



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	12 November 2020
Licensing Ref No:	20/08359/LIPV - Premises Licence Variation
Title of Report:	Lina Stores 18 Brewer Street London W1F 0SH
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:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	16 September 2020		
<b>Applicant:</b>	Lina Stores Ltd		
<b>Premises:</b>	Lina Stores		
<b>Premises address:</b>	18 Brewer Street London W1F 0SH	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operates as an Italian delicatessen.		
<b>Variation description:</b>	<p>This application seeks the following:</p> <ul style="list-style-type: none"> <li>To remove the conditions listed at Annex 2 of the existing licence.</li> <li>To add the conditions provided at <b>Appendix 5</b> to Annex 2.</li> <li>To make alterations to the premises, as shown on the attached plans at <b>Appendix 1</b>. Changes include the following: <ul style="list-style-type: none"> <li>Re-organisation of seating in Basement</li> <li>Re-organisation of seating in Ground Floor</li> </ul> </li> </ul>		
<b>Premises licence history:</b>	The premises have had the benefit of a licence, Licence number 19/14239/LIPV from 2010. A copy of the licence can be found at <b>Appendix 4</b> .		
<b>Applicant submissions:</b>	The applicant has provided a document detailing the differences between the conditions at annex 2 of the existing licence and the proposed conditions which can be found at <b>Appendix 2</b> .		

1-B Current and proposed licensable activities, areas and hours						
<b>Late night refreshment</b>						
<b>Indoors, outdoors or both</b>		<b>Current :</b>			<b>Proposed:</b>	
		Both			No variation sought	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	23:00	23:30	No variation sought		Basement and Ground Floor	No variation sought
<b>Tuesday</b>	23:00	23:30				
<b>Wednesday</b>	23:00	23:30				
<b>Thursday</b>	23:00	23:30				
<b>Friday</b>	23:00	00:00				
<b>Saturday</b>	23:00	00:00				
<b>Sunday</b>	N/A	N/A				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> Sundays (immediately prior to Bank Holidays) 23:00 to 00:00				<b>Proposed:</b> No variation sought	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			On sales			No variation sought
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	11:00	23:00	No variation sought		Basement and Ground Floor No variation sought	
Tuesday	11:00	23:00				
Wednesday	11:00	23:00				
Thursday	11:00	23:00				
Friday	11:00	00:00				
Saturday	11:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:		Current: Sundays (immediately prior to Bank Holidays) 12:00 to 00:00			Proposed: No variation sought	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Off sales			No variation sought
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No variation sought		Basement and Ground Floor No variation sought	
Tuesday	08:00	23:00				
Wednesday	08:00	23:00				
Thursday	08:00	23:00				
Friday	08:00	23:00				
Saturday	08:00	23:00				
Sunday	10:00	22:30				
Seasonal variations/ Non-standard timings:		Current: N/A			Proposed: N/A	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	00:00	23:59	Basement and Ground Floor No variation sought	
Tuesday	00:00	00:00	00:00	23:59		
Wednesday	00:00	00:00	00:00	23:59		
Thursday	00:00	00:00	00:00	23:59		
Friday	00:00	00:00	00:00	23:59		
Saturday	00:00	00:00	00:00	23:59		
Sunday	00:00	00:00	00:00	23:59		
Seasonal variations/ Non-standard timings:		Current: N/A			Proposed: N/A	

## 1-C Layout alteration

The applicant seeks to make alterations to the premises, as shown on the attached plans at **Appendix 1**. Changes include the following:

- Re-organisation of seating in Basement
- Re-organisation of seating in Ground Floor

## 2. Representations

### 2-A Responsible Authorities

<b>Responsible Authority:</b>	Licensing Authority
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<b>Representative:</b>	Michelle Steward
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<b>Received:</b>	08 October 2020
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Dear Sir/Madam

I write in relation to the application submitted for a new premises licence for Lina Stores, 18 Brewer Street, London, W1F 0SH.

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:

1. To remove the conditions listed in Annex 2.
2. To include in Annex 2 the conditions in the attached operating schedule.
3. To make alterations to the premises, as shown on the attached plan. Changes include the following:
  - a) Re-organisation of seating in Basement
  - b) Re-organisation of seating in Ground Floor

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely HSR1, CIP1 and RNT2.

