



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

09 September 2021

21/04285/LIPN - New Premises Licence

8 Lauderdale Parade  
Lauderdale Road  
London

Director of Public Protection and Licensing

Maida Vale

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman  
Senior Licensing Officer

Telephone: 020 7641 6500  
Email: [kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)

<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	4 May 2021		
<b>Applicant:</b>	Keto Group Ltd		
<b>Premises address:</b>	8 Lauderdale Parade Lauderdale Road London W9 1LU	<b>Ward:</b>	Maida Vale
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application form the premises intend to trade as a restaurant		
<b>Premises licence history:</b>	This is an application for a new premises licence and therefore has no licence history		
<b>Applicant submissions:</b>	None		
<b>Applicant amendments:</b>	During consultation the applicant reduced the terminal hour for the sale of alcohol from 23:30 Monday to Thursday and 23:59 Friday and Saturday to 23:00 Monday to Saturday. The hours now applied for are set out below.		

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Sale by retail of alcohol</b>					<b>On or off sales or both:</b>		Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			Sundays immediately prior to a bank holiday: 09:00 to 00:00.				

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:0	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	23:59	23:39	22:30
<b>Seasonal variations/ Non-standard timings:</b>			Sundays immediately prior to a bank holiday: 09:00 to 00:00.				
<b>Adult Entertainment:</b>			None				

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	Dave Morgan
<b>Received:</b>	19 May 2021 <b>(Withdrawn 20 May 2021)</b>
<p>With reference to the above, I am writing to inform you that the Metropolitan Police Service, as a Responsible Authority, are making a <b>representation</b> 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.</p> <p>I have read the operating schedule that you have supplied and although I am happy with the conditions offered, I would also like to see the following to be included:</p> <ul style="list-style-type: none"> <li>• <b>Except for any authorised external seating areas, all sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.</b></li> </ul> <p>Please let me know if you are happy with to include this condition or if you wish to discuss it further, please feel free to contact me.</p> <p><b>Following agreement of further conditions, the Metropolitan Police withdrew their representation on 20 May 2021</b></p>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Dave Nevitt
<b>Received:</b>	1 June 2021
<p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety</p>	

<b>2-B</b>	<b>Other Persons</b>
<b>Name:</b>	██████████ - Paddington Waterways and Maida Vale Society
<b>Address and/or Residents Association:</b>	██████████ ██████████ ██████████ ██████████
<b>Received:</b>	01 June 2021
<p>Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).</p>	

We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.

#### Introduction

Our representation is made on the basis that the likely impact of the application, if granted as applied for, would be to harm the licensing objectives, particularly that of prevention of public nuisance.

We do not oppose a licence being granted at all, but we would like amendments to the Operating Schedule to ensure that the licensing objectives are promoted in this location. The premises is part of a parade of shops and commercial premises (including licensed premises) at ground floor level, with residents above. The wider locality is residential. As such, we would ask that the Licensing Authority to pay great attention to any comments submitted by local residents, and we would wish to support them in respect of valid concerns they may have.

#### The application and reasons for representation

The application seeks sale of alcohol for consumption on and off the premises in line with Policy HRS1. We note that HRS1 affords an earlier commencement hour under the 2021 iteration of the Statement of Licensing Policy than did the 2016 iteration.

The application seeks late night refreshment and opening also in line with Policy HRS1. It appears that an unlicensed restaurant currently operates or recently operated from the premises. According to the City Council's Planning Register, there has been enforcement action taken by the Planning Authority over plant/extract equipment.

The following points arise from the application documentation:

1. Although the hours are within core hours, we would ask that the applicant considers reducing the terminal hour, particularly should any residents have concerns about these hours.
2. The previous/current operation is unlicensed and therefore cannot sell alcohol at all, or provide late night refreshment after 11pm. This would self-limit the terminal hour to earlier than the 11.30pm/midnight hour sought now.
3. The application is for off sales to the same terminal hour as on sales.
4. The proposed licence plan includes an outside area within the 'red line' i.e. an on sale. Clearly, the use of seating external to the premises building should terminate earlier than the hours applied for.
5. We believe that the restaurant use in planning terms would be permitted by the new Use Class E. This means that the use would not necessarily attract scrutiny from the Planning Authority in respect of matters such as extract duct/odours etc.
6. As stated above, it seems that there has been planning enforcement in respect of extract equipment. Given the proximity of residents above, we suggest that this issue is addressed as part of the licence application. We have proposed a condition below.
7. We note that there are a number of helpful conditions, including MC66.
8. There are however a number of matters not covered – for instance the terminal hour for off sales.
9. We would prefer that the times for servicing (waste collections and deliveries) were amended to 22:00
10. We propose the following additional conditions:  
MC87 No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.  
MC57 Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.  
We do not believe that the applicant has covered the relevant points in the City Council's Statement of Licensing Policy 2021, particularly PN1 and CD1.  
MC16 There shall be no sales of alcohol for consumption off the premises after 22:00  
MC17 All sales of alcohol for consumption off the premises shall be in sealed containers only,

and shall not be consumed on the premises.

