

# 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

29 September 2022

22/06963/LIPN - New Premises Licence

Pokehouse  
Basement And Ground Floor  
13 New Row  
London  
WC2N 4LF

Director of Public Protection and Licensing

St James's

City of Westminster Statement of Licensing Policy

None

Ms Jessica Donovan  
Senior Licensing Officer

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## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	18 July 2022		
<b>Applicant:</b>	Double Seven Hospitality Ltd.		
<b>Premises:</b>	Pokehouse		
<b>Premises address:</b>	Basement And Ground Floor 13 New Row London WC2N 4LF	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises intends to operate as a quick service restaurant providing poke bowls and drinks.		
<b>Premises licence history:</b>	This is a new premises licence therefore there is no premises licence history.		
<b>Applicant submissions:</b>	There are no submissions from the applicant.		
<b>Applicant amendments:</b>	None		

1-B Proposed licensable activities and hours							
<b>Recorded Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<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>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>			None				

<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>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>			None				

Hours premises are open to the public							
<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>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>			None				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Roxsana Haq
<b>Received:</b>	15 August 2022

I write in relation to the application (**22/06963/LIPN**) submitted for a new Premises Licence for:

**Pokehouse, Basement And Ground Floor, 13 New Row, London WC2N 4LF**

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 Licensing Objectives:

- Prevention of Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of Children from harm

This application seeks to permit the following licensable activities:

**Supply of Alcohol: (both on and off sales)**  
Monday to Sundays 11:00 to 21:00

**Recorded Music: (Indoors)**  
Monday to Sundays 11:00 to 21:00

The premises are located within the West End Cumulative Impact Zone and as such, a number of policy points must be considered, namely CIP1, RNT1 and DEL1.

**Cumulative Impact Policy CIP1,states:**

A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:

1. Vary the hours within core hours under policy HRS1
2. Vary the licence to reduce the overall capacity of the premises. And

C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact"

**Policy RNT1(B) states:**

B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
4. The application and operation of the venue meeting the definition of a restaurant

as per Clause C.

C. For the purposes of this policy a restaurant is defined as:

1. A premise 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.
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.
3. Which do not provide any takeaway service of food and/or drink for immediate consumption.
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.
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.

The Licensing Authority propose the following conditions:

1. The consumption of alcohol at the premises shall only be by a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

*For the purpose of this condition a '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.*

2. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, except for designated external seating areas.
3. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal or meal consumed in a designated external seating area.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. 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.
6. There shall be no self-service of alcohol at the premises.
7. Deliveries will only be made to bona fide residential or business addresses.
8. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the delivery personnel will carry out age verification on delivery. The customer will be asked to provide ID to prove their age in accordance with Challenge 21 or 25 scheme. If the rider is not satisfied, then the alcohol in the order will be withheld.
9. The premises licence holder will ensure that an age verification policy will apply whereby

all delivery personnel will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

10. All delivery personnel shall receive training in age restricted sales.

- Induction training must be completed and documented prior to the delivery of alcohol by the rider.
- Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.
- Training records will be available for inspection by a Police Officer or other authorised officer on request. Training records will be electronically stored by the licence holder for a period of 12 months.

11. All delivery personnel shall be trained to record refusals of sales of alcohol in a refusal's log/register. The log/register will contain:

- details of the time and date the refusal was made.
  - the identity of the delivery personnel refusing the sale.
  - details of the alcohol the person attempted to purchase.
- This log/register will be available for inspection by a Police Officer or other authorised officer on request.

Furthermore, the Licensing Authority require the applicant to provide submissions as to how the operation of the premises will not add to cumulative impact in the West End cumulative impact zone, in accordance with policy CIP1.

As the Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not adversely impact the West End Cumulative Impact Zone.

Further discussions will be held with the applicant prior to any scheduled hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Dave Morgan
<b>Received:</b>	04 August 2022

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are **objecting** to this application as it is our belief that if granted, the application would undermine the Licensing Objectives, namely the Prevention of Crime and Disorder and the Protection of Children from Harm.

