



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

29 June 2023

Licensing Ref No:

23/02627/LIPN - New Premises Licence

Title of Report:

54-56 Elizabeth Street
London
SW1W 9PB

Report of:

Director of Public Protection and Licensing

Wards involved:

Knightsbridge & Belgravia

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Jessica Donovan
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500
Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	21 April 2023		
Applicant:	Grosvenor Estate Belgravia		
Premises:	N/A		
Premises address:	54-56 Elizabeth Street London SW1W 9PB	Ward:	Knightsbridge and Belgravia
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises currently operates as a local delicatessen serving coffee all day, homemade cakes and a full range of deli items with a dine in menu offering brunch and light mains.		
Premises licence history:	The premises had the benefit of a licence between 2006 and 2008 in which it was surrendered. A new premises licence was granted in 2020 but lapsed in July 2022. The lapsed premises licence (22/00543/LIPDPS) can be viewed at Appendix 3 along with the history which appears at Appendix 4 .		
Applicant submissions:	The application is made to reinstate the licence numbered 22/00543/LIPDPS following the Premises Licence Holder going into administration in 2022. This is under the same terms, conditions and layout as the lapsed licence.		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	22:30	22:30	22:30	22:30	22:30	22:30	22:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:		None					

2. Representations

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	18 May 2023		
<p>For the sake of residents and especially those [REDACTED] the premises, the licence hours in the evening should be curtailed. There are enough licenced premises on Elizabeth St already creating their own set of problems. It is great for Grosvenor, great for people passing through and, as usual, not so good for local residents.</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	15 May 2023		
<p>[REDACTED]</p> <p>The hours of alcohol sales and opening hours need adjustment.</p> <p>As a community we requested NOT to grant an alcohol license. This was supposed to be a community cafe. As the original application states. Offering alcohol from 10am in the morning in area surrounding by families and children is unacceptable.</p> <p>The 2 previous establishments failed to make this unit work financially and on both occasions foreclosure on both businesses happened. Even with the extended operating hours and alcohol.</p> <p>Sunday opening times must be restricted by 6pm. A 7 day week offering for those that live here is too much. The late license should be adjusted also to allow us the right for peace and quiet in our homes.</p> <p>Alcohol 12pm-9pm Opening: 7am-9:30pm</p> <p>The unit itself is not fit for this purpose it has repeatedly shown not to be able to cover its rent and costs as this is a retail space not sizeable to operate as a restaurant</p> <p>Therefore a strong objection and request alterations to timings.</p>			

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED]		
Status:	Valid	In support of opposed:	Opposed
Received:	03 May 2023		

I am writing to you with regard to the premises [REDACTED].

I have recently been informed that Grosvenor have repossessed Baker & Spice, and have applied for a renewal of the liquor licence with extended trading hours. This seems unusual because an application usually has to name the operator so that one can be sure that they are fit and proper to operate the licenced premises. Could you kindly share the details of the operator as we are directly impacted?

Moreover, as [REDACTED] the said premises, I would like to formally object to any business which has extended liquor hours. It is a quiet corner of Elizabeth St, and a busy bar or restaurant would be a nuisance and would definitely impact the enjoyment our home.

[REDACTED], and from prior experience of shop promotional evenings, and street fairs, the noise levels are incredibly loud (even with our windows and shutters closed). During the summers, where one keeps the windows open all day, this would be intolerable.

I would be grateful if you could take our objection to any extended liquor license seriously, as it would affect us directly and change this peaceful corner of our neighbourhood.

I look forward to hearing from you confirming receipt of our objection.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	17 May 2023		