MC20 All tables and chairs shall be removed from the outside area by 22:00 hours each day

We may raise further points in due course when we have more information about the application.

#### Conclusion

We are also aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise with local residents.

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]

[REDACTED]

[REDACTED]

**Received:**

31 May 2021

I am very concerned that granting this application will lead to a serious increase in noise on Lauderdale Parade in the evenings.

It means that people will be sitting out on the pavement eating and drinking until 23:30 weekdays and midnight Fridays and Saturdays. The hours are for the sale of alcohol, so presumably customers will be able to sit at table in the street after a meal drinking what they have legally purchased. It is then unlikely that they will always disperse quickly and quietly, so it could be 1 or 2 o'clock in the morning before the street is quiet again. That will have a very bad impact on the residences above the Lauderdale Parade shops. I am already kept up late by noise from the Sushi restaurant.

I also understand that the restaurant at 8 Lauderdale Parade has illegally installed an external flu duct at the rear of the property. So I have little confidence that they will comply with the requirements of the Operating Schedule.

I urge Westminster to preserve the quiet character of this conservation area

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Received:**

23 May 2021

The premises are below residential housing and the applicants have previously caused severe nuisance with a Shisha restaurant (heavy smoke, open charcoal fires on the pavement). This was shut down by the council after neighbourhood complaint.

They have erected, without planning permission, a large kitchen duct venting at the domestic roof line that has yet to be removed.

The Shisha restaurant attracted large groups of men and a next door neighbour (Lady Sarah Oliver) told me she suspected drugs and prostitutes were present. I do not believe the owners have a sincere interest in running a decent commercial operation and that if this license is granted there will be further neighbourhood wide trouble.

**Name:**

[REDACTED]

<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
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<b>Received:</b>	17 May 2021
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In pandemic people suffering from alcohol addiction problem is that not enough for council.plus across the road there are college where adult students study also in neighbourhood almost big pub in middle of both street and plus 5-6 businesses own liquer licence is not enough ?

After this licence they have neighbour who developing winebar and restaurent. last there are n number of people after pub closing standing out and make noise so by giving them licence you are motiveting those people.

<b>Name:</b>	[REDACTED]
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<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
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<b>Received:</b>	16 May 2021
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The owners are not fit and proper people to hold an alcohol license, with a long history of flouting regulations in Maida Vale.

Under a former guise, Ghalyoun, the owners caused long running public nuisance. The council proceeded with enforcement action and shut them down.

Keto are currently subject to enforcement action from Westminster planning, requiring they remove a kitchen extract duct erected without permission. This legally was required to be removed in February, but this hasn't happened. This clearly demonstrates wilful ignoring of laws, rules, and regulations.

The kitchen duct exits below the level of living accommodation, and causes odour and smoke nuisance inside residents properties. Keto are aware, and are wilfully ignoring Westminster's enforcement action and appeals of local residents. These are not responsible people.

The London Fire Brigade has serious concerns about the safety of residents living above Keto. An alcohol license will clearly increase the risk of fires, with potentially intoxicated patrons and open charcoal cooking.

Keto regularly cause public nuisance, operating an outdoor terrace late into the evening - I have evidence of noisy parties outdoors post 11pm. I'm not aware of permission for the outdoor area, let alone to late night usage - unlike other premises. An alcohol license would exacerbate the problem.

I request you & partners across council/fire brigade fully address the serious concerns with Keto's operations

- 1.Rapidly enforce the kitchen duct removal
- 2.Investigating the risk to neighbours from open charcoal cooking in a dense residential/mixed use block, with unsafe venting of noxious gasses in close proximity to windows, seemingly without fire safety approval
- 3.Create a clear plan of enforcement post kitchen duct removal to ensure the current nuisance/danger is not simply shifted to ground level

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	31 May 2021
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I hereby strongly object to this application.

[REDACTED] and I would be further disturbed by drinkers especially later at night.

Le Cochonnet is already a licensed premises on the corner of Lauderdale Parade just a few doors along from this restaurant. The noise and rubbish created there from is considerable with empty bottles and glasses left along the road that end up broken, drunks reeling out along the street at closing time (vomit is often found on the pavements) and the sound of stacking empties can be heard by local residents.