It is noted that the applicant is seeking to remove the following conditions from the Operating Schedule:

*24. All outside tables and chairs shall be rendered unusable by 2100 hours each day.*

*25. All tables and chairs shall be removed from the outside area by 2130 hours each day.*

To be replaced by the following conditions:

*15. All outside tables and chairs shall be rendered unusable by 2300 hours each day.*

*16. All tables and chairs shall be removed from the outside area by 2330 hours each day.*

It is noted that the applicant is seeking the removal of the SIA condition and the outside area increasing the capacity from 12 to 16 patrons with an additional 16 patrons in the ground floor restaurant.

The Licensing Authority raises concerns with the increase of hours and the additional capacity for both the outside space and the additional capacity for the ground floor encourages the applicant to provide further information as to how the outside area will be managed and controlled; and how this increase in hours and capacity will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1 and HRS1.

Please confirm that the basement floor will always operate as a restaurant when the premises is open for licensable activities and would ask the applicant to consider the following condition being added to the operating schedule:

- *The basement will operate as a restaurant at all times when the premises is open for licensable activities.*

With the addition of this condition, this will ensure that the premises does not fall under the Policy PB2 thus ensuring that the premises will not operate as a bar.

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

Please accept this as a formal representation.

<b>Responsible Authority:</b>	Environmental Health Service ( <b>Withdrawn 03 November 2020</b> )
<b>Representative:</b>	Sally Fabbricatore
<b>Received:</b>	13 October 2020

I refer to the variation application for the above premises. The premises benefits from a premises licence 19/14239/LIPV.

**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 005-800) dated 09/09/20.

The applicant is seeking the following on the **ground floor and basement**:

1. To amend the conditions in Annex 2.
2. To vary the layout of the basement and ground floor.

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

1. The amendments to conditions may cause an increase in Public Nuisance in the cumulative impact area, it may also impact on Public Safety.
2. The change to the layout may cause an increase in Public Nuisance in the cumulative impact area and it may impact on Public Safety.

The applicant has proposed conditions in the Operating Schedule, which are being considered.

**The granting of the variation 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.**

Should you wish to discuss the matter further please do not hesitate to contact me.

**Following agreement of conditions, the Environmental Health Service representation was withdrawn on 03 November 2020.**

<b>Responsible Authority:</b>	Metropolitan Police Service ( <i>Withdrawn 03 November 2020</i> )
<b>Representative:</b>	PC Reaz Guerra
<b>Received:</b>	14 October 2020

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

The venue is situated in the West End Cumulative Impact, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

There is insufficient detail within the operating schedule to promote the Licensing Objectives.

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

It is for these reasons that we are objecting to the application.

**Following additional discussion with the applicant, the Metropolitan Police Service representation was withdrawn on 03 November 2020.**

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<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>
<b>Policy HRS1 applies</b>	<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><b>For premises for the supply of alcohol for consumption on the premises:</b>  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><b>For premises for the supply of alcohol for consumption off the premises:</b>  Monday to Saturday: 08:00 to 23:00  Sundays: 10:00 to 22:30</p> <p><b>For premises for the provision of other licensable activities:</b>  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>
<b>Policy RNT2 applies</b>	<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, Marriages and Civil Partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 5. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Correspondence between the applicant and Environmental Health
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: Jdonovan@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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	07 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Licensing Authority representation	08 October 2020
<b>5</b>	Environmental Health Service representation <i>(Withdrawn 03 November 2020)</i>	13 October 2020
<b>6</b>	Metropolitan Police Service representation <i>(Withdrawn 03 November 2020)</i>	14 October 2020



**Lina Stores – Differences in Conditions**

**Alterations:**

By numerical reference to the proposed conditions:

8. The supply of alcohol for consumption **on the premises** shall be by waiter or waitress only.
10. The furniture layout within the premises may change from time to time to allow for **the use of the ground floor as a restaurant after 18:00**, ~~events such as supper evenings. All such events will be risk assessed by the licence holder.~~
11. The supply of alcohol for consumption on the ground floor after **18:00** ~~20:00~~ shall only be to a person seated **and** taking a table meal there and for consumption by such a person as ancillary to their meal.
12. The supply of alcohol for consumption off the premises (to the outside tables and chairs) after **18:00** ~~20:00~~ shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
15. All outside tables and chairs shall be rendered unusable by **2300** ~~2400~~ hours each day.
16. All tables and chairs shall be removed from the outside area by **2300** ~~2430~~ hours each day.
17. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the **16** ~~42~~ customers seated in the outside area.
18. The licensable activities on the ground floor authorised by this licence and provided at the premises **until 1800 hours each day** shall be ancillary to the main function of the delicatessen.
19. The supply of alcohol for consumption on the premises shall be restricted ~~(save when an event is taking place)~~ to:
  - i. a maximum of 4 patrons seated at the breakfast bar at the shop window
  - ii. **16** ~~42~~ customers seated at tables and chairs outside as shown on the licence plan
  - iii. 29 people in the basement restaurant
  - iv. 16 people after 18:00 in the ground floor restaurant**
20. Prior to **18:00** ~~20:00~~ hours the supply of alcohol for consumption on the ground floor and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
21. The variation of the premises licence 15/09155/LIPV to include the use of the **premises** ~~basement~~ as a restaurant detailed in the plan dated 22/10/2019 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
22. The **premises** ~~basement~~ 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. **This condition shall not apply to the ground floor of the premises before 18:00 hours when it will be used as a delicatessen.**

