



Licensing Sub-Committee Report

Item No:

Date:

4 March 2021

Licensing Ref No:

20/10970/LIPV - Premises Licence Variation

Title of Report:

Sussex Fish Bar
20 London Street
London
W2 1HL

Report of:

Director of Public Protection and Licensing

Wards involved:

Hyde Park

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Karyn Abbott
Senior Licensing Officer

Contact details

Telephone: 07866 019698
Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	24 November 2020		
Applicant:	Mr Ajmal Daulatzai		
Premises:	Sussex Fish Bar		
Premises address:	20 London Street London W2 1HL	Ward:	Hyde Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises is currently operating as a restaurant with a take away facility.		
Variation description:	According to the application, the variation seeks to extend the hours of late night refreshment to 04:00 Monday to Sunday. The hours from 01:00 to 04:00 will be for deliveries only.		
Premises licence history:	The premises has been licensed since 2008. The current premises licence attached at Appendix 1.		
Applicant submissions:	None		
Application amendments:	Conditions have been agreed throughout the consultation period with Environmental Health and the Metropolitan Police Service. These conditions can be found at Appendix 5.		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:00	23:00	04:00	Basement and Ground Floor	No Change
Tuesday	23:00	00:00	23:00	04:00		
Wednesday	23:00	00:00	23:00	04:00		
Thursday	23:00	00:00	23:00	04:00		
Friday	23:00	00:00	23:00	04:00		
Saturday	23:00	00:00	23:00	04:00		
Sunday	23:00	00:00	23:00	04:00		
Seasonal variations/ Non-standard timings:	Current: Not currently permitted by the premises licence.				Proposed: No Change	

Note: It is proposed that between 01:00 and 04:00, the provision of late night refreshment will be for deliveries only. Please see proposed condition 11 in Appendix 5.

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	11:00	01:00	11:00	04:00	Basement and Ground Floor	No Change
Tuesday	11:00	01:00	11:00	04:00		
Wednesday	11:00	01:00	11:00	04:00		
Thursday	11:00	01:00	11:00	04:00		
Friday	11:00	01:00	11:00	04:00		
Saturday	11:00	01:00	11:00	04:00		
Sunday	11:00	01:00	11:00	04:00		
Seasonal variations/ Non-standard timings:	Current: Not currently permitted by the premises licence.					

1-C Layout alteration
No layout changes proposed in this variation application.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police
Representative:	PC Adam Deweltz
Received:	4 December 2020 (Withdrawn 15 December 2020)
<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>It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder and The Prevention of Public Nuisance.</p> <p>There are no conditions contained within the operating schedule.</p> <p>I have listed the following conditions the Police would like to see on the Premises Licence. If these are agreed to I would be willing to withdraw my representation:</p> <ul style="list-style-type: none"> • Delivery riders/drivers will be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the licenced premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway. The licence holder will positively encourage delivery riders/drivers to use quieter vehicles that are less likely to cause a nuisance, such as bicycles. • Late night refreshment from the hours of 01:00 – 04:00 will be by delivery service only and to a bona fide address. <p>The above conditions proposed by the Metropolitan Police Service have since been amended and agreed. As a result, the Metropolitan Police Service as a responsible authority withdrew their representation on the 15th December 2020. The agreed conditions can be found at Appendix 5.</p>	

Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	15 December 2020

I refer to the application to vary the Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.

The applicant is seeking to vary hours for the provision of late-night refreshment "indoors" from 23:00 to 04:00 Monday to Sunday (from 01:00 delivery only)

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 representations:

The provision of late-night refreshment and the hours requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

Applicant is asked to contact the undersigned for further discussion and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

Conditions have been proposed by Environmental Health and agreed with the applicant and can be found at Appendix 5.

2-B Other Persons

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	16 December 2020		

The [REDACTED] objects strongly to this variation application on the grounds that the likely effect of the application will be to harm the licensing objectives, particularly 'prevention of public nuisance' and potentially 'crime & disorder'.

