



LICENSING (HEARING) SUB COMMITTEE

Date: MONDAY, 27 FEBRUARY 2023

Time: 10.00 am

**Venue: COMMITTEE ROOMS, 2ND
FLOOR, WEST WING, GUILDHALL**

APPLICANT: Fit Kitchen Eastcheap Ltd.

**PREMISES: Fit Kitchen, Basement &
Ground Floor, 43-45 Eastcheap, London,
EC3M 1JA**

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CONTENTS

Hearing Procedure	(Pages 5 - 6)
Report of the Executive Director Environment	(Pages 7 - 14)
Appendix 1: Copy of Application	(Pages 15 - 38)
i) Amendment to the Application	(Pages 39 - 40)
Appendix 2: Representations	
i) Representation from Guild Church Council of St Margaret Pattens	(Pages 41 - 46)
ii) Representation from Ian Temple	(Pages 47 - 50)
iii) Representation from Sueli Bimbato	(Pages 51 - 54)
Appendix 3: Conditions agreed with Responsible Authorities	(Pages 55 - 56)
Appendix 4: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales	
i) Location Map	(Pages 57 - 58)
ii) Terminal Hours	(Pages 59 - 60)
Appendix 5: Plan of Premises	(Pages 61 - 62)

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LICENSING SUB COMMITTEE PROCEDURE FOR PUBLIC HEARINGS

1. This procedure shall apply to all public hearings conducted under the provisions of the Licensing Act 2003.
2. Public hearings conducted under the provisions of the Licensing Act 2003 shall take the form of a discussion led by the licensing authority. Cross-examination will be permitted when the Sub Committee considers it to be required. The conduct of hearings shall be broadly based, subject to the discretion of the Sub Committee, on the points set out below.
3. At the start of the hearing the Chairman of the Sub Committee will introduce himself and other Members of the Sub Committee as well as the City Corporation officers present. Anyone making representations will then be asked to introduce themselves and anyone accompanying them. The applicant will then do likewise.¹
4. The Chairman will then explain the purpose of the hearing and the procedure to be followed at the hearing. The Sub Committee will then make any rulings necessary in respect of requests for witnesses to heard in support of any of the parties making representations or the applicant.
5. Those making representations will then be invited to present their case. Repetition will not be permitted. Equal time will be offered to the applicant and those making representations. Where there is more than one party making representations and/or calling witnesses in support consideration should be given to having one spokesman on behalf of all parties so as to avoid repetition. Although the use of a spokesman will be encouraged by the Sub Committee, the decision rests with those parties making representations.
6. In the event of disorder or persistent disregard of the authority of the Chair, the Chairman may suspend or adjourn the hearing, or require that the person(s) causing disorder or showing disregard leave the hearing.
7. In the event that the Sub Committee has decided that cross-examination will be permitted, the applicant will be invited to ask questions of the party(s) making representations and their witnesses (if any). The party(s) making representations and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
8. The applicant will then be invited to present their case and call any witnesses in support of their application. The applicant will be entitled to the same period of time to present his case as those making representations were afforded.

¹ In hearings where a licence is being reviewed, references in this procedure to 'applicant' should be read as references to the licence holder and references to 'those making representations' should be read as references to those applying for the review.

9. In the event that the Sub Committee has decided that cross-examination will be permitted, those making representations will be invited to ask questions of the applicant and their witnesses (if any). The applicant and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
10. The Chairman will ask all parties if there is anything else they would like to add in support of their respective cases.
11. Those making representations will then be invited to make closing submissions followed by the applicant.
12. The Sub Committee will then retire to consider their decision. They may call for assistance by the representatives of the Town Clerk and/or the Comptroller & City Solicitor but those persons will play no part in the decision-making process.
13. In due course, the Sub Committee will return to announce their decision or to inform those present when the decision will be given.

Committee(s): Licensing Sub-Committee	Hearing Date(s): 27/02/2023	Item no.
Subject	Licensing Act 2003 - Public Hearing in Respect of an Application for the Grant of a Premises Licence	
Name of Premises	Fit Kitchen	
Address of Premises	Basement & Ground Floor, 43-45 Eastcheap, London, EC3M 1JA	
Report of: Juliemma McLoughlin – Executive Director Environment		Public / Non-Public
Ward (if appropriate): Billingsgate		

1. Introduction and Purpose

- 1.1. The purpose of this sub-committee is to consider and determine, by public hearing, an application for the grant of a premises licence under the provisions of the Licensing Act 2003, taking into consideration the representations of other persons, as detailed in paragraph 4, together with policy considerations detailed in paragraph 8 of this report.
- 1.2. The decision of the sub-committee must be made with a view to promoting one or more of the four licensing objectives, namely:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

2. Summary of Application

- 2.1. An application made by:

Fit Kitchen Eastcheap Ltd
3rd Floor, 86-90 Paul Street
London, EC2A 4NE

was received by the City of London licensing authority on 06 January 2023 for the grant of a premises licence in respect of the premises:

Fit Kitchen
Basement & Ground Floor, 43-45 Eastcheap
London, EC3M 1JA

2.2. Full details of the application can be seen as Appendix 1.

2.3. The proposed application is to facilitate a premises licence to allow the sale of alcohol, regulated entertainment and late-night refreshment as a ground floor cafe with basement kitchen.