With a drinking establishment already existing in this small parade, another licensed venue is entirely unnecessary.

I respectfully request that this application is turned down.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	07 May 2021
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As a local resident, I am concerned about the mix of outdoor dining provided by the restaurant and serving alcohol at the times outlined in the application, with particular regard to noise. With residents living above and adjacent/above the restaurant, the combination is a potential for nuisance. I would welcome more information from the applicant on point P, d (the prevention of public nuisance), which currently only reads 'as per attached operating schedule.' No additional information, or the mentioned operating schedule is appended to the document. As it stands, I oppose the application, but could be swayed pending additional information.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	24 May 2021
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I understand that this restaurant is under Westminster Enforcement rules to take down an unauthorised, industrial scale flue duct at the back- that makes the residential properties above smell strongly of cooking fat, and there is a lot of black smoke/soot from their burning charcoal. The owner has not to date complied with these enforcement rules. This is the property that had an illegal shisha bar for many years, operating through much of the night, until a major fire (according to the fire brigade) came within 20 minutes of setting the full property alight i.e. including residences above. The owner of this property and the restaurant operators do not have a track record of keeping to Westminster planning and regulation rules. We expect that the rules of a liquor licence e.g. maintaining authorised hours and respecting residents regarding noise levels would also not be followed. We therefore object to the application.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	25 May 2021

I object to this application for licencing as:

1. I do not believe it is appropriate for Westminster to provide a licence whilst Westminster Council is taking legal action against the owner for failing to comply with an enforcement notice, which was unsuccessfully appealed by the owners (APP/X5990/C/20/3249054). The owners have continually failed to comply with the notice or to respond to the council on the issue.

2. I do not believe that the owners are considerate neighbours. There have been numerous noise and smell complaints regarding their premises for several years (see: <https://www.hamhigh.co.uk/news/environment/battle-lines-drawn-over-maida-vale-shisha-cafe-1-1196231>).

3. I do not believe that the owners are responsible neighbours. In 2018, a fire was started at the premises by the inadequate disposal of shisha coals that resulted in all properties in the Parade being evacuated by the fire department at 4.30am (<https://www.london-fire.gov.uk/incidents/2018/november/fire-at-a-caf%C3%A9-maida-vale/>).

4. I do not believe that the premises are appropriate to be licensed. There is very little inside seating which means that majority of customers will be served outside. This is not an appropriate venue to serve alcohol outside as this is a quiet residential street with housing above and opposite the premises. Le Cochonnet and Murusaki, which are both licensed, have large indoor seating areas and do not serve customers outside in the evening.

<b>3.</b>	<b>Policy &amp; Guidance</b>
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The following policies within the City Of Westminster Statement of Licensing Policy apply:

<b>Policy HRS1 applies</b>	<p>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.</p> <p>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:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>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</li> </ol>
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	<p>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.</p> <p>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><b>Policy RTN1 applies</b></p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>4. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>4. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> <li>1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.</li> </ol>

	<p>2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.</p> <p>3. Which do not provide any takeaway service of food and/or drink for immediate consumption.</p> <p>4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> <p>5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal</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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