[REDACTED] are very concerned that if this application from the Fish & Chips shop at 20 London Street was granted, the variation of the licence to enable takeaway and use of restaurant to 1am and deliveries to 4am will cause a nuisance from noise etc to the nearby residential properties on both sides of street and in the area. The proposed late night activity could also be detrimental in noise terms to guests staying at local hotels.

Our concerns are much the same as those we expressed on a very similar recent application, along the road, at 26 London Street. That application was recently refused. We attach the

summary decision following the licensing hearing.

Delivery vehicles would have to double park and will cause noise arriving and leaving when turning off and turning on engines and opening and shutting vehicles doors etc.

Even worse would be the intolerable noise from the constant coming and going of motor bikes or motor scooters, collecting an order for delivery. There will be noise not only from the engines being turned off and on but from delivery persons congregating outside the premises and all talking, smoking etc.

We are concerned with engine fumes as well as noise, especially if engines left idling in the middle of the night.

Nuisance could also be caused to residents in the wider area and where booked delivery is being delivered in the early hours of the morning, up to 4am.

Also customers would be able to come to the premises until 1am to eat inside and also for takeaway food, which could cause noise etc, especially when arriving and leaving.

There are three large public houses in London Street and if the Fish and Chips shop at No 20 was allowed to open to 1am and we are concerned there could be a rowdy and noisy crowd coming from these pubs, disturbing residents and hotel guests trying to get a good night sleep after midnight

We know of no similar applications approved in W2, and indeed a recent similar application in London was refused.

Finally, we note that the opening hours for members of the public are until 4am, although we understand the intention is that no member of the public would be permitted after 1am?

We are happy for our details and this representation to be forwarded to the applicant and, as always, we are willing to meet up to discuss the variation with the applicant.

Additional documents have been submitted by this interested party and can be found at Appendix 3.

3. Policy & Guidance

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

Policy HRS1 applies

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
 3. Whether there is residential accommodation in the proximity of

	<p>the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</p> <p>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</p> <p>5. The proposed hours when any music, including incidental music, will be played.</p> <p>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for this application for each premises use type as defined within this policy are:</p> <p>6. Pubs and bars, Fast Food and Music and Dance venues Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy FFP1 applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <p>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</p>

	<p>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</p> <p>3. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</p> <p>4. The application and operation of the venue meet the definition of a fast food premises in Clause D.</p> <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <p>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1, and/or,</p> <p>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</p> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <p>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</p> <p>2. The application and operation of the venue continuing to meet the definition of a Fast Food Premises in Clause D.</p> <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <p>1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption.</p> <p>2. Food and drink are:</p> <p>a. Available on the premises for self-selection.</p> <p>b. Prepared on the premises.</p> <p>c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers.</p> <p>3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption.</p>
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4. Equality Implications

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

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

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

5. Appendices

Appendix 1	Current Premises Licence 13/01438/LIPVM
Appendix 2	Applicant supporting documents
Appendix 3	Objector additional documents (Decision from 15 ^h October 2020)
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 07866 019698 Email: kabbott@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 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2018
4	Metropolitan Police Representation	4 December 2020
5	Environmental Health Service Representation	15 December 2020
6	Representation 1	16 December 2020



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

Schedule 12
Part A

WARD: Hyde Park
UPRN: 010033537555

Premises licence

Regulation 33, 34

Premises licence number:	13/01438/LIPVM
Original Reference:	07/10417/LIPN

Part 1 – Premises details

Postal address of premises:

Sussex Fish Bar
20 London Street
London
W2 1HL

Telephone Number: 0207 724 0481

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

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

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

The opening hours of the premises:

Monday to Sunday: 11:00 to 01:00

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

Part 2

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

Mr Ajmal Daulatzai
Sussex Fish Bar
20 London Street

London
W2 1HL
Telephone Number : 020 7724 0481

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

N/A

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

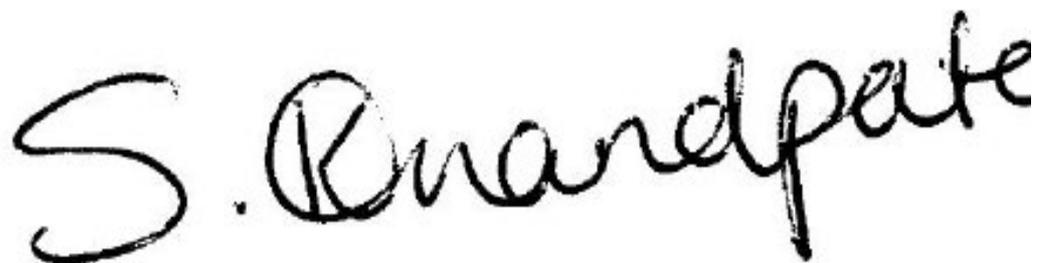
N/A

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

N/A

Date: 20th March 2013

Signed: pp

A handwritten signature in black ink that reads "S. Knardpate". The signature is written in a cursive, slightly slanted style.

Operational Director - Premises Management

Annex 1 – Mandatory conditions

None



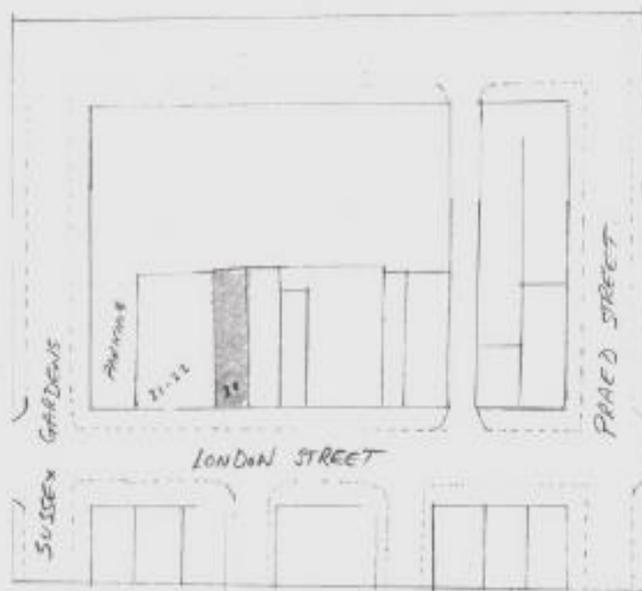
Annex 2 – Conditions consistent with the operating Schedule

None

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

1. No music shall be played.
2. No striptease, no nudity and all persons on the premises to remain decently attired at all times.
3. The doors to the premises are to remain closed after 21:00 except for immediate access and egress of patrons.
4. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
5. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
6. No deliveries, collections and operational servicing are to be carried out between 19:00 hours and 07:00 hours.
7. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
8. Outside tables and chairs shall be brought inside the premises at 23.00 hours.
9. Tables and chairs inside the premises to be made available when the premises are open.
10. The premises will install a comprehensive CCTV system and thereafter maintained and operated correctly in accordance with the requirements of the relevant Metropolitan Police Crime Prevention Officer, that ensures frontal identification of every person entering in any light condition. All cameras shall continuously record whilst the premises are open to the public, and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a Police Officer immediately on request, together with facilities for viewing. (Subject to the Data Protection Act 1998).