2.4. The application seeks permission for:

- a) the sale of alcohol for consumption on the premises,
- b) regulated entertainment in the form of live music and recorded music,
- c) the provision of late-night refreshment

2.5. The hours applied for each activity in the original application are shown in column 3 of the table below. On 03 January 2023, the applicant informed the Licensing team of an agreed amendment to the application (agreed with the City of London Police) and that late night refreshment hours were to be reduced to 01:30 terminal hour. This amendment can be seen as Appendix 1 (a) and is reflected in column 2 of the table below.

<u>Activity</u>	<u>Proposed licence after amendment</u>	<u>Proposed licence in original application</u>
Supply of alcohol for consumption on the premises	Mon–Sat 11:00-21:30	Mon–Sat 11:00-21:30
Provision of Live Music	Thu–Sat 18:00-23:00	Thu–Sat 18:00-23:00
Provision of Recorded Music	Mon–Sat 10:00-23:00	Mon–Sat 10:00-23:00
Late Night Refreshment	Thu–Sat 23:00-01:30	Thu–Sat 23:00-05:00
Opening Hours	Mon–Weds 08:00-22:00 Thu–Sat 08:00-01:30	Mon–Weds 08:00-22:00 Thu–Sat 08:00-05:00

3. Deregulation considerations

- 3.1 The applicant has applied for Live Music and Recorded Music with a terminal hour for each not past 23:00 hours.
- 3.2 The following sections/paragraphs of the statutory guidance issued under S182 of the Licensing Act 2003 are particularly relevant to this part of the application (revised December 2022):

- a) Paragraph 16.6 - As a result of deregulatory changes that have amended the 2003 Act, no licence permission is required for the following activities:

Live music: when a performance of unamplified live music takes place between 08.00 and 23.00 on any day, on any premises. When a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500, and alcohol is available for sale for consumption on those premises in accordance with the existing premises licence.

Recorded music: any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500, and alcohol is available for sale for consumption on those premises in accordance with the existing premises licence.

- b) Paragraph 16.36 – Any conditions added on a determination of an application for a premises licence, which relate to live music or recorded music, are suspended between the hours of 08.00 and 23.00 on the same day where the following conditions are met:

at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises; if the music is amplified, it takes place before an audience of no more than 500 people; and the music takes place between 08.00 and 23.00 on the same day.

- 3.3 In respect of this application, it can be noted that the sale or supply of alcohol for consumption on the premises is applied for until 2130 hours daily. In line with 3.2 above, regulated entertainment permission is not required for live unamplified music until 2300 hours or for live amplified music or recorded music before 2130 hours. Any conditions added on the determination of this application for a premises licence which relate to live or recorded music remain in place but are suspended until 2130 hours.

4. Representations from Other Persons

4.1. There are 3 representations from other persons.

- a) 1 is against the granting of the licence, on the basis that any licence granted in that location will undermine the licensing objectives of prevention of public nuisance and prevention of crime and disorder.
- b) 2 are in support of the application, citing that the premises, if granted a licence, would be a hub for the local community to socialise whilst maintaining a healthy lifestyle.

4.2. The representations can be seen in full as Appendix 2 (a), 2 (b) and 2 (c).

5. Conditions

Conditions drawn from the Operating Schedule

5.1. The operating schedule submitted with the applications suggests steps intended to be taken to promote one or more of the four licensing objectives. Conditions that are consistent with the steps described in the operating schedule and appropriate for the promotion of the licensing objectives can be included on the premises licence. No such conditions were proposed in the application.

Conditions agreed with Responsible Authorities

5.2. During the period for representations conditions were agreed between the applicant and the City of London Police. These conditions are detailed in Appendix 3.

6. Licensing History of Premises

6.1. In October 2020, a premises licence was granted at this address to Bloomsbury Leisure Holdings Limited for a premises called Gyoza Town. The licence permitted alcohol sales, recorded music and late-night refreshment, with a terminal hour of midnight. The most recent occupier at this address was Manon Cafe – a coffee shop with no licensable activities.

7. Map and Plans

- 7.1. A map showing the location of the premises, and a document detailing terminal hour for alcohol sales and late-night refreshment, are attached as Appendix 4 (a) and 4 (b).
- 7.2. The plan of the premises can be seen as Appendix 5.

8. Policy Considerations

- 8.1. In carrying out its licensing functions, the Licensing Authority must have regard to its statement of licensing policy and any statutory guidance issued under s 182 of the Licensing Act 2003.