[REDACTED] we request you do not grant an alcohol licence. This site should be, as it previously was, a cafe without the need to sell alcohol. The street already has enough restaurants that serve alcohol - the Thomas Cubitt, The Ganymede, Oliveto, Olivocarne, as well as the pub by the coach station. This street needs a community cafe that serves residents and locals for breakfast, brunch, lunch and tea. The opening times should be reconsidered too. The street suffers from the antisocial hours of deliveries and rubbish/recycling for food outlets before and after they close in addition to regular disturbances from patrons late at night. Another restaurant will just add to this. The street needs to maintain a village-like feel which makes it so special and appealing. In order to do this an alcohol licence should not be granted to this site.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	27 April 2023		
<p>I am in receipt of your notice of the 24th April in connection with the above and have had the opportunity of looking at the application in detail on your website.</p> <p>I must admit, that when the previous occupiers, Bakers & Spice, obtained a Licence to sell alcohol with limited hours, I was relatively content in the knowledge that the Licence was in conjunction with the serving of food.</p> <p>The current Liquor Licence application appears to be for sales of alcohol on and off the premises between 10:00 and 22.30 from Monday to Saturday and 12:00 to 22.30 on Sunday. These hours of alcohol sales being longer than the premises licence holder.</p> <p>It should also be pointed out, that we already have a wine shop in the street (next door) to the south which has only limited opening hours and provides a good service to the street and the area. There is also a busy pub (Thomas Cubbit) in the street and one wonders if more alcohol sales are desirable?</p> <p>The application that seems to have been made, might be regarded as an application to open another pub, there is already one in the street, therefore is this licence appropriate or in keeping to maintain the historic and attractive appearance of this well known retail street.</p> <p>It is my belief, that the present application is entirely inappropriate as the prospect of drunk revellers on a regular basis falling into Elizabeth Street on this very busy junction which has a long record of motor vehicle accidents going back over the last 40 years, will not be enhanced by this application.</p> <p>It is noted, that the application for the new Licence seeks to extend the hours of operation of the selling of alcohol from 22:00 to 22.30 on each day which is therefore not conducive to maintaining the appearance of the street.</p> <p>I would also point out, that I note there is no named "trader" for whom the application is being made, it just seems to be the freeholder seeking to maintain a Liquor Licence in this location without giving much thought as to its impact on the residents and traders operating [REDACTED]!</p> <p>I would be obliged if you would keep me advised as to the progress of this application and any amendments made thereto in due course.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	16 May 2023		
<p>[REDACTED]</p> <p>I understand that the landlord, Grosvenor, has recently repossessed these premises that were previously let to Baker & Spice. I further understand that Grosvenor has applied for a renewal of the liquor licence, and applied for extended trading hours. This application is unusual in that</p>			

such an application would usually require that the operator be named so that one can be sure that they are fit and proper to operate licenced premises.

As the proposed operator of these premises is unknown, and that, in addition, additional trading hours are proposed, we have no option but to object to the application as it stands.

I look forward to hearing from you confirming receipt of our objection, please.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	15 May 2023		

[REDACTED] The hours of alcohol sales and opening hours need adjustment.

As a community we requested NOT to grant an alcohol license. This was supposed to be a community cafe. As the original application states. Offering alcohol from 10an in the morning in area surrounding by families and children is unacceptable.

The 2 previous establishments failed to make this unit work financially and on both occasion foreclosure on both businesses happened. Even with the extended operating hours and alcohol. The commercial u it and domestic [REDACTED] and not separated the commercial premises has no sound insulation protecting [REDACTED].

Sunday opening times must be restricted for course by 6pm. A 7 day week offering for those that [REDACTED]. The late license should be adjusted also to allow us the right for peace and quiet in our homes [REDACTED].

Alcohol 12pm-9pm
Opening: 7am-9:30pm

The unit itself is not fit for this purpose it has repeatedly shown not to be able to cover its rent and costs as this is a retail space not sizeable to operate as a restaurant

Therefore a strong objection and request alterations to timings.

3. Policy & Guidance

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

Policy HRS1 applies

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
 5. The proposed hours when any music, including incidental music, will be played.
 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.
 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
 9. The capacity of the premises.
 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
 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

	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> 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. <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy RNT1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 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. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p>

	<ol style="list-style-type: none"> 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 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. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 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. 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, except if provided via an ancillary delivery service to customers at their residential or workplace address. 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.
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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.

5. Appendices

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

Report author:	Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Interested party 1 representation	18 May 2023
5	Interested party 2 representation	15 May 2023
6	Interested party 3 representation	03 May 2023
7	Interested party 4 representation	17 May 2023
8	Interested party 5 representation	27 April 2023
9	Interested party 6 representation	16 May 2023
10	Interested party 7 representation	15 May 2023

Applicant Supporting Documents

Appendix 2

There are no supporting documents from the applicant.



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

Schedule 12
Part A

WARD: Knightsbridge
And Belgravia
UPRN: 100023346814

Premises licence

Regulation 33, 34

Premises licence
number:

22/00543/LIPDPS

Original Reference:

20/06415/LIPN

Part 1 – Premises details

Postal address of premises:

Baker & Spice
54-56 Elizabeth Street
London
SW1W 9PB

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 22:30
Sunday:	12:00 to 22:30

The opening hours of the premises:

Monday to Sunday: 07:30 to 23:00

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

Alcohol is supplied for consumption both on and off the Premises.