Annex 4 – Plans



LOCATION PLAN
20 LONDON STREET
W2 1HL

20 LONDON STREET
LONDON W2 1HL

KEY

- FIRE EXTINGUISHERS
- FIRE EXIT SIGNS
- FIRE BLANKET
- * FIRE ALARM
- ESCAPE ROUTE

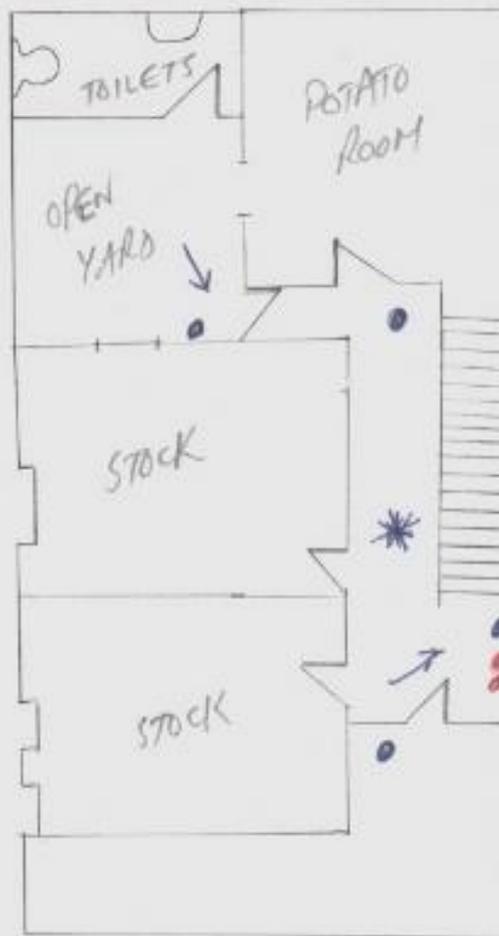


SCALE 1:100
GROUND FLOOR

20 LONDON STREET
LONDON W2 1HL

Key

- FIRE EXTINGUISHER
- FIRE EXIT SIGN.
- FIRE BLANKET
- * FIRE ALARM



BASEMENT

SCALE 1:100



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

Schedule 12
Part B

WARD: Hyde Park
UPRN: 010033537555

Premises licence
summary

Regulation 33, 34

Premises licence number:

13/01438/LIPVM

Part 1 – Premises details

Postal address of premises:

Sussex Fish Bar
20 London Street
London
W2 1HL

Telephone Number: 0207 724 0481

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

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

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

The opening hours of the premises:

Monday to Sunday: 11:00 to 01:00

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

N/A

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

Mr Ajmal Daulatzai
Sussex Fish Bar
20 London Street
London
W2 1HL

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

N/A

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

N/A

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

Restricted

Date: 20th March 2013

Signed: pp

A handwritten signature in black ink that reads "S. Knandpate". The signature is written in a cursive, slightly slanted style.

Operational Director - Premises Management

Applicant Supporting Documents

Appendix 2

None provided

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 4 ("The Committee")

Thursday 15 October 2020

Membership: Councillor Karen Scarborough (Chairman), Councillor Louise Hyams and Councillor Rita Begum

Application for a Variation of Premises Licence – Yahala 26 London Street London W2 1HH 20/07076/LIPV

Summary Decision

- *To permit the delivery of Late- Night Refreshment via reputable delivery agents, e.g. Uber Eats, Deliveroo, Just Eat between the hours of 23:00 to 04:30.*
- *To remove conditions 15 (a) to (f), 16 and 18.*
- *To add 5 additional conditions.*

The Committee noted that representations were received from Environmental Health on the grounds of public nuisance and public safety and the South East Bayswater Residents' Association ("SEBRA") on the grounds of public nuisance and these were duly considered.

The Committee has a duty to consider the application on its individual merits and took into account all of the committee papers, supplementary submissions made by the Applicant and the oral evidence given by all parties during the hearing in its determination of the matter.

Applicant

Mr Akil Efkiah

Summary Decision

The Committee decided that the Applicant had *not* provided sufficient reasons relating to that part of the application regarding the extension of hours for Late Night Refreshment and the removal and modification of the conditions as to why the granting of the application would promote the licensing objectives and therefore **refused** that aspect of the application.

The Committee did however **grant** permission to remove Conditions 15 (excluding 15 1 (g) which shall remain in full force and effect and read "***On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December)***") and 18 from the Licence so these will no longer appear on the Licence.

The Committee is not bound by previous Decisions of licensing premises that may or may not have been granted within the area. The Committee has to consider the evidence before it and whether the four licensing objectives will be promoted. The Committee heard evidence from all the respective parties and in the light of considering that evidence **refused** the application in **part** relating to late night refreshment deliveries for the reasons outlined below: -

It was the Committees considered view, however, that the increase in licensable activities would lead to public nuisance particularly when delivery vehicles are leaving the Premises amongst other things.