City of London Corporation's Statement of Licensing Policy (2022)

- 8.2. The following pages/sections/paragraphs of the City of London Corporation's Statement of Licensing Policy are particularly applicable to this application.
- a) Pages 15-17 address the licensing objective 'The prevention of crime and disorder' and pages 22-25 address the licensing objective 'The prevention of public nuisance'.
 - b) Paragraph 92 states the need to strike a fair balance between the benefits to a community of a licensed venue, and the risk of disturbance to residents and workers.
 - c) Paragraph 92 also states an overriding policy principle namely, that each application will be determined on its individual merits.
 - d) Certain aspects of paragraphs 97 – 99 are relevant as they address the need of care when controlling noise from those persons leaving a premises – which can apply equally to staff at the premises.
 - e) Paragraph 104 considers a range of factors that should be considered when considering whether any licensable activity should be permitted.
 - f) Paragraphs 138-144 (Section 13) state the City of London Corporation's policy on setting conditions which may be applicable dependant on the step(s) taken by members as stated in paragraph nine of this report.

Statutory Guidance

8.3. The following sections/paragraphs of the statutory guidance issued under S182 of the Licensing Act 2003 are particularly applicable to this application (revised December 2022):

- a) Chapter 2 of the guidance covers the four licensing objectives. In particular, paragraph 2.15 states that it is, ‘...*important that in considering the promotion of [the public nuisance licensing objective, licensing authorities] focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable.*’ Also, paragraph 2.16 indicates that the prevention of public nuisance could, in appropriate circumstances include, ‘*the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.*’
- b) Chapter 10 refers to conditions attached to premises licences with paragraph 10.10 stating that, ‘*Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided.*’ To which is added; ‘*Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.*’

9. Summary

9.1. The Licensing Authority has a duty under the Licensing Act 2003 to promote the licensing objectives. Each objective has equal importance. In carrying out its licensing functions, the licensing authority must also have regard to its Statement of Licensing Policy, any statutory guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1998. The City of London Corporation must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the City of London.

10. Options

10.1. The Sub-committee must, having regard to the representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- a) grant the licence subject to any conditions consistent with the operating schedule modified to such extent as the Sub-committee

considers appropriate for the promotion of the licensing objectives and include the mandatory conditions contained in Ss. 19-21 of the Licensing Act 2003;

- b) exclude from the scope of the licence any of the licensable activities to which the application relates;
- c) to refuse to specify a person in the licence as the designated premises supervisor;
- d) reject the application

For the purposes of paragraph 10.1(a) conditions consistent with the operating schedule are modified if any of them are altered or omitted or any new condition is added

10.2. Where a licensing authority takes one or more of the steps stated in paragraph 10.1 above the applicant, or the holder of the licence and/or a person who made relevant representations in relation to the application, may appeal the decision to the Magistrates' Court. Any appeal must be commenced within 21 days following notification of the decision to the appellant by the licensing authority.

11. Recommendation

11.1. It is therefore RECOMMENDED that your Sub-Committee determine this application for a new premises licence in accordance with paragraph 10 of this report.

Prepared by Robert Breese, Licensing Officer

Background Papers

<u>BACKGROUND PAPER</u>	<u>DEPT</u>	<u>FILE</u>
Corporation of London Statement of Licensing Policy (revised Jan 2022)	MCP	3rd Floor Guild Hall
Statutory Guidance – 'Revised Guidance Issued Under Section 182 Of The Licensing Act 2003'. (December 2022)		Statutory Guidance

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City of London
Application for a premises licence
Licensing Act 2003

For help contact
licensing@cityoflondon.gov.uk
 Telephone: 020 7332 3406

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Amar

Family name

Lodhia

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes ☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

Second Applicant Name

Is the name the same as (or similar to) the details given in section one?

☐ Yes ☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name	<input type="text"/>
Family name	<input type="text"/>
Is the applicant 18 years of age or older?	
<input checked="" type="radio"/> Yes <input type="radio"/> No	

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes ☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Second Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth

/

/

dd

mm

yyyy

* Nationality

British

Right to work share code

Remove this applicant

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

09

/

01

/

2023

dd

mm

yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

/

/

dd

mm

yyyy

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Ground floor cafe with basement kitchen. Ground floor seating area with 24 covers. Ground floor servery area. Ground floor WC. Basement kitchen, staff room and office.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☒ Yes ☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Unamplified acoustic performances. Not on a regular basis.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Background music.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Eating and non-alcoholic drink. Alcoholic drink served from 11:00 to 21:30 Monday to Saturday

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- ☒ On the premises ☐ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Amar

Family name

Lodhia

Date of birth

/ /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text" value="Highfield"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☒ Electronically, by the proposed designated premises supervisor
- ☐ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="24:00"/>	End	<input type="text" value="05:00"/>
Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:59"/>

SATURDAY

Start	<input type="text" value="24:00"/>	End	<input type="text" value="05:00"/>
Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:59"/>

SUNDAY

Start	<input type="text" value="24:00"/>	End	<input type="text" value="05:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Will act responsibly and pro-actively respond to neighbours' complaints/suggestions.

b) The prevention of crime and disorder

Will have security for late night opening. Will install cctv.

c) Public safety

Will install cctv.

d) The prevention of public nuisance

Will not serve alcohol after 21:30. Will not play loud music.

