other licensed premises have closed. Evidence for this is set out in Appendices 12 and 13.'

It is not clear whether the premises would be a full-service restaurant falling within Policy RNT2, or a fast-food premises falling within Policy FFP2 (or a mixture of both).

Policy RNT2 requires the applicant to demonstrate that they will not add to 'cumulative impact'.

Policy FFP2 states that:

'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.'

In my view, the application does not at this stage address either Policy.

Further points of concern:

An application for late night refreshment to takeaway to 3am was refused in its entirety in 2017.

There is great concern over the A planning application for change of use, presumably to facilitate the applicant's intentions, was refused earlier this year – ref: 19/07582/FULL.

A planning application for tables and chairs on the highway was also refused – ref: 19/04289/TCH.

I appreciate that the absence of lawful planning use does not preclude a premises licence being granted. Nevertheless, the reasons for the refusals are relevant to licensing, as they address issues such as nuisance.

Conclusion

The SLP suggests that dispersal of customers from the 'cumulative impact area' is key to promoting the licensing objectives. A late night refreshment licence as applied for here runs directly contrary to that aim.

Thank you for reading this representation and notifying me of the hearing date.

3. Policy & Guidance

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

<p>Policy CP1 applies</p>	<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>
<p>Policy HRS1 applies</p>	<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 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>
<p>Policy FFP2 applies</p>	<p>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.</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, marriage and civil partnership, 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	Planning decision 19/07582/FULL
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 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	Metropolitan Police Service Representation (withdrawn 11 February 2020)	17 December 2019
5	Environmental Health Service Representation	20 December 2019
6	Interested Party Representation (1)	19 December 2019
7	Interested Party Representation (2)	4 January 2020
8	Interested Party Representation (3)	12 December 2019
9	Interested Party Representation (4)	05 January 2020
10	Interested Party Representation (5)	03 January 2020

Applicant Supporting Documents

Appendix 2

None submitted

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
06/04825/LIPN	New premises licence	27.07.2006	Granted by Licensing Sub Committee
06/07600/WCCMAP	Master Licence	27.07.2006	Granted by Licensing Sub Committee
06/10308/LIPV	Variation – extension of hours	15.02.2007	Refused by Licensing Sub Committee
08/07395/LIPV	Variation – change pf layout	22.09.2008	Granted under delegated authority
11/12565/LIREVP	Review of the premises licence	16.02.2012	Review determined – additional conditions added
13/08043/LIPT	Transfer of premises licence - Mohammed Gulzar to Fresh Eats Limited	26.11.2013	Granted under delegated authority
14/00894/LIPVM	Minor variation – Change of layout	13.02.2014	Granted under delegated authority
15/08598/LIPT	Transfer of premises licence - Fresh Eats Limited to Fornetto Limited	19.10.2015	Granted under delegated authority
15/08997/LIPV	Variation – addition of alcohol/updated conditions	10.12.2015	Granted by Licensing Sub Committee
15/10295/LIPVM	Minor variation – Change of layout	01.12.2015	Granted under delegated authority
15/11658/LIPDPS	Variation of DPS	28.12.2015	Granted under delegated authority

This licence lapsed in 27 September 2016 when the Licence Holder was dissolved

Application	Details of Application	Date Determined	Decision
17/03024/LIPN	New premises licence	25.05.2017	Refused by Licensing Sub Committee

Westminster City Council

Development Planning
Westminster City Council
PO Box 732
Redhill, RH1 9FL

westminster.gov.uk



City of Westminster

Your ref: 141.01 Filli A1 to A1/A3/A5
My ref: 19/07582/FULL

Please reply to: Joshua Howitt
Tel No: 020 7641 2069
Email: southplanningteam@westminster.gov.uk

Mr Matthew Phillips
Architecture Design Limited
Fitted Rigging House
The Historic Dockyard
Chatham
Kent
ME4 4TZ
England

Development Planning
Westminster City Council
PO Box 732
Redhill, RH1 9FL

26 November 2019

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REFUSAL OF PERMISSION TO DEVELOP

The City Council has considered your application and REFUSES to permit the development referred to below as shown on the plans submitted.