In terms of the policy considerations, the Committee had regard to Policy HRS1 which states: “**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 (SLP)**”.

The Committee appreciated it has discretion when considering the merits of the application but took the view that granting the application would be *contrary* to other policies. The Committee had regard to all relevant policies under the Statement of Licensing Policy (“SLP”) in particular Policy PN1; the prevention of Public Nuisance.

Policy PN1 states: “**To prevent public nuisance the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews**”. Paragraphs 1-3 on pages 20-21 of the SLP sets out the various considerations the Committee should have regard to and the reasons for the policy are contained in paragraphs 2.2.9-2.2.16 on pages 22-24 of the SLP.

In summary SEBRA concerns stated:

- We are very concerned that if granted, the variation of the licence to enable deliveries to 04.30 hours will cause a nuisance from noise etc to the adjoining residential properties on both sides of the street and in the area.
- Delivery vehicles would have to double park and will cause noise arriving and leaving when turning on and turning off engines and opening and shutting vehicles doors. Even worse would be the intolerable noise from the constant coming and going of motor bikes or motor scooters, collecting an order for delivery. There will be noise from the engines being turned off and on and from delivery persons congregating outside the premises and all talking etc.
- Noise nuisance will also be caused when collecting the delivery from the premises. We are concerned with engine fumes as well as noise, especially if engines idling.
- Nuisance could also be caused to residents living next to where booked delivery is being delivered to in the early hours of the morning.

The Committee was of the view that granting the application would have the potential to cause public nuisance into the late hours. This would be exacerbated by the congregation of delivery drivers outside of the Premises, noise and fumes from delivery bikes and unavoidable noise when delivering food within the surrounding

areas to both residential and possibly business addresses areas which would undoubtedly affect local residents.

The Committee accepted that the area was busy at all times of the day and night but nonetheless had to strike the right balance. The Committee sympathised wholly with the Applicant that businesses are struggling in the current climate for obvious reasons and the financial implications for the business may not be good. However, the Committee was surprised that given the uncertain times the hospitality sector is currently experiencing that the Applicant did not attend the hearing to answer specific questions relating to its operation that would alleviate concerns in relation to nuisance. The role of the Committee is to not try and second guess those parts of the application that are not entirely clear and even more an important reason for the Applicant to be present to answer such questions.

The locality of the area was a crucial factor in the decision making of the Committee because whilst it is accepted the area is dominated by commercial premises there are also residential properties in such close proximity to the Premises. The Committee noted that there was a 73 residential count within the area. With that specific issue in mind it could not ignore the fact that granting the application would cause problems for residents at that time of the night for the above reasons.

The Committee felt that it needed to strike the right balance when considering the merits of the application and the evidence before it and did not arrive at the decision to refuse the application lightly having regard to the full set of circumstances of the case the Home Office Guidance and the promotion of the public nuisance licensing objective. It did properly consider whether the proposed conditions offered would mitigate the concerns or reducing the terminal hour to that proposed but was not persuaded by the Applicant that these measures would go to the heart of the problems associated with nuisance.

The Committee came to the overall conclusion that the additional hours would have a negative impact leading to the licensing objectives being undermined which is not what the 2003 Act is designed to do.

This is a summary of the decision reached by the Licensing Sub-Committee. The fully reasoned decision will be sent out to all parties as soon as possible. This will also include details of the submissions made by the parties. The time limit for appealing this decision will not start until the parties have been notified of the fully reasoned decision.

Licensing Sub-Committee
15 October 2020

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
07/10417/LIPN	Late Night Refreshment Monday to Sunday 23:00 to 01:00	14 February 2008	LSC - Granted in Part
13/01438/LIPVM	Changes to the Layout	20 March 2013	Granted in Full

There is no temporary event history.