e) The protection of children from harm

Will only serve children when accompanied by an adult. Will not serve children alcohol.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/city-of-london/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY	
Applicant reference number	890EC
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >	

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Ainsworth, Chloe

Subject: New Premises Application 03/02/23 - FIT KITCHEN Basement and Ground Floor 43-45 Eastcheap

From: Amar Lodhia <[REDACTED]>
Sent: 02 February 2023 16:34
To: Paul Holmes [REDACTED]
Cc: Caroline Hay [REDACTED]; [REDACTED]
Subject: Re: New Premises Application 03/02/23 - FIT KITCHEN Basement and Ground Floor 43-45 Eastcheap

CAUTION: This email originated from outside of the Force. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yes, I confirm.

From: Paul Holmes [REDACTED] >
Date: Friday, February 3, 2023 at 12:13 AM
To: Amar Lodhia [REDACTED] >
Cc: Caroline Hay [REDACTED] >, [REDACTED]
[REDACTED]
Subject: RE: New Premises Application 03/02/23 - FIT KITCHEN Basement and Ground Floor 43-45 Eastcheap

Amar, confirming you agree late night refreshments until 01.30 and not 05.00 as on the application and the inclusion of these two conditions

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.
2. As discussed additionally one SIA registered door supervisor from 22.00 until close on Thursday, Friday and Saturday evenings.

Your letter can be sent to Robert Breese who is on this e-mail

Please confirm that you are agreeable to 1.30 and the two conditions above.



Paul Holmes
Licensing Officer
Partnership & Prevention - Licensing

P

www.cityoflondon.police.uk www.twitter.com/citypolice

From: Paul Holmes
Sent: 02 February 2023 13:03

To: Amar Lodhia <[REDACTED]>
Cc: Caroline Hay <[REDACTED]>
Subject: FW: New Premises Application 03/02/23 - FIT KITCHEN Basement and Ground Floor 43-45 Eastcheap

Amar, we agree that we will accept late night refreshments until 01.30 and not 05.00 as on the application . We would also want the following included as a condition on the licence concerning CCTV.

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

If you are agreeable to amending the application in accordance with our request then please respond to this e-mail with a reply to all as I have included Robert Breese who works in the Licensing Authority Team. You need to respond to this today if you accept.

All the best



Paul Holmes

Licensing Officer

Partnership & Prevention - Licensing

P [REDACTED]

w www.cityoflondon.police.uk t www.twitter.com/citypolice

From: M&CP - Licensing <licensing@cityoflondon.gov.uk>
Sent: 09 January 2023 14:56
To: Pln - CC - Development Dc <PLNDev@int.cityoflondon.gov.uk>; Community Services Queue <community.services@cityoflondon.gov.uk>; DES - EH - Pollution <DES-EH-Pollution@cityoflondon.gov.uk>; Home Office Alcohol <alcohol@homeoffice.gsi.gov.uk>; Fire Safety Regulator <FSR-adminsupport@london-fire.gov.uk>; Licensing Office <LicensingOffice@city-of-london.pnn.police.uk>; M&CP - EH - Commercial <M&CP-EH-Commercial@cityoflondon.gov.uk>; Environment - Business Delivery <des-operationalsupport@cityoflondon.gov.uk>; M&CP - Trading Standards <TradingStandards@cityoflondon.gov.uk>; Dixon, Pat [REDACTED] Public Health Hackney <public.health@hackney.gov.uk>
Cc: M&CP - Licensing <licensing@cityoflondon.gov.uk>
Subject: New Premises Application 03/02/23 - FIT KITCHEN Basement and Ground Floor 43-45 Eastcheap

Dear All,

Please find attached a new premises application for the above premises.

Please note the last date for representation is: 3rd February 2023

Kind Regards,

Licensing Team

From: [Tom Jackson](#)
To: [M&CP - Licensing](#)
Cc: [REDACTED]
Subject: FIT KITCHEN Eastcheap Ltd - Licencing Application objection
Date: 31 January 2023 09:20:02
Attachments: [St M.P's Objection to Alcohol Licence Application Eastcheap EC3-5.pdf](#)

THIS IS AN EXTERNAL EMAIL

Dear sir/madam,

We are writing to object to the licensing application for Fit Kitchen, 43-45 Eastcheap, London. This objection is raised by the Guild Church Council of St Margaret Pattens, comprising the Guild Vicar, the four Churchwardens, the Chair of the Friends of St Margaret Pattens, the Treasurer and one other. All are copied, and we would appreciate that any email correspondence is "reply to all".

With best regards,

Revd Andrew Keep, Guild Vicar
Tony Charlwood, Senior Churchwarden

[REDACTED]
Tom Jackson, Churchwarden

[REDACTED]
Jennifer Bryant-Pearson, Chair of the Friends,
Neil Osmond, Treasurer,
John Harrison, GCC member.