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

There is also insufficient detail contained within the application to help promote the Licensing Objectives.

To move forward, I have attached a list of conditions that the Police would like to see added to the licence.

Please have a read and let me know if you are happy to accept them or feel free to contact me should you wish to discuss them further.

<b>Responsible Authority:</b>	Environmental Health Service
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<b>Representative:</b>	Anil Drayan
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<b>Received:</b>	15 August 2022
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The permeases are located in the West End Cumulative Impact Zone. Representations made against the application as it may adversely impact on the licensing objectives of Public Nuisance and Public Safety.

The applicant has not offered sufficient conditions, the plans are unclear, no capacity has been provided and subsequent sanitary accommodations. In addition Environmental Health will also wish to assess cooking ventilation scheme to prevent odour nuisance.

The applicant is requested to contact the undersigned and arrange a site visit to discuss the above issues.

## 2-B Other Persons

<b>Name:</b>	[REDACTED]
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<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
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<b>Status:</b>	Valid
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<b>In support or opposed:</b>	Opposed
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<b>Received:</b>	10 August 2022
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This application is for the sale of alcohol in a small takeaway premises open during limited hours (sale of alcohol ends at 21:00 and premises close at 21:30). The application also includes recorded music, although this does not require a licence during the hours requested.

[REDACTED] is concerned that if granted as applied for this will fail to support the Licensing Objectives, particularly related to Public Nuisance.

The implication of the application is that alcohol will be accompanying a meal, either eaten on the premises or take-away for consumption off the premises. Given the relatively early terminal hour we do not have a concern about this BUT a condition is required to restrict it to this style of operation.

We ask that the sale of alcohol is restricted by condition so that it can only be made in conjunction with the purchase of substantial refreshment. Alcohol should only be supplied over the counter or by waiter/waitress service, with no self-service from a chiller. We are happy to discuss suitable wording for such a condition with EH and/or the applicant.

We would also ask for MC 12 to be included in any Licence granted for the premises.

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.

We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Status:**

Valid

**In support or opposed:**

Opposed

**Received:**

08 August 2022

I am writing in regard to Poke House. I received notification of New Premises License Application under the Licensing Act 2003.

I am writing to object to this application for 3 reasons.

1) Poke House has been selling alcohol since the day they opened. Since May, they have illegally sold alcohol on the premises. I have seen and witnessed the consumption and purchasing of alcohol from customers. I reported this when the staff left music on all night, and the council tried to notify the manager through a Premise License, because he saw a beer and wine sign, and notify them to turn down the music. This loud music ran from 10pm-9am. For this basic disregard of citywide allowances, they should not be allowed a premise license, and monitored regularly.

2) The female store manager who usually opens the store is aggressive. She has told me to "f off" on multiple occasions when I have asked her to turn the music down, as well as slammed a door in my face. This incident was reported to CBRE, the property managers, as well as Westminster Council.

3) The staff consistently disobey basic commercial rules and guidelines. They play music outside of social hours. They place items in front of the [REDACTED] from entering.

I am happy to provide proof of the noise complaints sent to Westminster Council, as well as CBRE. They are horrible tenants and rude to everyone [REDACTED]

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> <li>1. Vary the hours within Core Hours under Policy HRS1, and/or</li> <li>2. Vary the licence to reduce the overall capacity of the premises.</li> </ol> <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<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 premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs</li> </ol>



and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.

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.

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.

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.

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.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

1. **Casinos:** Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

2. **Cinemas, Cultural Venues and Live Sporting Premises:**  
Monday to Sunday: 9am to 12am

3. **Hotels:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

4. **Off licences:** Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

5. **Outdoor Spaces:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

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.