Omissions:

By numerical reference to the existing conditions:

**22.** At least one SIA licensed door supervisor shall be on duty at the entrance of the premises whilst it is open for business after 2100.

**27.** The number of persons (excluding staff) permitted to attend an event on the ground floor shall not exceed 20 persons.

**31.** On the ground floor the supply of alcohol for consumption on the premises after 20.000 shall only be to a person attending a pre booked organised event.

**From:** Robert Botkai  
**To:** Fabbricatore, Sally: WCC  
**Cc:** Andrew Sanders; Steward, Michelle: WCC; Donovan, Jessica: WCC; Guerra, Reaz: WCC; Pring, Mary: WCC  
**Subject:** RE: 20/08359/LIPV - Lina Stores, 18 Brewer St  
**Date:** 03 November 2020 16:18:51  
**Attachments:** [image001.png](#)

Hi Sally

Thanks for this.

There are 12 seats to the side of the premises and 4 seats at the front. All 16 seats are shown on the plan.

The removal of the WC condition is agreed.  
The amendment to the works condition is agreed.

Many thanks for confirmation that your representation is withdrawn.

Many thanks  
Robert

**From:** Fabbricatore, Sally: WCC [mailto:[sfabbricatore@westminster.gov.uk](mailto:sfabbricatore@westminster.gov.uk)]  
**Sent:** 03 November 2020 16:11  
**To:** Robert Botkai  
**Cc:** Andrew Sanders; Steward, Michelle: WCC; Donovan, Jessica: WCC; Guerra, Reaz: WCC; Pring, Mary: WCC  
**Subject:** RE: 20/08359/LIPV - Lina Stores, 18 Brewer St

Hi Robert

Thank you for this email, I'm sorry for the delay in getting back to you.

Can you confirm where the extra external table with 4 chairs is located, as it is not labelled. Can the plan also be updated.

I can confirm this condition is no longer necessary as there is an expectation that the both WCs will be available:

*At least one WC shall be made available for public use.*

Ian did visit on Friday however the works have not been carried out in the basement, the works condition should be reworded to (the wrong licence number was used before) and it needs to reference the basement as the ground floor would not be able to be used:

*The variation of the premises licence 19/14239/LIPV to include the use of the basement as a restaurant detailed in the plan dated 22/10/2019 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.*

Based on the changes, there being no resident representations and there not being any recent adverse nuisance history I withdraw my representation.

Kind regards  
Sally

**From:** Robert Botkai <rbotkai@wslaw.co.uk>  
**Sent:** 21 October 2020 14:46  
**To:** Fabbricatore, Sally: WCC <sfabbricatore@westminster.gov.uk>  
**Cc:** Andrew Sanders <asanders@wslaw.co.uk>; Steward, Michelle: WCC <msteward1@westminster.gov.uk>  
**Subject:** 20/08359/LIPV - Lina Stores, 18 Brewer St

Hi Sally

It was good to speak to you last week.

I attach:

1. Word version of the revised operating schedule
2. A word document which shows the amendments from the existing licence.

I note that you would like condition 24 in the revised schedule removed (WC condition). This is agreed.

The store manager Phillio will meet you at the store when visit between midday and 2pm on Wednesday 28 October.