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NOTICE OF OBJECTION

TO

THE APPLICATION FOR A PREMISES LICENCE DATED 28 AUGUST 2020

In respect of 43/45 EASTCHEAP LONDON EC3M 1JA Ground floor & Basement

APPLICANT:- Fit kitchen Eastcheap Limited

OBJECTORS:- The Guild Vicar, Churchwardens and Guild Church Council of
St. Margaret Pattens Church, Rood Lane, Eastcheap, EC3M 1HS

Application Details

1. To permit the sale of alcohol on and off the premises 11 am – 11.30pm Monday to Saturday.
2. To provide late night refreshments 11.00pm to midnight Thursday, 11.00pm to 5.00am Friday to Sunday.
3. To Provide regulated entertainment such as Live Music 6.00pm to midnight Thursday to Saturday and recorded music 10.00am to 11.00pm Monday to Saturday, 11.00am to 9.00pm Sunday.

The Property

43/45 Eastcheap adjoins St Margaret Pattens Church and was formerly the Vicarage. The church is a Wren building, completed in 1687 after the Great Fire. There is a paved area in front of it, which was originally part of the Churchyard, at the junction of Rood Lane and Eastcheap. This churchyard is owned by the church and both are on consecrated land. The churchyard, with the Wren church and the tree in the centre, is an oasis of peace and tranquillity in our busy city. The main South door of the church is approached via the churchyard.

43/45 is a Georgian style building with ground floor, basement and two floors of offices above. The entrance is from Eastcheap and the west elevation overlooks the churchyard.

In recent decades appropriate office users have occupied the ground floor and basement, until recently when the use changed to catering. Manon Café struggled to find adequate clientele and closed sometime ago. A more recent attempt to set up a restaurant with a similar offering of food, alcohol, live music etc. as proposed by Fit Kitchen also failed, raising questions as to the economic viability of such a proposal. This part of the City is already well-supplied with restaurants, bars and other places of entertainment, many of which have struggled to return to 'normality' since Lockdown.

St Margaret Pattens Church is open every weekday for quiet prayer and contemplation for office workers and visitors to this tranquil environment and is used for meetings such as by Alcoholics Anonymous.

Regular services take place on weekdays and weekends both during the day and in the evenings. There are weddings, funerals, memorial services, Remembrance Day services as well as services for the Worshipful Companies of Pattenmakers and Basketmakers, who have long historical links with the church.

For financial sustainability, we rely on fee paying supporters who require a peaceful atmosphere and excellent acoustics, such as renowned choirs The Tallis Scholars and Stile Antico, during daytime and evenings and other regular users. We host such events most evenings of the working week. We also allow the coffee vendor to use the churchyard, he quietly provides for office workers from early morning until the afternoon.

Reasons for Objection

Prevention of Public Nuisance

Please refer to our objections to the prior proposal for this site. Our position has not changed.

This is not an appropriate location for a 10½ hours a day, evening and late night licensed premises providing alcohol, constant music and food throughout that time, seven days a week. Inevitably sound will be at a level to attract passers-by and entertain customers. This will cause disturbance and nuisance to users of the Church and others in the neighbourhood.

The occupiers of 43/45 Eastcheap have no rights or permission for staff or customers to use the churchyard. We fear staff will not be able to prevent customers spilling out on to the churchyard particularly in the evening. We specifically object to both the proposals for windows to open into our churchyard adjacent to our coffee seller and also for an entrance / exit onto the churchyard. This remains our freehold.

St Margaret Pattens churchyard is a quiet area of peace and calm, admired by countless city workers and visitors. It is precisely the type of space that the City of London Noise Strategy intended to protect.

Noise from the premises will create a Public nuisance and interfere with people seeking refuge. It will interrupt services and deter choirs and other potential users from coming to the church, causing cultural and financial damage. It will also cause nuisance to other properties and neighbours in the area. The church, given its listing, has no opportunity to improve its own sound insulation.

Prevention of Crime and Disorder

The requested hours of opening, 8.00am to 9.30pm Mondays to Wednesdays, 8.00am to Midnight on Thursdays and Friday and through to 5.00am on Sundays are excessive. This will attract customers who wish to continue drinking late into the night. It will also lead to outside drinking and raucous behaviour, which will spill over into the churchyard. We have found evidence of urinating and defecating in the churchyard in the past and this is likely to increase significantly.

Recently the steps to the church's South Door were vandalised and the matter reported to the City Police.

The churchyard with its tree, although small in area extends to within inches of the applicants' premises and provides a transitional space between the public pavement and the church interior. Its nature and use are particularly vulnerable to desecration and destruction by the proposed change of use to Licensed premises.

Conclusion

Most of the functions of the Church and supporters will be adversely affected by noise from continuous music, and people socialising and drinking next door and outside.

This is not an appropriate location for a day, evening and late-night licensed premises providing alcohol, music and food throughout that time, seven days a week. There are activities at the church that will be severely compromised with financial consequences and the public will lose an area of peace and quiet in our busy City.

From the City Licence Register we note that there are 10 licensed premises (plus the WeWork office building at 51 Eastcheap and Tesco's store) in Eastcheap plus 2 in St Mary at Hill.