Part 2

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

Baker And Spice (London) Limited
31 Haverscroft Industrial Estate
New Road
Attleborough
Norfolk
NR17 1YE

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

10777417

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

Name: Matthew Gill

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

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

Licence Number: LBWands/04196
Licensing Authority: London Borough of Wandsworth

Date: 19 May 2022

This licence has been authorised by Mary Pring on behalf of the Director - Public Protection and Licensing.

Annex 1 – 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.

Annex 2 – Conditions consistent with the operating Schedule

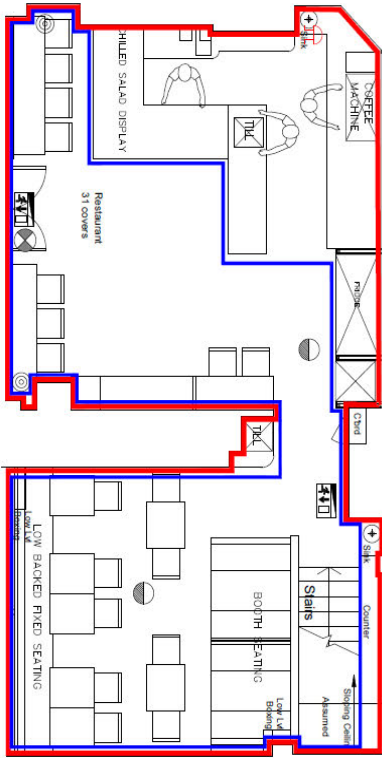
None

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

9. The supply of alcohol at the premises shall only be to persons seated at tables.
10. 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 alcohol provided to patrons seated at tables within the authorised external seating area.
11. 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. 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.
12. 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.
13. A Challenge 21 or 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.
14. 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.
15. 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.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
18. The supply of alcohol at the premises, including any area appropriately authorised for the use of tables and chairs, shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
19. The supply of alcohol at the premises, including any area appropriately authorised for the use of tables and chairs, shall be by waiter or waitress service only.
20. The consumption of alcohol in any area appropriately authorised for the use of tables and chairs shall cease at 21:00 hours.

21. All tables and chairs shall be removed from the outside area by 22:00 hours each day.
22. 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.
23. There shall be no draught beer and spirits, except for cocktails.
24. Save for alcohol consumed at any area appropriately authorised for the use of tables and chairs, the sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
25. Save for bottled red, white or rose wine from the retail range, the sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
26. A direct telephone number for the manager at the premises shall always be publicly available when the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 21.00 hours and 08.00 hours on the following day.
29. No collections of waste or recycling materials (including bottles) from the premises shall take place between 21.00 and 08.00 hours) on the following day.
30. With the exception of milk and bread fresh produce, no deliveries to the premises shall take place between 21.00 and 08.00 hours on the following day.
31. The number of seated persons permitted in the premises at any one time (excluding staff) shall not exceed 32 persons.
32. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a café/delicatessen.
33. That an External Seating Management Policy be devised and be made readily available to the Metropolitan Police or authorised Officer of the Council.
34. A copy of the External Seating Management Policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.

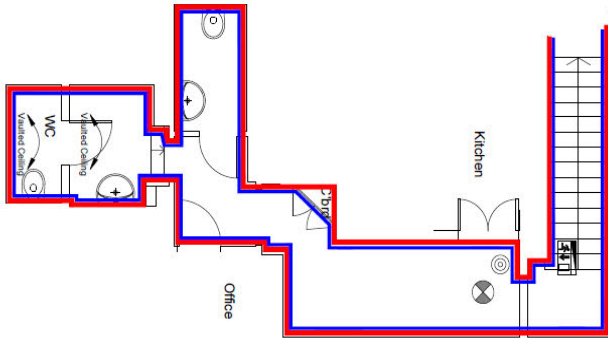
Annex 4 – Plans



T&C IN LICENSED AREA

GROUND FLOOR PLAN

SYMBOL KEY	SYMBOL KEY



LOWER GROUND FLOOR PLAN

NO.	REVISION	DATE	BY	CHKD	DESCRIPTION
1	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
2	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
3	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
4	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
5	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
6	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
7	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
8	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
9	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT
10	ISSUE FOR PERMIT	15/01/2024	MD	MD	ISSUE FOR PERMIT

DAKOTA
 HOUSE OF DESIGN
 10000 Grand Central Avenue
 Suite 100
 Denver, CO 80231
 Phone: 303.755.1234
 Fax: 303.755.1235
 Email: info@houseofdesign.com



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

Schedule 12
Part B

Premises licence
summary

WARD: Knightsbridge
And Belgravia
UPRN: 100023346814

Regulation 33, 34

Premises licence
number:

22/00543/LIPDPS

Part 1 – Premises details

Postal address of premises:

Baker & Spice
54-56 Elizabeth Street
London
SW1W 9PB

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 22:30
Sunday:	12:00 to 22:30

The opening hours of the premises:

Monday to Sunday: 07:30 to 23:00

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

Alcohol is supplied for consumption both on and off the Premises.