Many thanks  
Robert



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

Schedule 12  
Part A

WARD: West End  
UPRN: 100023470041

Premises licence

Regulation 33, 34

Premises licence  
number:

19/14239/LIPV

Original Reference:

10/07200/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Lina Stores  
18 Brewer Street  
London  
W1F 0SH

**Telephone Number:** Not Supplied

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30  
Friday to Saturday: 23:00 to 00:00  
Sundays (immediately prior to Bank Holidays) 12:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Thursday: 11:00 to 23:00 (On sales)  
Friday to Saturday: 11:00 to 00:00 (On sales)  
Sunday: 12:00 to 22:30 (On sales)  
Sundays (immediately prior to Bank Holidays) 12:00 to 00:00 (On sales)

Monday to Saturday: 08:00 to 23:00 (Off sales)  
Sunday: 10:00 to 22:30 (Off sales)

**The opening hours of the premises:**

Monday to Friday:	00:00 to 00:00
Saturday:	00:00 to 00:00
Sunday:	00:00 to 00:00

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

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

**Part 2**

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

Lina Stores Ltd  
29/45 High Street  
Edgware  
Middlesex  
HA8 7LH

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

01339516 (VAT 24233201)

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

**Name:** Green Edward

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** Pending  
**Licensing Authority:** London Borough Of Barnet

**Date:** 18 March 2020

**This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person 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.

## Annex 2 – Conditions consistent with the Operating Schedule

9. 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 preceding 31 day period.
10. 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 are 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.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
13. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
14. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
15. There shall be no self-service of spirits on the premises save for spirit mixtures less than 5.5% ABV.
16. The supply of alcohol shall be by waiter or waitress service only.
17. 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.
18. The furniture layout within the premises may change from time to time to allow for events such as supper evenings. All such events will be risk assessed by the licence holder.
19. The supply of alcohol for consumption on ground floor after 20:00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

20. The supply of alcohol for consumption off the premises (to the outside tables and chairs) after 20.00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. At least one SIA licensed door supervisor shall be on duty at the entrance of the premises whilst it is open for business after 2100.
23. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
24. All outside tables and chairs shall be rendered unusable by 2100 hours each day.
25. All tables and chairs shall be removed from the outside area by 2130 hours each day.
26. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the 12 customers seated in the outside area.
27. The number of persons (excluding staff) permitted to attend an event on the ground floor shall not exceed 20 persons.
28. The licensable activities on the ground floor authorised by this licence and provided at the premises shall be ancillary to the main function of the delicatessen.
29. The supply of alcohol for consumption on the premises shall be restricted (save when an event is taking place) to:
  - i.a maximum of 4 patrons seated at the breakfast bar at the shop window
  - ii.12 customers seated at tables and chairs outside as shown on the licence plan
  - iii.29 people in the basement restaurant
30. Prior to 20:00 hours the supply of alcohol for consumption on the ground floor and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
31. On the ground floor the supply of alcohol for consumption on the premises after 20.00 shall only be to a person attending a pre booked organised event.
32. The variation of the premises licence 15/09155/LIPV to include the use of the basement as a restaurant detailed in the plan dated 22/10/2019 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
33. The basement 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