7. **Qualifying Clubs:** Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

8. **Restaurants:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

9. **Sexual Entertainment Venues and Sex Cinemas:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

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>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p><b>Policy RNT1 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 operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. 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 operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>5. 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> <li>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.</li> <li>3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.</li> <li>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.</li> <li>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.</li> </ol>

#### 4. Equality Implications

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

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

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

#### 5. Appendices

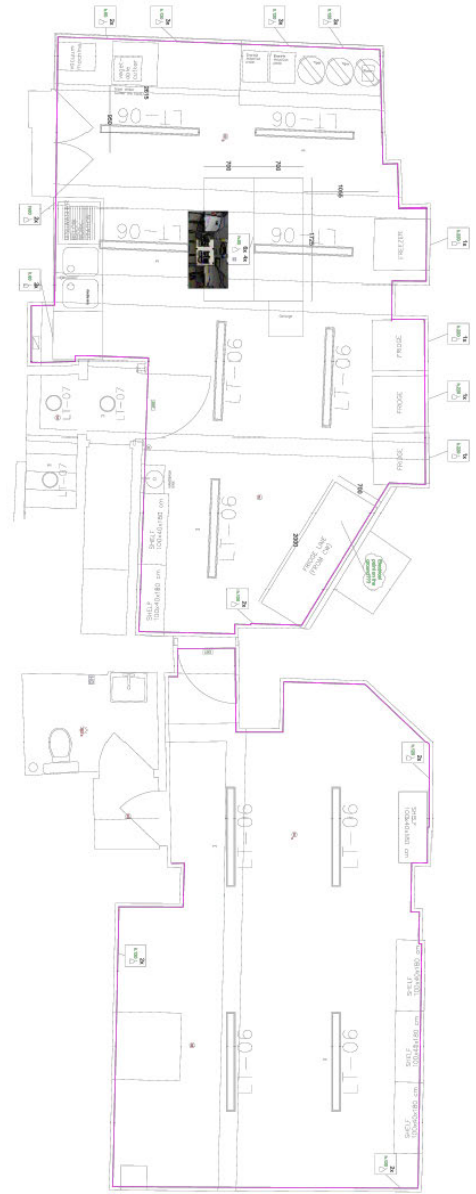
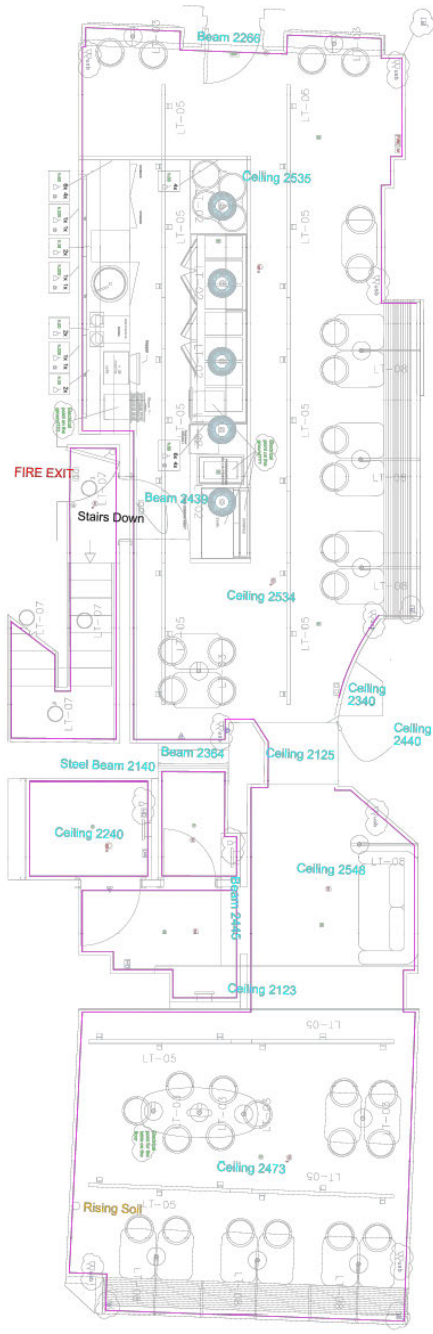
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Ms Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: <a href="mailto:Jdonovan@westminster.gov.uk">Jdonovan@westminster.gov.uk</a>