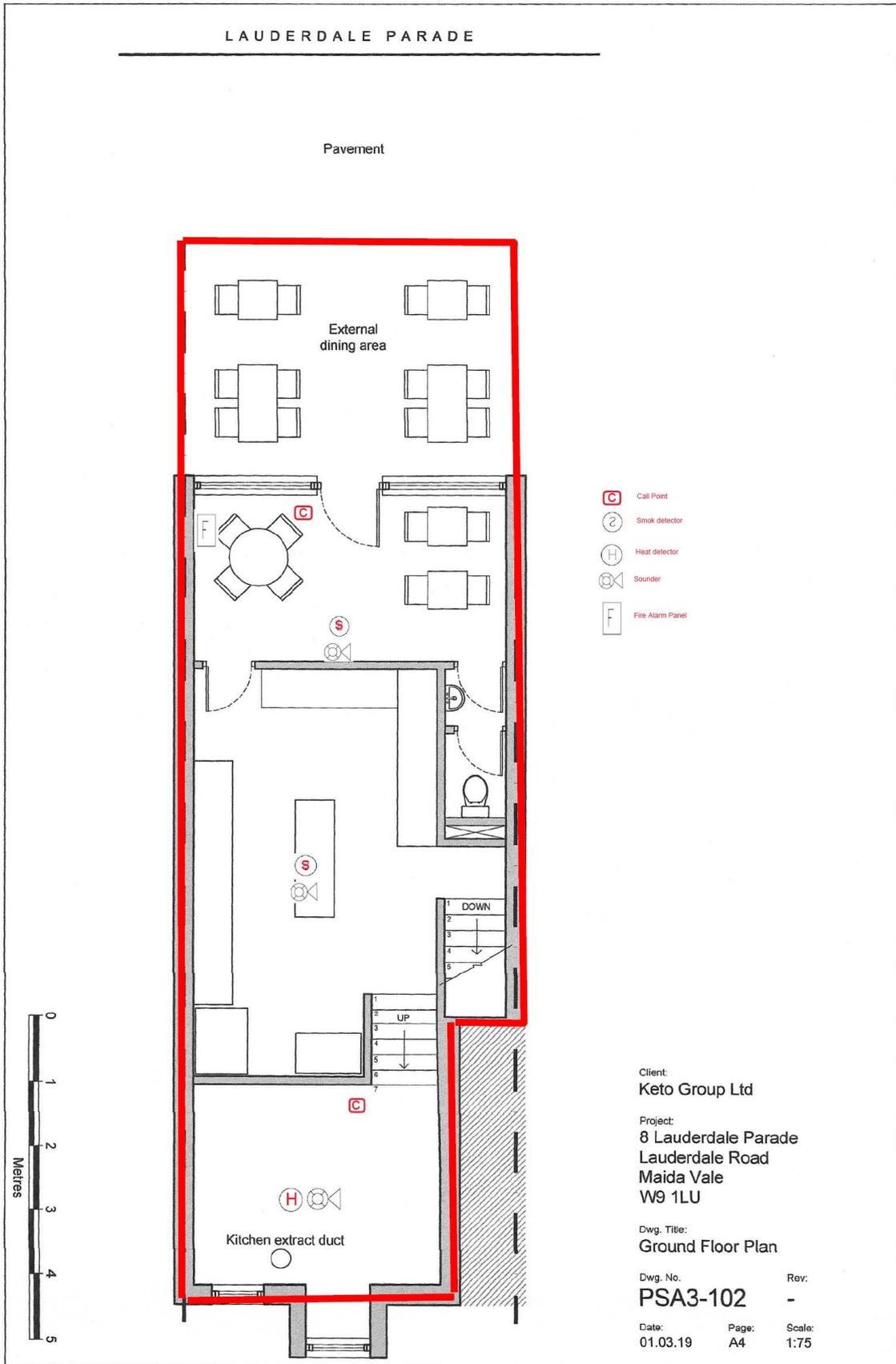
<b>5.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

**Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Representation	19 May 2021 (withdrawn 20 May 2021)
<b>5</b>	Environmental Heath Representation	01 June 2021
<b>6</b>	Interested Party Representation (1)	01 June 2021
<b>7</b>	Interested Party Representation (2)	23 May 2021
<b>8</b>	Interested Party Representation (3)	17 May 2021
<b>9</b>	Interested Party Representation (4)	16 May 2021
<b>10</b>	Interested Party Representation (5)	31 May 2021
<b>11</b>	Interested Party Representation (6)	07 May 2021
<b>12</b>	Interested Party Representation (7)	24 May 2021
<b>13</b>	Interested Party Representation	25 May 2021



**Applicant Supporting Documents**

**Appendix 2**

None

There is no licence or appeal history for the premises.

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

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

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

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

### Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## Conditions consistent with the operating schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
10. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
11. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
12. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
13. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
15. The premises shall only operate as a restaurant (i) in which customers are shown to their table or the customer will select a table themselves, (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, (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises, (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

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

16. A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS Hologram.
17. 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 regarding crime disorder (d) any incidents of disorder (e) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service.
18. 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.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of the local residents and businesses and leave the area quietly.