Your attention is drawn to the Applicant's Rights.

SCHEDULE

Application No: 19/07582/FULL **Application Date:**
Date Received: 01.10.2019 **Date Amended:** 01.10.2019
Plan Nos: Site Locaiton Plan; PL18-0036 ID-102 00; PL18-0036 ID-101 02a; Planning Statement.
Address: 21 Charing Cross Road, London, WC2H 0ET,
Proposal: Use of basement and ground floor as a mix of retail, restaurant/ cafe and hot food takeaway (sui generis).

See next page for reasons for refusal.

Yours faithfully

Deirdra Armsby
Director of Place Shaping and Town Planning

Reason(s) for Refusal:

- 1 Your development results in the loss of a lawful Class A1 and would add to the over-concentration of non-A1 uses on this street, which would be detrimental to the character and function and to the vitality and viability of this part of the Core Central Activities Zone. This would not meet policies SS 5 and TACE 8 of our Unitary Development Plan that we adopted in January 2007, and policies S6, S7, S21 and S24 of Westminster's City Plan: Strategic Policies adopted November 2016. It is not considered there are exceptional circumstances to justify a departure from these policies.
- 2 You have provided insufficient information to demonstrate that local amenity is not adversely affected by noise disturbance and cooking smells from the kitchen equipment/ kitchen extract system which would likely be required for the proposed restaurant. Therefore your proposal could cause a nuisance to the people in the nearby residential flats. This would not meet policies ENV 6, ENV 7, ENV13 and TACE 8 of our Unitary Development Plan that we adopted in January 2007, and policies S6, S7, S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2016.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



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.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

None

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

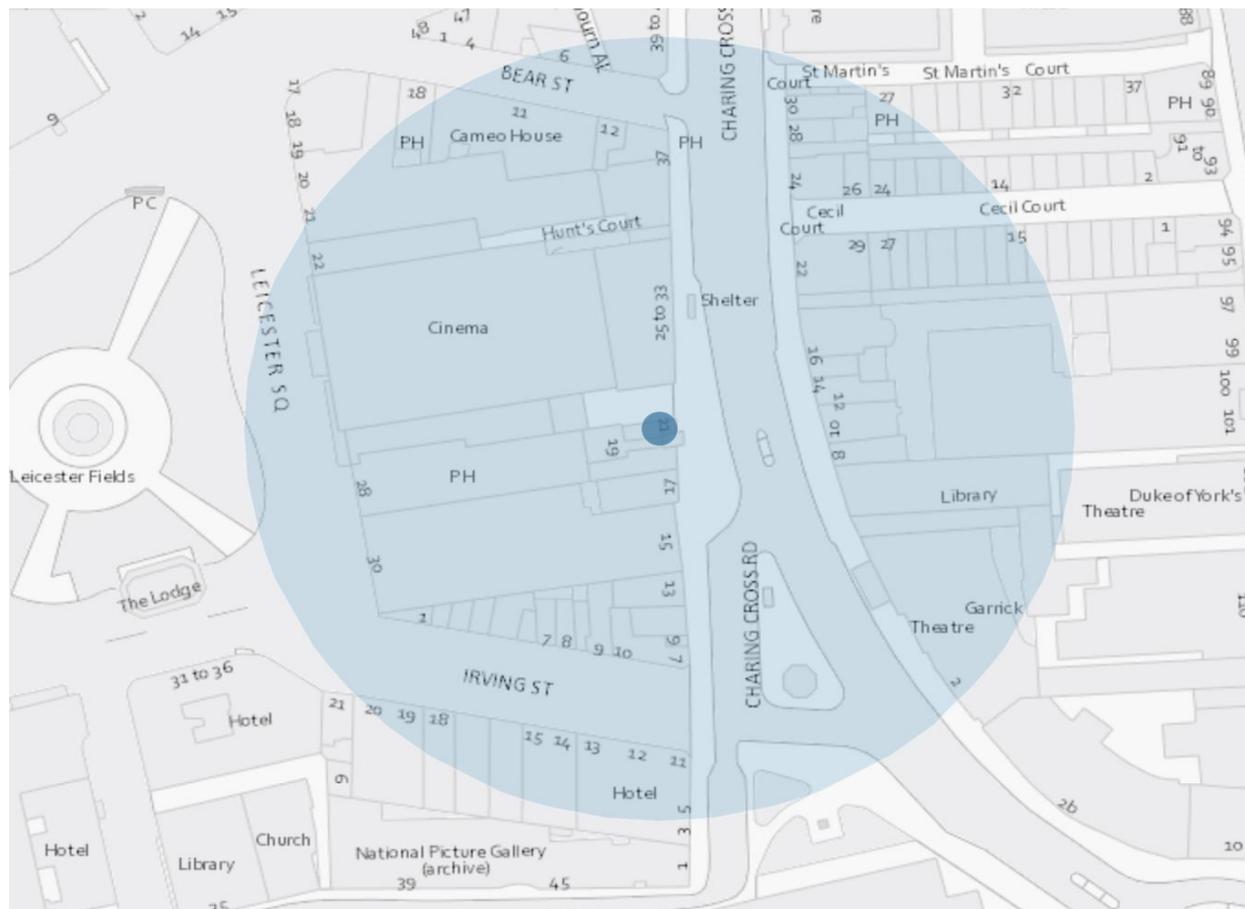
10. After 23:00 hours, 1 SIA licensed door supervisor shall be on duty at the entrance of the premises at all times whilst it is open for business
11. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
12. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons
13. There shall be no tables & chairs outside the premises building at any time
14. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
16. After 23:00 hours, the number of persons permitted in the premises at any one time (excluding staff) shall not exceed 15 persons
17. 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
18. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours
19. No deliveries to the premises shall take place between 23.00 hours and 08.00 hours on the following day
20. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided
21. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated

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

22. 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.

23. 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.
24. 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.



Resident count: 192

Licensed premises within 75 metres of 21 Charing Cross Road, London, WC2

Licence Number	Trading Name	Address	Premises Type	Time Period
16/00395/LIPT	Maharaja Of India	19A Charing Cross Road London WC2H 0ET	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/01279/LIPDPS	Saravana Bhavan	17 Charing Cross Road London WC2H 0EP	Restaurant	Monday to Sunday; 10:00 - 00:30
18/12523/LIPT	Assembly Hotel	Basement And Ground Floor Part Alhambra House 27 - 31 Charing Cross Road London WC2H 0AU	Hotel, 3 star or under	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 01:00 Sunday; 10:00 - 22:30

19/16535/LIPDPS	The Garrick Arms	8-10 Charing Cross Road London WC2H 0HG	Public house or pub 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
10/05756/LIPN	Pompidou	9A Irving Street London WC2H 7AT	Cafe	Monday to Saturday; 07:00 - 23:30 Sunday; 09:00 - 23:00
06/12648/WCCMAC	Beefsteak Club	Basement To First Floor 9 Irving Street London WC2H 7AH	Club or institution	Monday to Friday; 13:00 - 15:00 Monday to Friday; 17:30 - 23:30
17/12395/LIPVM	Not Recorded	9A Irving Street London WC2H 7AT	Cafe	Monday to Saturday; 08:00 - 23:30 Sunday; 08:00 - 23:00
18/09520/LIPDPS	Bella Italia	10 Irving Street London WC2H 7AT	Restaurant	Monday to Saturday; 09:00 - 01:00 Sunday; 09:00 - 00:00 Sundays before Bank Holidays; 09:00 - 01:00
18/14488/LIPT	Wox	8 Irving Street London WC2H 7AT	Cafe	Monday to Saturday; 23:00 - 05:00
19/16495/LIPDPS	TGI Fridays	29-30 Leicester Square London WC2H 7LA	Not Recorded	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 Sunday; 09:00 - 01:00 Sundays before Bank Holidays;