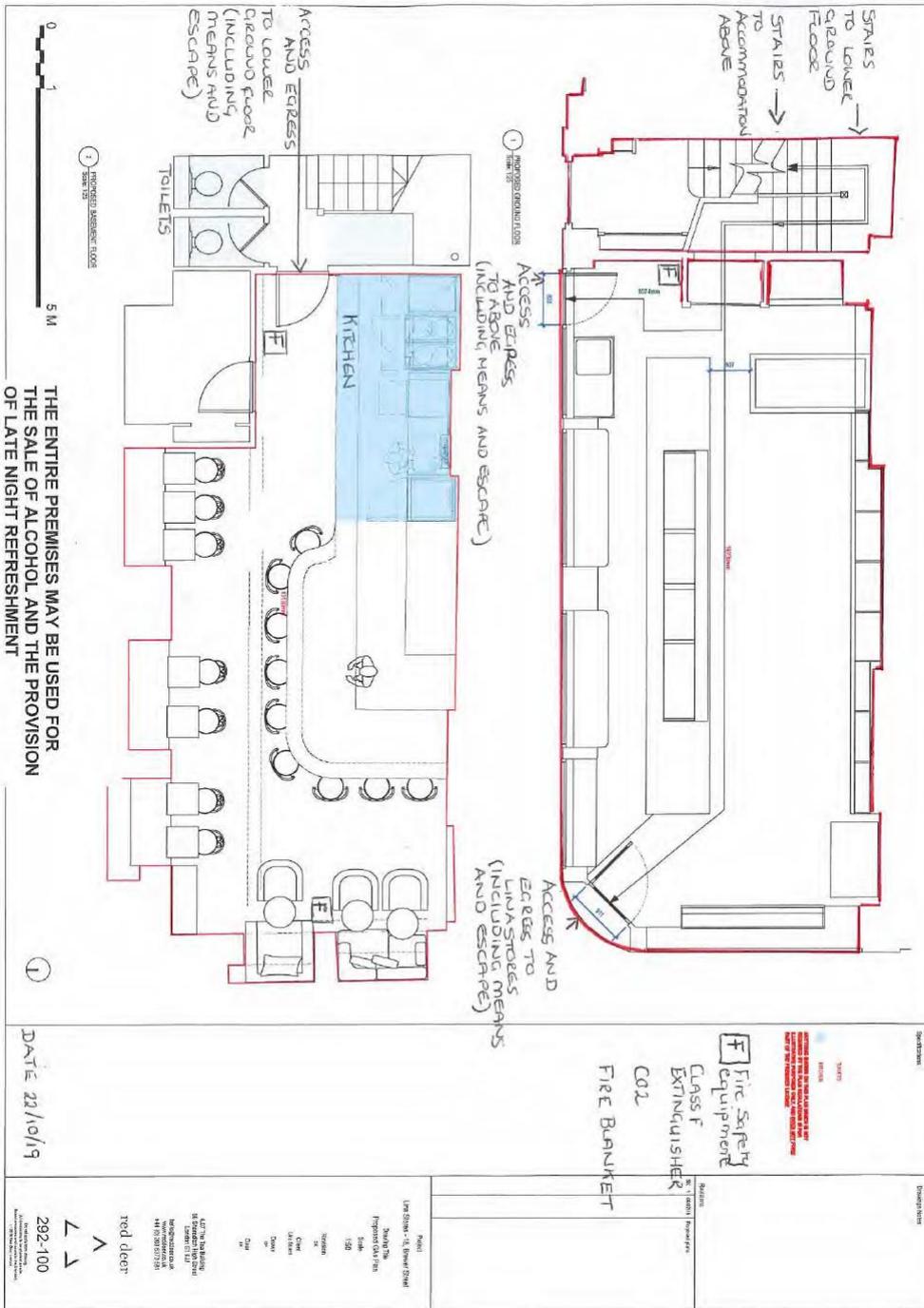
meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal

34. There shall be no sale of draught beer
35. At least one WC shall be made available for public use
36. 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.

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

None

Annex 4 – Plans





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

Schedule 12  
Part B

Premises licence  
summary

WARD: West End  
UPRN: 100023470041

Regulation 33, 34

Premises licence  
number:

19/14239/LIPV

Part 1 – Premises details

Postal address of premises:

Lina Stores  
18 Brewer Street  
London  
W1F 0SH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30  
Friday to Saturday: 23:00 to 00:00  
Sundays (immediately prior to Bank Holidays) 12:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Thursday: 11:00 to 23:00 (On sales)  
Friday to Saturday: 11:00 to 00:00 (On sales)  
Sunday: 12:00 to 22:30 (On sales)  
Sundays (immediately prior to Bank Holidays) 12:00 to 00:00 (On sales)

Monday to Saturday: 08:00 to 23:00 (Off sales)  
Sunday: 10:00 to 22:30 (Off sales)

**The opening hours of the premises:**

Monday to Friday:	00:00 to 00:00
Saturday:	00:00 to 00:00
Sunday:	00:00 to 00:00

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

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

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

Lina Stores Ltd  
29/45 High Street  
Edgware  
Middlesex  
HA8 7LH

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

01339516 (VAT 24233201)

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

**Name:** Green Edward

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

Restricted

**Date:** 18 March 2020

**This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.**

### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
10/07200/LIPN	New premises application	18.11.2010	Granted by Licensing Sub-Committee
15/09155/LIPV	Variation application	14.12.2015	Granted under delegated authority
19/14239/LIPV	Variation application	13.01.2020	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.

## Annex 2 – Conditions consistent with the Operating Schedule

9. 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 preceding 31 day period.
10. 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 are 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.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
13. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
14. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
15. There shall be no self-service of spirits on the premises save for spirit mixtures less than 5.5% ABV.
16. The supply of alcohol shall be by waiter or waitress service only.
17. 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.
18. The furniture layout within the premises may change from time to time to allow for events such as supper evenings. All such events will be risk assessed by the licence holder.
19. The supply of alcohol for consumption on ground floor after 20:00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