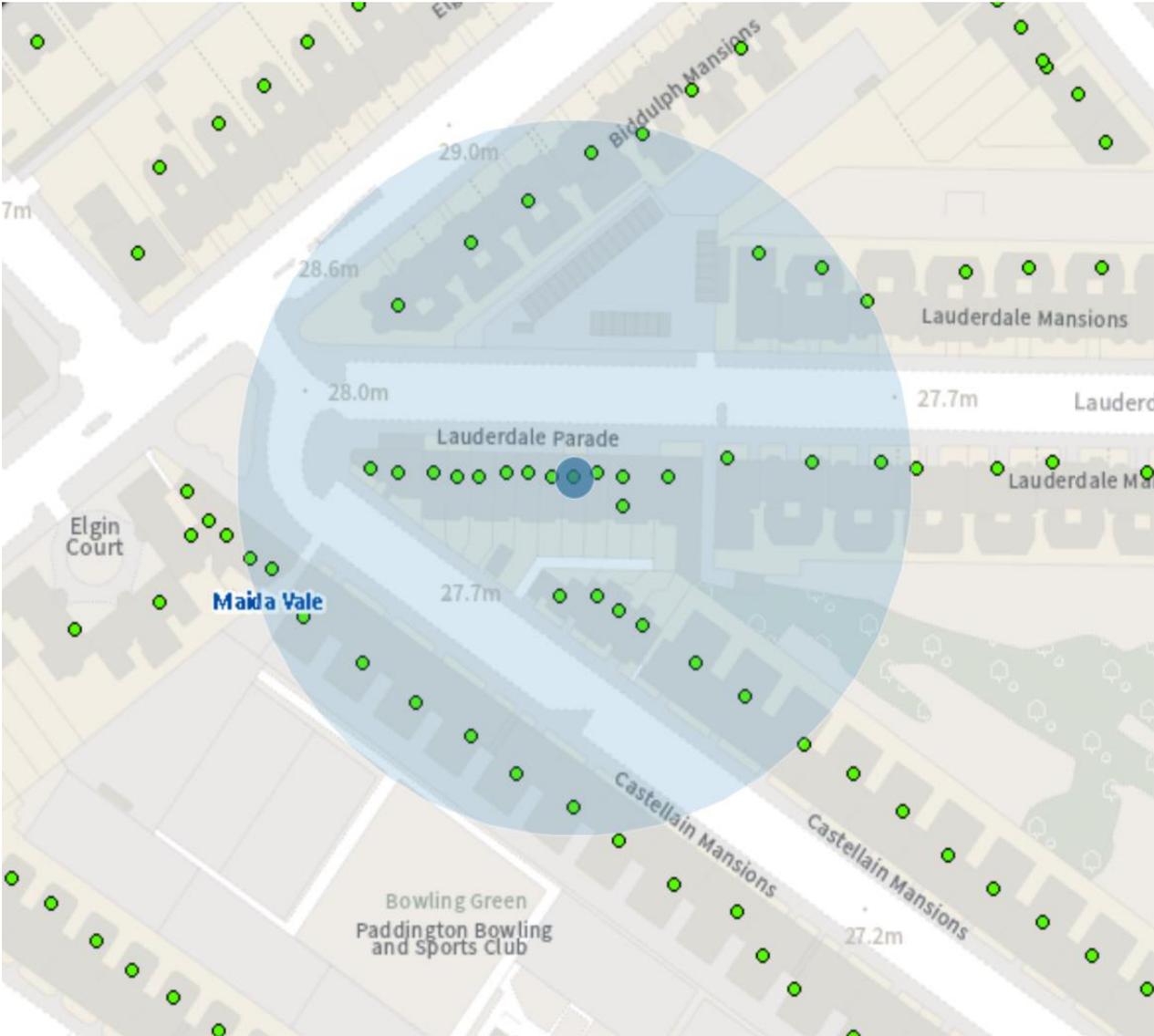
20. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel; at its junction with the kerb edge, is swept and or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
21. No collection of waste or recycling materials (including bottle) from the premises shall take place between 23:00 and 07:00 on the following day.
22. No deliveries to the premises shall take place between 23:00 and 07:00 on the following day.
23. All waste if to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
24. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

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

25. Except for any authorised external seating areas, all sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

**Conditions proposed by the Environmental Health**

None



Resident Count: 298

**Licensed premises within 75 m of 8 Lauderdale Parade Lauderdale Road London W9**

Licence Number	Trading Name	Address	Premises Type	Time Period
16/09147/LIPN	La Piccola Dely	6 Lauderdale Parade Lauderdale Road London W9 1LU	Shop	Sunday; 07:00 - 19:00   Monday to Saturday; 07:00 - 20:00
18/02152/LIPN	Sushi Murasaki	12 Lauderdale Parade Lauderdale Road London W9 1LU	Restaurant	Monday to Sunday; 12:00 - 23:00
21/05106/LIPDPS	Oddbins	4 Lauderdale Parade Lauderdale Road London W9 1LU	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
06/03719/WCCMAP	Le Cochonnet	Basement And Ground Floor 1 Lauderdale Parade Lauderdale Road London W9 1LU	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
14/02585/LIPN	Bon Appetite	73 Castellain Road London W9 1EU	Cafe	Monday to Sunday; 08:00 - 22:00