

WCC LICENSING SUB-COMMITTEE NO. 5 (“The Committee”)

Thursday 29 July 2021

Membership: Councillor Murad Gassanly (Chairman); Councillor Louise Hyams
and Councillor Aziz Toki

**Application for a New Premises Licence in respect of Ground Floor, 52 Lupus
St, London SW1V 3EE 21/01357/LIPN**

Summary Decision

The Committee has determined an application for a New Premises Licence under the Licensing Act 2003 (“The Act”). The Premises intends to operate as a coffee shop and is situated in Warwick Ward. The Premises have had the benefit of Temporary Event Notices which took place in December 2020 without complaint. The outside area is to stop being used from 20:00 hours and all tables and chairs shall be rendered unusable. However, during the hearing the Applicant amended the application further to state that the outside area would not be used after 18:00 hours and that all alcohol sales would cease from 19:00 hours inside the Premises. The Premises are not located within the West End Cumulative nor Special Consideration Zone. There is a resident count of 311.

This application seeks the following licensable activities and operating hours: -

Activities and Hours applied for

Retail Sale of Alcohol – On and Off Sales

Monday to Saturday 11:00 to 23:00 hours and Sunday 11:00 to 21:00 hours.

Seasonal Variations: None

Hours Premises are open to the Public

Monday to Saturday 08:00 to 23:00 hours and Sunday 08:00 to 21:00 hours.

Seasonal Variations: None

The Committee noted that representations were received from The Metropolitan Police Service (MPS) Environmental Health Service (EHS), and 22 Local Residents. The thrust of those objection cited public nuisance, crime and disorder and protection of children from harm issues as a cause for grave concern.

The Committee noted and considered the Agenda Papers and the additional documentation supplied by the Applicant and Richard Brown of Westminster CAB Licensing Project including the offered conditions.

Applicant

Merano Ltd, trading as Brewhouse represented by Stephen Thomas, Solicitor Advocate, of Stephen Thomas Law.

Summary Decision

The Premises intends to operate as a coffee shop. The Premises are not located within the West End Cumulative nor Special Consideration Zone

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

The Committee, however, was not persuaded by the Applicant that the promotion of the licensing objectives would be upheld particularly the public nuisance and crime and disorder licensing objectives. The Committee when looking at the evidence had regard to the policy considerations arising under Polices PN1, CD1 and CH1 under the City Councils Statement of Licensing Policy.

The Committee decided that the Applicant had *not* provided sufficient reasons as to why the granting of the application would promote the licensing objectives and therefore **refused** the application in all the circumstances of the case.

The Applicant is advised that the reasoned Decision will set out the full reasons of the Committee in due course.

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.

The Licensing Sub-Committee
29 July 2021