20. The supply of alcohol for consumption off the premises (to the outside tables and chairs) after 20.00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. At least one SIA licensed door supervisor shall be on duty at the entrance of the premises whilst it is open for business after 2100.
23. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
24. All outside tables and chairs shall be rendered unusable by 2100 hours each day.
25. All tables and chairs shall be removed from the outside area by 2130 hours each day.
26. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the 12 customers seated in the outside area.
27. The number of persons (excluding staff) permitted to attend an event on the ground floor shall not exceed 20 persons.
28. The licensable activities on the ground floor authorised by this licence and provided at the premises shall be ancillary to the main function of the delicatessen.
29. The supply of alcohol for consumption on the premises shall be restricted (save when an event is taking place) to:
  - i.a maximum of 4 patrons seated at the breakfast bar at the shop window
  - ii.12 customers seated at tables and chairs outside as shown on the licence plan
  - iii.29 people in the basement restaurant
30. Prior to 20:00 hours the supply of alcohol for consumption on the ground floor and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
31. On the ground floor the supply of alcohol for consumption on the premises after 20.00 shall only be to a person attending a pre booked organised event.
32. The variation of the premises licence 15/09155/LIPV to include the use of the basement as a restaurant detailed in the plan dated 22/10/2019 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
33. The basement 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

34. There shall be no sale of draught beer
35. At least one WC shall be made available for public use
36. 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.

**The applicant proposes to remove all of the conditions at Annex 2 as part of this variation.**

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

None

**The applicant proposes to replace the conditions above at Annex 2 with the following conditions:**

37. 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 preceding 31 day period.
38. 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 are 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.
39. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
40. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
41. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

42. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol. This condition shall only apply to the ground floor of the premises and before 18:00 hours.
43. There shall be no self-service of spirits on the premises save for spirit mixtures less than 5.5% ABV.
44. The supply of alcohol for consumption on the premises shall be by waiter or waitress service only.
45. 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.
46. The furniture layout within the premises may change from time to time to allow for use of the ground floor as a restaurant after 18:00.
47. The supply of alcohol for consumption on the ground floor after 18:00 shall only be to a person seated and taking a table meal there and for consumption by such a person as ancillary to their meal.
48. The supply of alcohol for consumption off the premises (to the outside tables and chairs) after 18.00 shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
49. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
50. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
51. All outside tables and chairs shall be rendered unusable by 2300 hours each day.
52. All tables and chairs shall be removed from the outside area by 2330 hours each day.
53. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the 16 customers seated in the outside area.
54. The licensable activities on the ground floor authorised by this licence and provided at the premises until 1800 hours each day shall be ancillary to the main function of the delicatessen.
55. The supply of alcohol for consumption on the premises shall be restricted to:
  - i) a maximum of 4 patrons seated at the breakfast bar at the shop window before 18:00
  - ii) 16 customers seated at tables and chairs outside as shown on the licence plan
  - iii) 29 people in the basement restaurant
  - iv) 16 people after 18:00 in the ground floor restaurant
56. Prior to 18:00 hours the supply of alcohol for consumption on the ground floor and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
57. The variation of the premises licence 15/09155/LIPV to include the use of the premises as a restaurant detailed in the plan dated [ ] will have no effect until the premises have

been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.

**The Environmental Health Service proposes an alternative wording to condition 57 which is agreed with the applicant so as to form part of the operating schedule:**

The variation of the premises licence 20/08359/LIPV to include the use of the basement as a restaurant detailed in the plan dated 16/09/20 will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.

58. 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. This condition shall not apply to the ground floor of the premises before 18:00 hours when it will be used as a delicatessen.
59. There shall be no sale of draught beer.
60. 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.