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

Annex 1 – Conditions: On Current Licence - Mandatory

None

Annex 2 – Conditions consistent with the operating Schedule

None

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

1. No music shall be played.
2. No striptease, no nudity and all persons on the premises to remain decently attired at all times.
3. The doors to the premises are to remain closed after 21:00 except for immediate access and egress of patrons.
4. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
5. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
6. No deliveries, collections and operational servicing are to be carried out between 19:00 hours and 07:00 hours.
7. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
8. Outside tables and chairs shall be brought inside the premises at 23.00 hours.
9. Tables and chairs inside the premises to be made available when the premises are open.

10. The premises will install a comprehensive CCTV system and thereafter maintained and operated correctly in accordance with the requirements of the relevant Metropolitan Police Crime Prevention Officer, that ensures frontal identification of every person entering in any light condition. All cameras shall continuously record whilst the premises are open to the public, and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a Police Officer immediately on request, together with facilities for viewing. (Subject to the Data Protection Act 1998).

Conditions proposed by the Police and agreed with the applicant so as to be incorporated within the operating schedule

11. Late night refreshment from the hours of 01:00 – 04:00 will be by delivery service only and to a bona fide address.
12. The premises will encourage delivery riders/drivers to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the licenced premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

Conditions proposed by the Environmental Health Service and agreed with the applicant so as to be incorporated within the operating schedule

13. After 01:00 Monday to Saturday and 00:00 on Sunday, customers shall not be permitted on the premises and there shall be no sales of hot food or hot drink to persons actually attending the premises for consumption either on or off the premises otherwise than by delivery only to a bona fide address.
14. Vehicles used for delivery must switch off their engines when waiting outside of the Premises for the collection of food for delivery.
15. Drivers shall wait inside the premises between deliveries/for deliveries.
16. A notice shall be displayed by the front door stating the premises opening hours and that all orders after 01:00 must be phoned through and are by home delivery only



Resident Count = 136

Licensed premises within 75 metres of 20 London Street

Licence Number	Trading Name	Address	Premises Type	Time Period
13/01438/LIPVM	Sussex Fish Bar	Ground Front 20 London Street London W2 1HL	Restaurant	Monday to Sunday; 11:00 - 01:00
06/10919/WCCMAP	Mimos Cafe Bar	19 London Street London W2 1HL	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
10/06958/LIPVM	Sussex Arms Public House	Ground Front 21 London Street London W2 1HL	Public house or pub restaurant	Monday to Saturday; 10:00 - 00:30 Monday to Saturday; 10:00 - 23:30 Sunday; 10:00 - 00:00
20/10543/LIPDPS	Mercure Hotel Hyde Park	8-14 Talbot Square London W2 1TS	Hotel, 3 star or under	Monday to Saturday; 10:00 - 00:30 Monday to Sunday; 00:00 - 00:00 Sunday; 12:00 - 00:00
09/10340/LIPVM	Westpoint - Abbey Court Hotel	174 Sussex Gardens London W2 1TP	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00

21/00403/LIPDPS	Hotel Indigo	Front Left 16 - 17 London Street London W2 1HL	Hotel, 4+ star or major chain	Monday to Sunday; 07:30 - 23:00
13/03165/LIPVM	Portland Food & Wine	15 London Street London W2 1HL	Shop	Monday to Sunday; 00:00 - 00:00
09/04987/LIPDPS	Thresher Wine Shop	14 London Street London W2 1HL	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
19/02484/LIPDPS	Kolossi Taverna	12 London Street London W2 1HL	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
10/01544/LIPDPS	The Mughal's	Basement And Ground Floor 11 London Street London W2 1HL	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
06/10770/WCCMAP	San Marco	10 London Street London W2 1HL	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/11340/LIPVM	Sawyers Arms Public House	8-9 London Street London W2 1HL	Pub or pub restaurant with odge	Monday to Saturday; 08:00 - 23:30 Sunday; 08:00 - 23:00
06/10883/WCCMAP	Mitre House Hotel	178-184 Sussex Gardens London W2 1TU	Hotel, 3 star or under	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00