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

Baker And Spice (London) Limited
31 Haverscroft Industrial Estate
New Road
Attleborough
Norfolk
NR17 1YE

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

10777417

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

Name: Matthew Gill

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

Restricted

Date: 19 May 2022

This licence has been authorised by Mary Pring on behalf of the Director - Public Protection and Licensing.

Premises History**Appendix 4**

Application	Details of Application	Date Determined	Decision
06/11816/LIPN	New premises licence application Retail Sale of Alcohol: Monday to Sunday 11:00 to 19:00	25.01.2007	Granted by Licensing Sub-Committee
07/01862/WCCMAP	Master Licence application	25.01.2007	Granted by Licensing Sub-Committee
08/06121/LIPDPS	Application to vary the designated premises supervisor	31.07.2008	Granted Under Delegated Authority Surrendered in June 2008
20/06415/LIPN	New premises licence application Retail Sale of Alcohol: Monday to Sunday 10:00 to 21:00	17.09.2020	Granted by Licensing Sub-Committee
21/08753/LIPDPS	Application to vary the designated premises supervisor	31.10.2021	Granted Under Delegated Authority
21/09405/LIPV	Variation of a premises licence To vary the layout of the premises To extend the premises hours for the Retail Sale of Alcohol for consumption on and off the premises to 22:30 each day. To vary 3 conditions	02.02.2022	Granted by Licensing Sub-Committee
22/00543/LIPDPS	Application to vary the designated premises supervisor	19.05.2022	Granted Under Delegated Authority Licence lapsed in July 2022

Temporary Event Notice History

Application	Details of Application	Date Determined	Decision
21/08776/LITENP	Temporary Event Notice	06.09.2021	Event allowed to proceed
21/09160/LITENP	Temporary Event Notice	10.09.2021	Event allowed to proceed
21/09296/LITENP	Temporary Event Notice	14.09.2021	Event allowed to proceed
21/09673/LITENP	Temporary Event Notice	23.09.2021	Event allowed to proceed
21/10006/LITENP	Temporary Event Notice	28.09.2021	Event allowed to proceed
21/10551/LITENP	Temporary Event Notice	13.10.2021	Event allowed to proceed
21/11118/LITENP	Temporary Event Notice	18.10.2021	Event allowed to proceed

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.

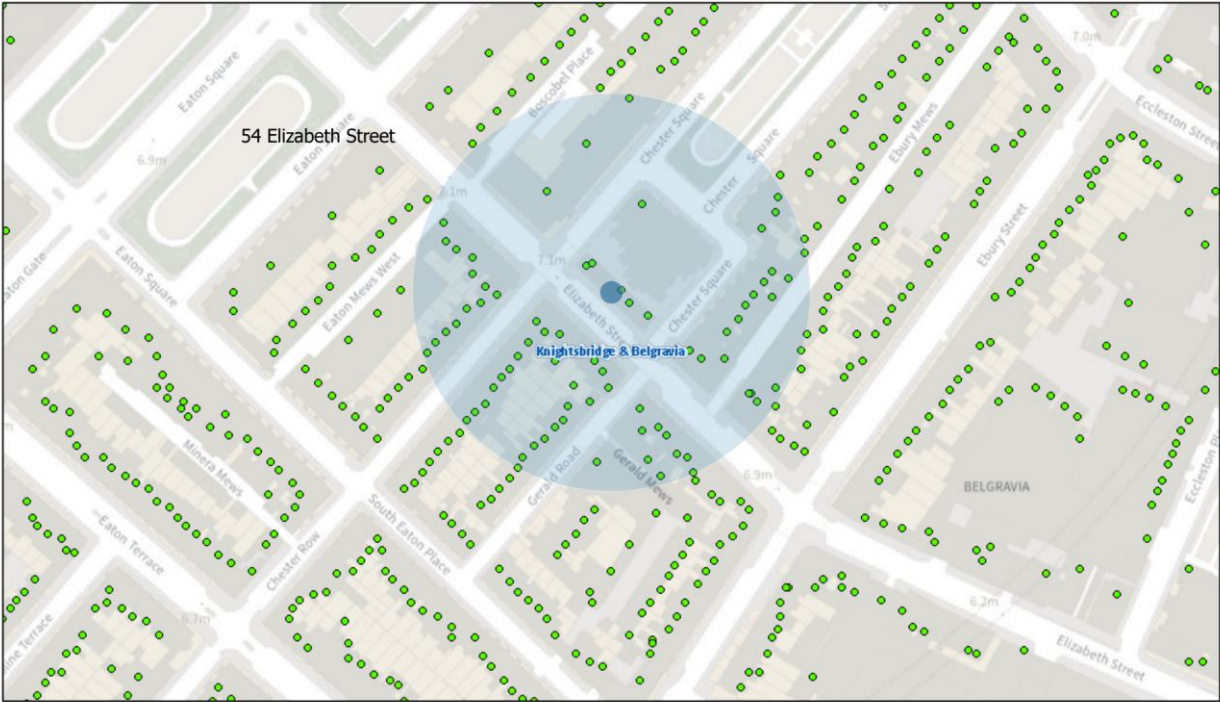
Conditions consistent with the operating schedule