**Conditions proposed by the Licensing Authority**

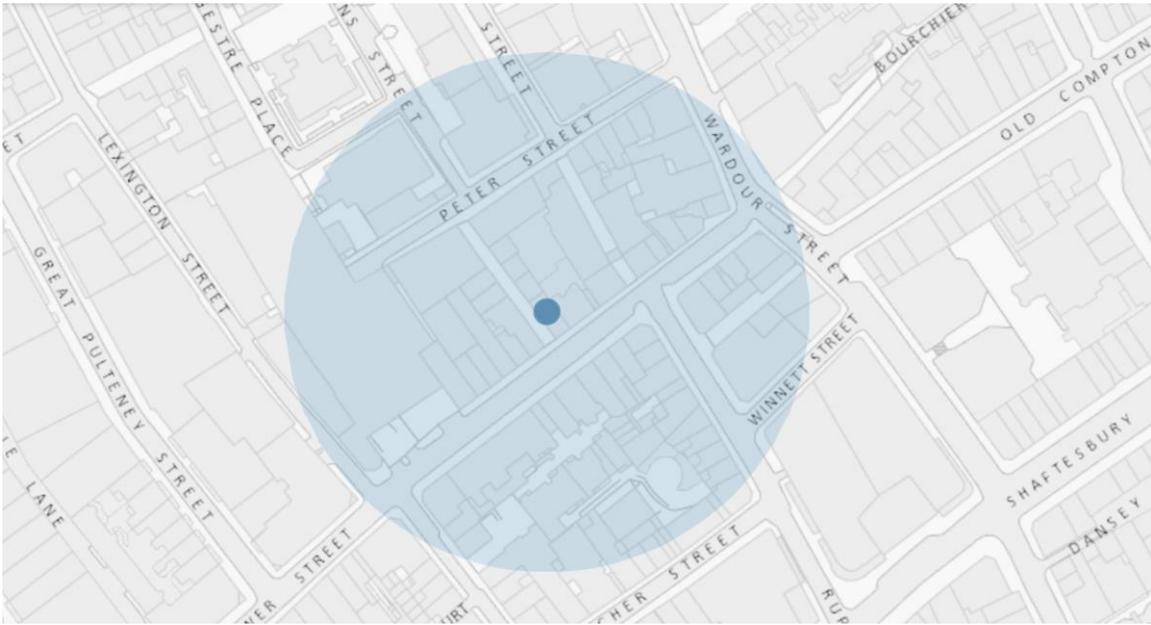
61. The basement will operate as a restaurant at all times when the premises is open for licensable activities.

**The applicant has proposed an alternative to condition 61 as follows:**

The basement will operate as a restaurant at all times when this part of the premises is open for licensable activities.

**Conditions proposed by the Metropolitan Police Service**

None



**Resident Count: 370**

**Licensed premises within 75 Metres of 18 Brewer Street, London, W1F 0SH**

<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
19/14239/LIPV	Lina Stores	18 Brewer Street London W1F 0SH	Shop	Monday; 00:00 - 23:59   Tuesday; 00:00 - 23:59   Wednesday; 00:00 - 23:59   Thursday; 00:00 - 23:59   Friday; 00:00 - 23:59   Saturday; 00:00 - 23:59   Sunday; 00:00 - 23:59
18/03699/LIPDPS	Randall & Aubin	16 Brewer Street London W1F 0SQ	Cafe	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
18/02179/LIPVM	Cutter And Squidge	20 Brewer Street London W1F 0SJ	Shop (large)	Monday to Wednesday; 09:30 - 21:00   Thursday; 09:30 - 22:00   Friday; 09:30 - 23:00   Saturday; 10:00 - 23:00   Sunday; 11:00 - 21:30
20/02525/LIPDPS	Yalla Yalla	Basement And Ground Floor 1 Green's Court London W1F 0HA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
15/08865/LIPN	The Box	11 - 12 Walker's Court London W1F 0BZ	Night clubs and discos	Monday to Saturday; 09:00 - 04:00   Sunday; 09:00 - 00:30
14/06422/LIPT	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Cinema	Monday to Sunday; 09:00 - 01:00
19/04087/LIPDPS	The Box	11 - 12 Walker's Court London W1F 0BZ	Night clubs and discos	Monday to Saturday; 09:00 - 04:00   Sunday; 09:00 - 00:30
19/16648/LIPVM	Chilango	24 Brewer Street London W1F 0SN	Restaurant	Monday to Friday; 10:00 - 23:00

				Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30
17/12283/LIPT	Damson & Co	21 Brewer Street London W1F 0RL	Restaurant	Monday to Sunday; 08:00 - 21:45   Sundays before Bank Holidays; 08:00 - 00:00
18/10483/LIPDPS	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
14/09062/LIDPSR	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 01:00   Sundays before Bank Holidays; 12:00 - 03:30
14/09057/LIDPSR	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 01:00   Sundays before Bank Holidays; 12:00 - 03:30
19/13285/LIPDPS	Absurd Bird	25 Peter Street London W1F 0AH	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
19/11333/LIPVM	El Camion	25-27 Brewer Street London W1F 0RR	Restaurant	Monday; 09:00 - 03:30   Tuesday; 09:00 - 03:30   Wednesday; 09:00 - 03:30   Thursday; 09:00 - 03:30   Friday; 09:00 - 03:30   Saturday;