**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	01 October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	The Licensing Authority representation	15 August 2022
<b>5</b>	The Metropolitan Police Service representation	04 August 2022
<b>6</b>	Environmental Health Service representation	15 August 2022
<b>7</b>	Interested party 1 representation	10 August 2022
<b>8</b>	Interested party 2 representation	08 August 2022



NO.	REVISION	DATE	BY	CHKD.	APPD.
1	ISSUED FOR PERMIT	2024/08/27	...	...	...
2	REVISED PER PERMIT COMMENTS	2024/09/10	...	...	...
3	REVISED PER PERMIT COMMENTS	2024/09/10	...	...	...
4	REVISED PER PERMIT COMMENTS	2024/09/10	...	...	...
5	REVISED PER PERMIT COMMENTS	2024/09/10	...	...	...

- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 AND ALL APPLICABLE CODES OF PRACTICE.
- 2. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
- 3. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE BUILDING OFFICER.
- 4. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE CLIENT.
- 5. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE ARCHITECT.
- 6. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE ENGINEER.
- 7. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE CONTRACTOR.
- 8. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE SUBCONTRACTOR.
- 9. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE SUPPLIER.
- 10. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE INSTALLER.

**Applicant Supporting Documents**

**Appendix 2**

There are no supporting documents from the applicant.

## **Premises History**

## **Appendix 3**

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**

None

## Conditions proposed by the Metropolitan Police Service

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 and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
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 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.
11. The consumption of alcohol at the premises shall only be by a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.  
  
*For the purpose of this condition a '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.*
12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, except for designated external seating areas.
13. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal or meal consumed in a designated external seating area.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. 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.
16. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
17. 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 is open.

18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
19. There shall be no self-service of alcohol at the premises.
20. 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.
21. Deliveries will only be made to bona fide residential or business addresses.
22. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the delivery personnel will carry out age verification on delivery. The customer will be asked to provide ID to prove their age in accordance with Challenge 21 or 25 scheme. If the rider is not satisfied, then the alcohol in the order will be withheld.
23. The premises licence holder will ensure that an age verification policy will apply whereby all delivery personnel will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
24. All delivery personnel shall receive training in age restricted sales.
  - Induction training must be completed and documented prior to the delivery of alcohol by the rider.
  - Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.
  - Training records will be available for inspection by a Police Officer or other authorised officer on request. Training records will be electronically stored by the licence holder for a period of 12 months.
25. All delivery personnel shall be trained to record refusals of sales of alcohol in a refusal's log/register. The log/register will contain:
  - details of the time and date the refusal was made.
  - the identity of the delivery personnel refusing the sale.
  - details of the alcohol the person attempted to purchase.This log/register will be available for inspection by a Police Officer or other authorised officer on request.