9. The supply of alcohol at the premises shall only be to persons seated at tables.

10. 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 alcohol provided to patrons seated at tables within the authorised external seating area.
11. 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. 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.
12. 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.
13. A Challenge 21 or 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.
14. 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.
15. 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.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
18. The supply of alcohol at the premises, including any area appropriately authorised for the use of tables and chairs, shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
19. The supply of alcohol at the premises, including any area appropriately authorised for the use of tables and chairs, shall be by waiter or waitress service only.
20. The consumption of alcohol in any area appropriately authorised for the use of tables and chairs shall cease at 21:00 hours.

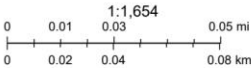
21. All tables and chairs shall be removed from the outside area by 22:00 hours each day.
22. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
23. There shall be no draught beer and spirits, except for cocktails.
24. Save for alcohol consumed at any area appropriately authorised for the use of tables and chairs, the sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
25. Save for bottled red, white or rose wine from the retail range, the sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
26. A direct telephone number for the manager at the premises shall always be publicly available when the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 21.00 hours and 08.00 hours on the following day.
29. No collections of waste or recycling materials (including bottles) from the premises shall take place between 21.00 and 08.00 hours) on the following day.
30. With the exception of milk and bread fresh produce, no deliveries to the premises shall take place between 21.00 and 08.00 hours on the following day.
31. The number of seated persons permitted in the premises at any one time (excluding staff) shall not exceed 32 persons.
32. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a café/delicatessen.
33. That an External Seating Management Policy be devised and be made readily available to the Metropolitan Police or authorised Officer of the Council.
34. A copy of the External Seating Management Policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.

54-56 Elizabeth Street, London, SW1W 9PB



14/06/2023, 12:13:42

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Ward Labels
- Borough Boundary - Detailed



Resident Count: 140

Licensed premises within 75 metres of 54-56 Elizabeth Street, London, SW1W 9PB

Licence Number	Trading Name	Address	Premises Type	Time Period
22/11136/LIPDPS	Jeroboams	50-52 Elizabeth Street London SW1W 9PB	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
12/06300/LIPN	TomTom Cigars	63 Elizabeth Street London SW1W 9PP	Shop	Saturday; 09:00 - 18:00 Sunday; 11:00 - 17:00 Monday to Friday; 09:00 - 20:00
23/02035/LIPDPS	The Thomas Cubitt	44 Elizabeth Street London SW1W 9PA	Public house or pub restaurant	Sunday; 12:00 - 22:30 Monday to Saturday; 10:00 - 23:30
14/06020/LIPDPS	Olivocarne Restaurant	61 Elizabeth Street London SW1W 9PP	Restaurant	Monday to Sunday; 09:00 - 00:30
19/11536/LIPVM	Belgravia Traders Association	Elizabeth Street London	Miscellaneous	Tuesday; 18:00 - 23:00 Wednesday; 18:00 - 23:00 Thursday; 18:00 - 23:00 Saturday; 11:00 - 18:00 Sunday; 11:00 - 18:00 Tuesday to Thursday; 18:00 - 23:00