				09:00 - 03:30   Sunday; 12:00 - 23:00
19/00157/LIPCH	Adanami	30 Brewer Street London W1F 0SS	Recording Studio	Monday to Sunday; 00:00 - 00:00
19/08540/LIPN	Not Recorded	30 Brewer Street London W1F 0SS	Recording Studio	Monday to Sunday; 09:00 - 00:00
19/16016/LIPT	Not Recorded	6 Walker's Court London W1F 0BT	Theatre	Monday to Saturday; 08:00 - 01:30   Sunday; 08:00 - 23:00
20/05587/LIPT	Spuntino	61 Rupert Street London W1D 7PW	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00
19/12383/LIPN	Not Recorded	6 Brewer Street London W1F 0SB	Night clubs and discos	Monday; 09:00 - 03:30   Tuesday; 09:00 - 03:30   Wednesday; 09:00 - 03:30   Thursday; 09:00 - 03:30   Friday; 09:00 - 03:30   Saturday; 09:00 - 03:30   Sunday; 12:00 - 01:00
19/14625/LIPVM	The Yard Bar	57 Rupert Street London W1D 7PL	Wine bar	Monday; 10:00 - 23:30   Monday to Thursday; 10:00 - 23:30   Tuesday; 10:00 - 23:30   Wednesday; 10:00 - 23:30   Thursday; 10:00 - 23:30   Friday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:00   Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00
19/09651/LIPN	Not Recorded	57 Rupert Street London W1D 7PL	Wine bar	Monday to Thursday; 10:00 - 23:30   Friday to Saturday;

				10:00 - 00:00   Sunday; 12:00 - 23:00
19/03892/LIPDPS	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Monday to Saturday; 09:00 - 06:00   Sunday; 09:00 - 05:00   New Year's Eve; 00:00 - 00:00
14/08411/LIPN	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 00:00
20/06824/LIPN	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Monday to Saturday; 09:00 - 03:00   Sunday; 09:00 - 23:00
20/06643/LIPT	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Cafe	Monday to Saturday; 11:00 - 01:00   Sunday; 11:00 - 00:00
06/06238/WCCMAP	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Shop	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30
16/10909/LIPDPS	Lils	53 Rupert Street London W1D 7PH	Restaurant	Monday to Thursday; 07:00 - 23:00   Friday; 07:00 - 00:00   Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30   Sundays before Bank Holidays; 08:00 - 00:00
19/03053/LIPN	Co-op	104 - 105 Berwick Street London W1F 0QS	Not Recorded	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30
20/05608/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
18/02747/LIPN	Not Recorded	52 Rupert Street London	Restaurant	Monday to Thursday;

		W1D 6DS		10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
18/06880/LIPDPS	Rupert Street Bar	50 Rupert Street London W1D 6DR	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:50   Sundays before Bank Holidays; 12:00 - 00:00
16/07079/LIPN	Vegan Hippo	52 Rupert Street London W1D 6DS	Restaurant	Monday to Thursday; 06:30 - 22:00   Friday to Saturday; 06:30 - 23:30   Sunday; 08:00 - 22:00
19/01767/LIPDPS	Bubbleology	49 Rupert Street London W1D 7PF	Shop (large)	Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
20/08988/LIPDPS	Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
18/14474/LIPVM	O Bar	83-85 Wardour Street London W1D 6QE	Public house or pub restaurant	Monday; 09:00 - 03:30   Tuesday; 09:00 - 03:30   Wednesday; 09:00 - 03:30   Thursday; 09:00 - 03:30   Friday; 09:00 - 03:30

				Saturday; 09:00 - 03:30   Sunday; 12:00 - 00:00   Sunday; 12:00 - 00:00
18/15162/LIPVM	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Monday to Friday; 09:00 - 03:30   Sunday; 09:00 - 00:00
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Shop	Friday to Saturday; 09:00 - 01:00   Sunday to Thursday; 09:00 - 00:00
15/02567/LIPVM	Blacklock	25 Great Windmill Street London W1D 7LH	Restaurant	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 22:30
19/11488/LIPCH	Byron	99 Wardour Street London W1F 0UF	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
12/00517/LIPDPS	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Night clubs and discos	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30
18/06896/LIPN	Kirazu	3 Winnett Street London W1D 6JY	Restaurant	Monday to Saturday; 17:00 - 23:30   Sunday; 17:00 - 22:30
19/03516/LIPDPS	White Horse Public House	45 Rupert Street London W1D 7PB	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
17/05525/LIPDPS	Duke Of Wellington	77 Wardour Street London W1D 6QA	Public house or pub restaurant	Monday to Saturday; 10:00 - 00:30

				Sunday; 12:00 - 00:00
16/01124/LIPDPS	Wagamama	10A Lexington Street London W1F 0LD	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00