

**Namaiki  
14 Broadwick Street  
London  
W1F 8HP**

---

**SUMMARY OF PROPOSALS**

---

**THOMAS & THOMAS PARTNERS LLP  
38A MONMOUTH STREET  
LONDON  
WC2H 9EP**

**Reference: AT/NAM.3.1  
Solicitors for the Applicant**

## Introduction

1. Namaiki is a Japanese restaurant specialising in sushi cuisine, located at 14 Broadwick Street, London W1F 8HP (“the Premises”).
2. The Premises are located within the West End Cumulative Impact Zone. Whilst there is no licence history, the Premises had historically operated as ‘Crussh’, an unlicensed food and beverage operation.

## The Application

3. The application is for a restaurant with MC66 applying in full and the proposed conditions, inter alia, address the Council’s policies in relation to the licensing objectives and cumulative impact within the cumulative impact area. No Regulated Entertainment has been applied for. The hours applied are in line with the City Council’s Core Hours policy. No outside space forms part of the application and all off sales are to be in sealed containers.

## Responsible Authorities

4. No representation has been received from either the City Council’s Environmental Health or Police Licensing Officers.
5. Representation has been received from the Licensing Authority acting as responsible authority. Reference is made to the application falling within policy RNT1(B) as a core hours restaurant operating within the West End CIZ. They do not express any specific concerns with the application – they simply invite the applicant to make submissions as to how the Premises will not add to cumulative impact, in line with policy. These submissions are below..

## Soho Society

6. Representation has been received from The Soho Society acting as resident association, addressing, inter alia, their wider concerns for Soho. A personal-use type condition has been suggested to address their concerns. This proposal is not agreed as it would be unlawful and would thwart the intentions of the Licensing Act 2003, that is, the ability for a licence to remain in perpetuity and transferable under due process.<sup>1</sup>

---

<sup>1</sup> See paragraph 46 of the White Paper for the Licensing Act 2003 (Cm4696): “a licence should be issued either for the life of the business providing alcohol sales and/or public entertainment at the premises, or until such time as it is suspended or revoked”.

## Policy

7. Given the location of the Premises in the West End Cumulative Impact Area, and the operation as a restaurant, Policies CIP1, RNT1(B) and HRS1 apply.

### (a) Cumulative Impact Policy CIP1

*"Applications for other premises types [i.e. including restaurants] within the West End Cumulative Impact Zone will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact."*

8. It is important to distinguish the Premises operating as a restaurant from the *"late night and drink led premises and/or night cafes"* which the Policy at Paragraph D4 notes as having *"led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses."*
9. The Premises are conservative in size with an expected maximum customer capacity of no more than 30 persons, and MC66 shall apply in full; a modest, food-led venue of this kind - protected by a comprehensive set of model conditions – will not contribute to the issues with which CIP1 is concerned.

### (b) Restaurants within the Cumulative Impact Areas - Policy RTN1(B)

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

- (1) The application meeting the requirements of CD1, PS1, PN1 and CH1.*
  - (2) The hours for licensable activities are within the Council's Core Hours Policy HRS1,*
  - (3) The operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.*
  - (4) The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone, and*
  - (5) The application and operation of the venue meeting the definition of a restaurant as per Clause C."*
10. With regards to restaurants generally, the Policy acknowledges at paragraph F.115 that *"[t]he wide variety of restaurants is a feature of Westminster and contributes to its status as a world class city."* Namaiki will further contribute to this rich diversity of culinary experiences, and help ensure Soho continues to renew (and surpass) itself.

**(c) Core Hours – Policy HRS1**

*A. Applications within the core hours [...] will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.”*

11. As per Policy paragraph E3, *‘[i]t is the Licensing Authority’s intention to generally grant licences or variations to licences where the hours when customers are permitted to be on the premises are within the ‘core hours’ as set out within this policy.’* The hours sought are in line with restaurant use hours.

**Conclusion**

12. This is an application to permit, inter alia, sales of alcohol and late night refreshment within Core Hours and conditioned to MC66 restaurant use. No outside area is sought.

May 2023