				09:00 - 01:30
18/05674/LIPDPS	Global Radio	29-30 Leicester Square London WC2H 7LA	Office	Monday to Friday; 07:00 - 00:00
18/07437/LIPVM	Moon Under Water	28 Leicester Square London WC2H 7LE	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:50 Sundays before Bank Holidays; 07:00 - 00:00
19/16053/LIPDPS	The Lost Alhambra	28A Leicester Square London WC2H 7LE	Night clubs and discos	Monday; 09:00 - 03:30 Monday to Wednesday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Thursday to Saturday; 09:00 - 06:00 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00
19/09073/LIPN	Shadow Licence	28A Leicester Square London WC2H 7LE	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00
19/04918/LIPVM	Il Padrino	6-7 Irving Street London WC2H 7AT	Not Recorded	Monday; 10:00 - 05:00 Tuesday; 10:00 - 05:00 Wednesday; 10:00 - 05:00 Thursday; 10:00 - 05:00 Friday; 10:00 - 05:00 Sunday; 11:00 - 01:30

19/02802/LIPVM	K. S. Food And Wine	Ground Floor 35 Charing Cross Road London WC2H 0AT	Shop	Monday; 08:00 - 05:00 Tuesday; 08:00 - 05:00 Wednesday; 08:00 - 05:00 Thursday; 08:00 - 05:00 Friday; 08:00 - 05:00 Saturday; 08:00 - 05:00 Sunday; 08:00 - 05:00
19/11008/LIPVM	Odeon Cinema	24 - 27 Leicester Square London WC2H 7JY	Cinema	Monday to Sunday; 00:00 - 00:00
19/05778/LIPCH	Odeon Cinema	24 - 27 Leicester Square London WC2H 7JY	Cinema	Monday to Sunday; 00:00 - 00:00
19/16138/LIPT	Caffe Italiano	2-3 Irving Street London WC2H 7AT	Restaurant	Monday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 00:00
20/00006/LIPDPS	Byron	24 Charing Cross Road London WC2H 0HX	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/05898/LIPDPS	Bear & Staff Public House	10 - 12 Bear Street London WC2H 7AX	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Sundays before Bank Holidays; 07:00 - 00:00
15/07167/LIPDPS	Bella Italia	22 Leicester Square London	Restaurant	Monday to Saturday; 09:00 - 01:00 Sunday; 09:00 - 00:00 Sundays

				before Bank Holidays; 09:00 - 01:00
19/08299/LIPDPS	The Zoo Bar And Club	Basement And Ground Floor Cameo House 13 - 17 Bear Street London WC2H 7AS	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Monday to Saturday; 09:00 - 02:30 Sunday; 09:00 - 01:00 Sundays before Bank Holidays; 09:00 - 02:30
18/15312/LIPDPS	Chiquitos	20 - 21 Leicester Square London WC2H 7JX	Restaurant	Monday to Wednesday; 08:00 - 00:30 Thursday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 00:00
19/01132/LIPVM	Steak & Co	Ground Floor 3 - 5 Charing Cross Road London WC2H 0HA	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/14184/LIPDPS	Wagamama	14A Irving Street London WC2H 7AF	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/00179/LIPT	The Halal Guys	Basement And Ground Floor 14-15 Irving Street London WC2H 7AU	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 23:30 - 23:00
09/06144/LIPDPS	Gaby's Continental Bar	30 Charing Cross Road London WC2H 0DE	Shop	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/09529/LIPN	Not Recorded	Basement And Ground Floor 16 Irving Street London WC2H 7AU	Restaurant	Monday to Saturday; 07:00 - 01:00 Sunday; 07:00 - 00:00 Christmas Eve; 07:00 - 02:30 New Year's Eve; 07:00 - 07:00

18/14963/LIPDPS	MOD Pizza	17 - 18 Irving Street London WC2H 7AU	Restaurant	Monday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00 Christmas Eve; 07:00 - 02:30 New Year's Eve; 07:00 - 07:00
15/08053/LIPVM	Garrick Theatre	2 Charing Cross Road London WC2H 0HH	Theatre	Monday to Saturday; 09:00 - 00:00 Sunday; 09:00 - 23:00
19/08300/LIPDPS	Zoo Too	18 Bear Street London WC2H 7AX	Pub or pub restaurant with lodge	Monday to Wednesday; 10:00 - 00:00 Thursday; 10:00 - 01:00 Friday to Saturday; 10:00 - 02:00 Sunday; 12:00 - 23:00