Any amendments to the application will not satisfy our concerns.

We ask you to refuse the application.

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From: [Ian Temple](#)
To: [M&CP - Licensing](#); [Pln - CC - Development Dc](#); [Community Services Queue](#); [DES - EH - Pollution](#); [Home Office Alcohol](#); [Fire Safety Regulator](#); [Licensing Office](#); [M&CP - EH - Commercial](#); [Environment - Business Delivery](#); [M&CP - Trading Standards](#); [REDACTED] [Public Health Hackney](#)
Subject: Letter of support for Fit Kitchen Eastcheap at 43-45 Eastcheap EC3M 1JA .
Date: 03 February 2023 08:07:26
Attachments: [image933964.png](#)
[image907209.png](#)
[image199781.png](#)
[image050134.png](#)
[Letter of support for Fit Kitchen Eastcheap Ltd at 43-45 Eastcheap EC3M 1JA.pdf](#)

THIS IS AN EXTERNAL EMAIL

Dear Sir/Madam,

Please see attached for my letter of support for Fit Kitchen Eastcheap at 43-45 Eastcheap EC3M 1JA .

Kind Regards

Ian Temple



Ian Temple
Managing Partner

E: [REDACTED] | T: [REDACTED]



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Registered office address: 30-40 Eastcheap, London, EC3M 1HD

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City of Licensing Authority
Environment Department
PO Box 270
Guildhall
London
EC2P 2EJ

2nd February 2023

Re: Letter of support for Fit Kitchen Eastcheap Ltd at 43-45 Eastcheap EC3M 1JA


Dear Sir/Madam

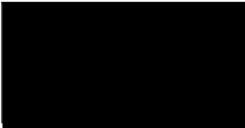
With reference to the application by Mr Amar Lodhia, owner of Fit Kitchen Eastcheap for a premises license at 43-45 Eastcheap. I, Ian Temple, am writing to you as Director of Hydrogen Group and occupants of 30 Eastcheap EC3M 1HD, where our business has been established for 10 years. We would like to express our support for the submission of Fit Kitchen Eastcheap to occupy the premises opposite our office building.

We believe it will be a great addition to the street; the hospitality sector is key to our local economy, and it has been significantly affected by Covid-19. We are now post pandemic and are seeing the struggles of encouraging people back into London and into office life again and we feel Fit Kitchen will have a positive impact in this post Covid-19 world.

The application of Fit Kitchen Eastcheap to acquire an alcohol license is also an aspect we fully support, not only will Fit Kitchen be an asset to Eastcheap, offering healthy, nutritious, and fresh food but it will also be a hub for the local working community to reconnect in, socialise. An important part of our lives that was also deprived during Covid-19 and one that society needs to reinstate. The Fit Kitchen Eastcheap will do this; an establishment that enables people to enjoy socialising whilst maintaining a healthy lifestyle.

Please contact me if there is anything else I can do to support the application.

Ian Temple


Kind regards,


Ian Temple

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From: [HR Messina Clinic](#)
To: [M&CP - Licensing](#); [Pln - CC - Development Dc](#); [Community Services Queue](#); [DES - EH - Pollution](#); [Home Office Alcohol](#); [Fire Safety Regulator](#); [Licensing Office](#); [M&CP - EH - Commercial](#); [Environment - Business Delivery](#); [M&CP - Trading Standards](#); [REDACTED]; [Public Health Hackney](#)
Subject: Re: Letter of support for Fit Kitchen Eastcheap Ltd at 43-45 Eastcheap EC3M 1JA
Date: 03 February 2023 16:26:33
Attachments: [Messina Clinic Letter of support for Fit Kitchen Eastcheap Ltd.pdf](#)

THIS IS AN EXTERNAL EMAIL

Dear All,

Please see attached my letter of support in Fit Kitchens Licence Application

If you have any questions please feel free to contact me

Kind Regards,

--

Carolina Siqueira
HR Manager

Messina Clinic

8-9 Lovat Lane

London

EC3R 8DW

T: [REDACTED]

E: Messinaclinic.hr@gmail.com

W: www.messinaclinic.co.uk



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City of Licensing Authority
Environment Department
PO Box 270
Guildhall
London
EC2P 2EJ

3rd February 2023

Re: Letter of support for Fit Kitchen Eastcheap Ltd at 43-45 Eastcheap EC3M 1JA

Dear Whom May Concern,

I am writing to you today in reference to the application which is being made by Mr Amar Lodhia, the owner of Fit Kitchen, Eastcheap at his premises license at 43-45 Eastcheap.

I, Sueli Bimbato, am writing to you as Practice Manager of Messina Clinic, and occupants of Second Floor 43-45 Eastcheap EC3M 1JA, where our business administration office has been based since May 2022. With our Clinic being based across the road at 8-9 Lovat Lane, London, EC3R 8DW for 3 Years. We would like to express our support for the submission of Fit Kitchen Eastcheap to occupy the premises opposite our office building.