### **Conditions proposed by the Environmental Health Service**

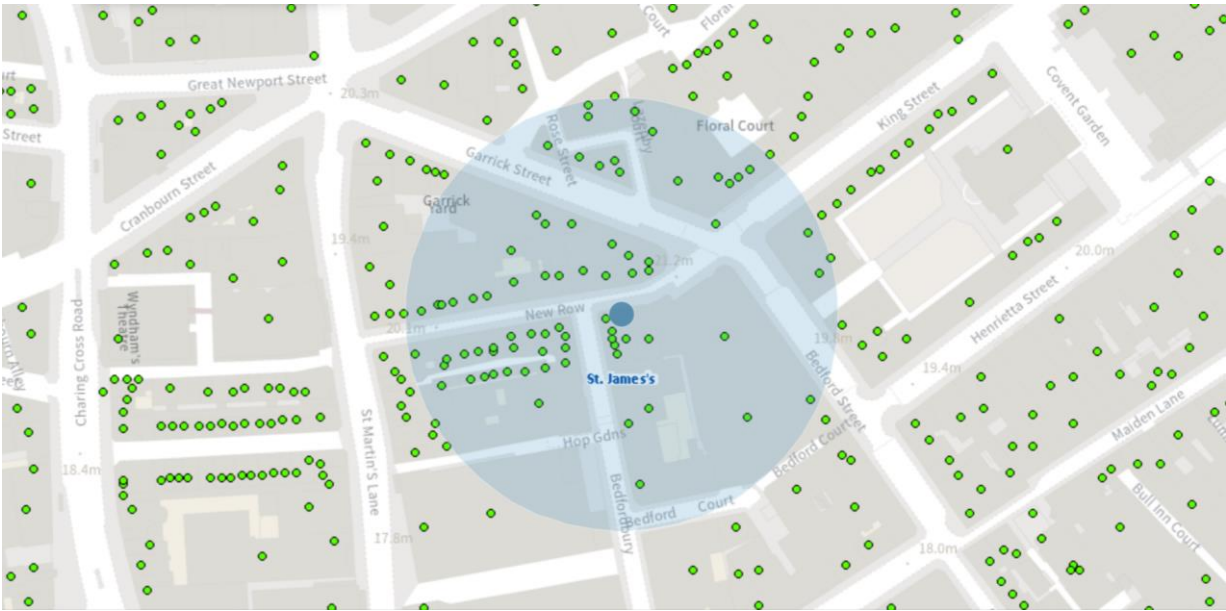
None

**Conditions proposed by the Licensing Authority**

None

**Conditions proposed by interested party 1**

26. 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.



Resident count: 132

**Licensed premises within 75 metres of Basement and Ground Floor, 13 New Row,  
London, WC2N 4LF**

<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
21/11185/LIPV	The White Swan	14 New Row London WC2N 4LF	Public house or pub restaurant	Sunday; 07:00 - 22:50   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sundays before Bank Holidays; 07:00 - 00:00
22/02459/LIPDPS	Round House	1 Garrick Street London WC2E 9BF	Public house or pub restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
21/07028/LIPDPS	CHILL SINCE PIZZA	10 New Row London WC2N 4LH	Not Recorded	Sunday; 12:00 - 22:30   Monday to Saturday; 10:00 - 23:00
20/06254/LIPDPS	Benitos Hat	Ground 19 New Row London WC2N 4LA	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
18/13283/LIPCH	Giovanni's Restaurant	10 Goodwin's Court London WC2N 4LL	Restaurant	Sunday; 12:00 - 15:00   Sunday; 18:00 - 00:00   Monday to Saturday; 18:00 - 00:30   Monday to Saturday; 10:00 - 15:00
22/06946/LIPDPS	Tesco	22-25 Bedford Street London WC2E 9EQ	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
19/09509/LIPDPS	Not Recorded	7 New Row London	Restaurant	Sunday; 08:00 - 22:30

		WC2N 4LH		Monday to Saturday; 08:00 - 23:00
14/06349/LICV	Garrick Club	15 Garrick Street London WC2E 9AY	Club or institution	Monday to Sunday; 07:00 - 01:30
06/08049/WCCMAP	Grand Indian 1 Restaurant	6 New Row London WC2N 4LH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
14/07843/LIPDPS	Com Viet	2 Garrick Street London WC2E 9BH	Restaurant	Monday to Sunday; 10:00 - 00:30
22/06787/LIPT	Not Recorded	26 King Street Covent Garden London WC2E 8HN	Restaurant	Sunday; 10:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00
20/07497/LIPCH	Steak & Co	4 - 6 Garrick Street London WC2E 9BH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/09877/LIPDPS	Cafe Nuvo	4 New Row London WC2N 4LH	Restaurant	Monday to Sunday; 08:00 - 23:00
22/02332/LIPDPS	Blame Gloria	Ground Floor And Basement 20 Bedford Street London WC2E 9HP	Public house or pub restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
20/08076/LIPD	Concert Artistes Association	20 Bedford Street London WC2E 9HP	Club or institution	Sunday; 12:00 - 22:30   Monday to Saturday; 11:00 - 01:00
11/07100/LIPT	Le Garrick	Ground Floor And Basement 10 - 12 Garrick Street London WC2E 9BH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30

22/06661/LIPDPS	Trevor Sorbie	27 Floral Street London WC2E 9DP	Hairdresser or beauty salon	Sunday; 09:00 - 18:00   Monday to Saturday; 09:00 - 21:00
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