I would like to remark that Fit Kitchen is a great establishment to add to the street and boost the local commerce, which has been significantly affected by Covid-19. Now post pandemic we are all trying to recover and great food options such as Fit Kitchen is encouraging more foot traffic for all companies around, as more people are returning to the office and back into London and into office life again and we feel Fit Kitchen will have a positive impact in this post Covid-19 world.

The application of Fit Kitchen Eastcheap to acquire an alcohol license is also an aspect we fully support, not only will Fit Kitchen be an asset to Eastcheap, offering healthy, nutritious, and fresh food but it will also be a hub for the local working community to reconnect in, socialise. An important part of our lives that was also deprived during Covid-19 and one that society needs to reinstate. The Fit Kitchen Eastcheap will do this; an establishment that enables people to enjoy socialising whilst maintaining a healthy lifestyle.

Please contact me if there is anything else I can do to support the application.

Yours Sincerely,



Sueli Bimbato
Practice Manager

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CONDITIONS AGREED WITH RESPONSIBLE AUTHORITIES

AGREED WITH CITY OF LONDON POLICE

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.
2. At least one SIA registered door supervisor shall be engaged at the premises from 22.00 until close on Thursday, Friday and Saturday evenings.

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Fit Kitchen, 43-45 Eastcheap EC3M 1JA



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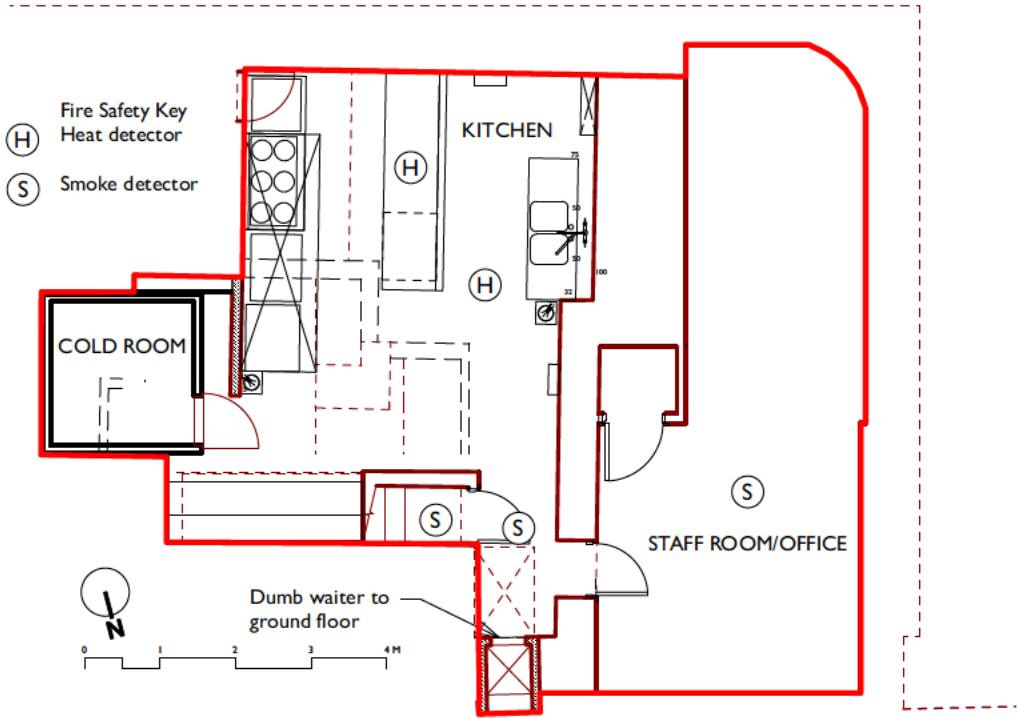
Fit Kitchen, 43-45 Eastcheap, EC3M 1JA

Red: Terminal hour for alcohol sales

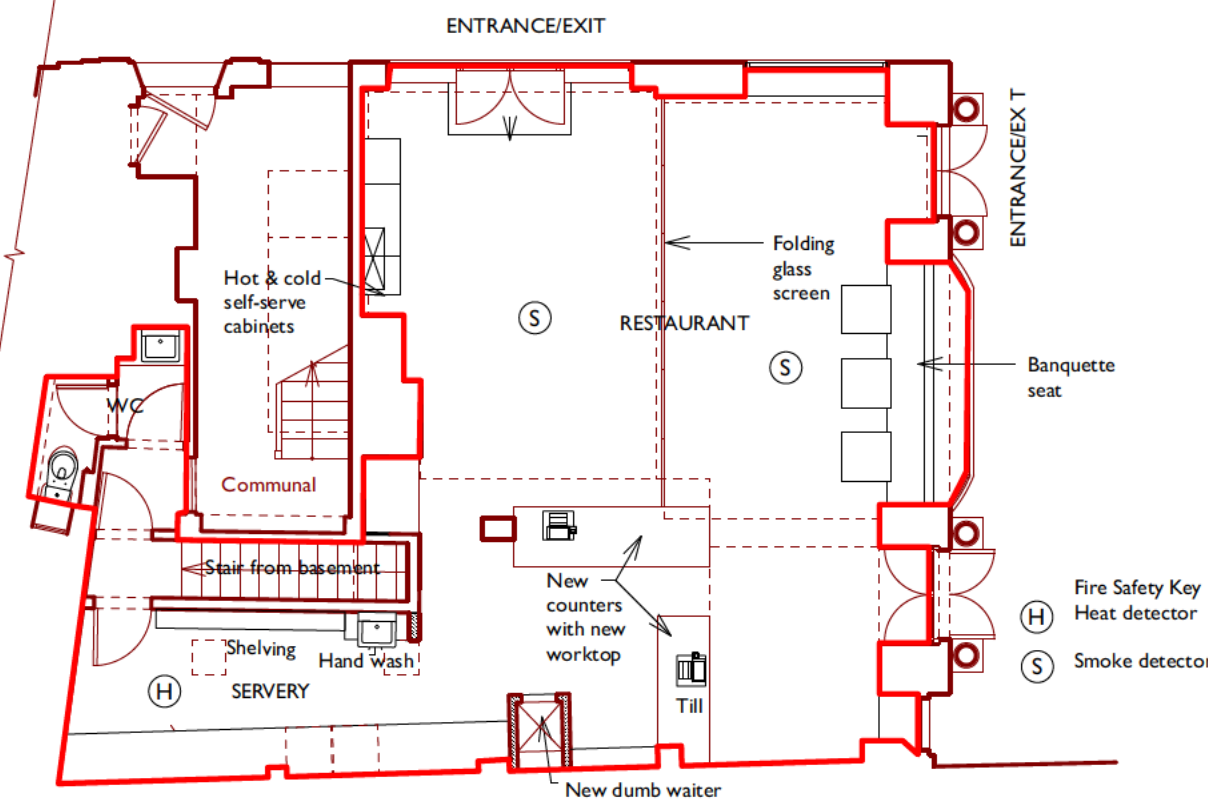
Green: Terminal hour for Late Night Refreshment

- 1) Eastcheap Records, Peek House, 20 Eastcheap, London, EC3M 1EB 02:00 02:30
- 2) BrewDog, Unit 3, 50 Great Tower Street, London, EC3R 5AB 00:00 00:30
- 3) The Hung Drawn And Quartered Public House, 27 Great Tower Street, EC3R 5AQ 00:00 01:00
- 4) The Corn Exchange, 55 Mark Lane, London, EC3R 7NE 01:00 01:00
- 5) Proud City, 4 Minster Pavement, London, EC3R 7PP 03:00 03:00
- 6) Haz Restaurant, Plantation Place, 30 Fenchurch Street, London, EC3M 3BD 00:00 00:00
- 7) Balls Brothers @ Minster Court, 1 Minster Pavement, London, EC3R 7PP 01:00 01:00
- 8) The Windsor Public House, 2 New London Street, London, EC3R 7NA 01:00 01:00
- 9) The Ship Public House, 11 Talbot Court, London, EC3V 0BP 00:00 01:00
- 10) Feeneys, Retail Unit, 48 Mark Lane, London, EC3R 7QH 22:00
- 11) Premier Inn, St Marys Court, 20 St Mary At Hill, London, EC3R 8EE 00:00 00:30
- 12) Dirty Martini Monument, 1 Lovat Lane, London, EC3R 8DT 03:00 03:00
- 13) Simmons, Unit 5, 35 Eastcheap, London, EC3M 1DT 03:00
- 14) The Walrus & The Carpenter Public House, 45 Monument Street, EC3R 8BU 00:00 01:00
- 15) Steam Wine Bar, 1 St George's Lane, London, EC3R 8DJ 23:00
- 16) The Monument Public House, 18 Fish Street Hill, London, EC3R 6DB 02:00 02:00
- 17) The Hydrant, 1 Monument Street, London, EC3R 8BG 03:00 03:30
- 18) The Britannia Public House, 20 Monument Street, London, EC3R 8AJ 03:00 03:00
- 19) Al Dente Monument, Providian House, 16-18 Monument Street, London, EC3R 8AJ 22:30
- 20) The Folly, 41 Gracechurch Street, London, EC3V 0BT 01:00 01:30
- 21) All Bar One, 16 Byward Street, London, EC3R 5BA 00:00 01:00
- 22) The Liberty Bounds, 15 Trinity Square, London, EC3N 4AA 00:00 00:00
- 23) Traitors Gate, 14 Trinity Square, London, EC3N 4AA 23:00 05:00
- 24) Be At One, 28 King William Street, London, EC4R 9AT 02:00 02:00

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BASEMENT PLAN





GROUND FLOOR PLAN

Do not scale this drawing. All dimensions are in millimetres.

Contractors are to check all dimensions prior to commencement on site and notify the architect of any errors, omissions, or discrepancies.

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Project name: 43-45 Eastcheap		Scale: 1:100 @ A3	Revision:	Drawn by: TG
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