



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Thursday 31st March, 2016**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall, 64  
Victoria Street, London, SW1E 6 QP**

Members: **Councillors:**

Jean Paul Floru (Chairman)  
Nick Evans  
Murad Gassanly

**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda**

**Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 9.00am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.**

**Email: [jdeacon@westminster.gov.uk](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

To report any changes to the membership.

#### 2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

#### Licensing Applications for Determination

#### 1. MNKY HSE, 8-9 DOVER STREET, W1

(Pages 1 - 68)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / not in cumulative impact area	Mnky Hse, 8-9 Dover Street, W1	New	16/00517/LIPN

#### 2. CAFE ROYAL HOTEL, 8 AIR STREET, W1

(Pages 69 -  
104)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	West End Ward / West End Cumulative	Café Royal Hotel, 8 Air Street, W1	Variation	16/01324/LIPV

	Impact Area			
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**Charlie Parker**  
**Chief Executive**  
**24 March 2016**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

## **POLICY CONSIDERATIONS**

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

## **GUIDANCE CONSIDERATIONS**

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

## **LIVE MUSIC ACT 2012**

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

## **CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES**

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.

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Item No:	
Date:	31 March 2016
Licensing Ref No:	16/00517/LIPN - New Premises Licence
Title of Report:	Mnky Hse 8 – 9 Dover Street London W1S 4LD
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

# 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	18 January 2016		
<b>Applicant:</b>	8 – 10 Dover Street Limited		
<b>Premises:</b>	Mnky Hse		
<b>Premises address:</b>	8 – 9 Dover Street London W1S 4LF	<b>Ward:</b>	West End
		<b>Stress Area:</b>	None
<b>Premises description:</b>	The premises is to operate as a restaurant and bar.		
<b>Premises licence history:</b>	The premises at Ground Floor Left, 8 – 9 Dover Street, trading as Dover Street Wine Bar holds a premises licence under the Licensing Act 2003 and has done since at least conversion to the Licensing Act 2003 in September 2005.		
<b>Applicant submissions:</b>	<ul style="list-style-type: none"> <li>The applicant has proposed a number of conditions in the operating schedule of the application form (see <b>Appendix 4</b>). In addition, the applicant has agreed conditions with the Police Licensing Team and Environmental Health (see <b>Appendix 4</b>), who have both subsequently withdrawn their objections.</li> <li>In the event this application is granted, the applicant has agreed to surrender the premises licence for Dover Street Wine Bar, Ground Floor Left, 8 – 9 Dover Street (14/10693/LIPT). That licence is currently held by Mr Boris Kofman and Mr Saul Lewin. Mr Kofman and Mr Lewin are listed on Companies House as directors of the applicant company.</li> <li>The applicant has submitted a letter dated 23 March 2016 detailing the purpose of the application and addressing concerns raised by the representation (see <b>Appendix 2a</b>).</li> <li>The applicant has also provided: <ul style="list-style-type: none"> <li>Draft visual and furniture document (<b>Appendix 2b</b>)</li> <li>Mnky Hse menu (<b>Appendix 2c</b>)</li> <li>Plans showing wall and soffit types (<b>Appendix 2d</b>)</li> <li>Diagrams showing soffit and wall section details (<b>Appendix 2e</b>)</li> </ul> </li> </ul>		
<b>Objector submissions:</b>	<ul style="list-style-type: none"> <li>An acoustics report commissioned by Mr Green (residential objector) dated 3 February 2016 has been provided to support the representation (see <b>Appendix 2f</b>).</li> </ul>		



<b>1-B Proposed licensable activities and hours</b>							
<b>Live Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	00:00
<b>Seasonal variations:</b>		None					
<b>Non-standard timings:</b>		<ul style="list-style-type: none"> <li>• From the end of trade on New Year's Eve to the start of trade on New Year's Day.</li> <li>• On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.</li> </ul>					

<b>Recorded Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	00:30
<b>Seasonal variations:</b>		None					
<b>Non-standard timings:</b>		<ul style="list-style-type: none"> <li>• From the end of trade on New Year's Eve to the start of trade on New Year's Day.</li> <li>• On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.</li> </ul>					

<b>Performances of dance:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	00:00
<b>Seasonal variations:</b>		None					
<b>Non-standard timings:</b>		<ul style="list-style-type: none"> <li>• From the end of trade on New Year's Eve to the start of trade on New Year's Day.</li> <li>• On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.</li> </ul>					

<b>Anything of a similar description to live music, recorded music or performances of dance:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	00:00
<b>Seasonal variations:</b>		None					
<b>Non-standard timings:</b>		<ul style="list-style-type: none"> <li>From the end of trade on New Year's Eve to the start of trade on New Year's Day.</li> <li>On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.</li> </ul>					

<b>Late night refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	00:30
<b>Seasonal variations:</b>		None					
<b>Non-standard timings:</b>		<ul style="list-style-type: none"> <li>From 23:00hrs on New Year's Eve to 05:00hrs on New Year's Day.</li> <li>On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.</li> </ul>					

<b>Sale by retail of alcohol:</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	03:00	03:00	03:00	03:00	03:00	03:00	00:30
<b>Seasonal variations:</b>		None					
<b>Non-standard timings:</b>		<ul style="list-style-type: none"> <li>From the end of trade on New Year's Eve to the start of trade on New Year's Day.</li> <li>On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.</li> </ul>					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	04:00	04:00	04:00	04:00	04:00	04:00	01:00
<b>Seasonal variations:</b>	None						
<b>Non-standard timings:</b>	<ul style="list-style-type: none"> <li>From the end of trade on New Year's Eve to the start of trade on New Year's Day.</li> <li>On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.</li> </ul>						
<b>Adult Entertainment:</b>	N/A						

## 2. Representations

2-B Other Persons			
<b>Name:</b>	Mr David Green		
<b>Address and/or Residents Association:</b>	Owner of 2nd and 3rd Floor Flats 47 Albermarle Street London		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	4 February 2016		
<p>We act for David Green, the owner of the flat at the second and third floors of 47 Albermarle Street. The above Property encompasses the basement of 47 Albermarle Street and therefore our client will be directly affected by the proposed licence.</p> <p>In principle, our client objects strongly to the application for a new premises licence for the Property because of the impact on the surrounding neighbourhood (including residential premises and his home) of loud music and other noise disturbance, high volume of people and general disorder often fuelled by alcohol. We note that the new licence proposes to increase the number of people allowed at the premises by 85 to 585 persons which will exacerbate the above issues. Further, our client is concerned that he has not received adequate communication in relation to the proposed changes to the licence over the years.</p> <p>In particular, we note that the proposed licence will extend the ability of the premises to provide facilities for entertainment of a similar description to making music or dancing from midnight Sunday to 3.30am Monday and the sale of alcohol from midday to 10am on Sundays (the "Extended Opening Hours").</p> <p><b>Prevention of Public Nuisance</b></p> <p>Our client is very worried about the potential public nuisance arising from proposed licence including the Extended Opening Hours and the effect that this will have on the Council's ability to ensure that its licensing objective of preventing public nuisance is upheld.</p>			

It is unclear whether or not the previous premises licence for the Property included the basement area extending under 47 Albemarle Street. However, in any event the licensable activities were not carried on to any great extent in this area. The current application proposes that the licensable activities will include this area which will have a significant impact on our client's property in terms of noise not least due to the increase in the number of persons allowed at the premises. If the licence is granted, this area should be excluded.

The noise arising as a result of activities authorised by the proposed licence including the use of plant associated with the Property (further detailed below) should be considered cumulatively in addition to the noise arising from those arriving at and leaving the premises. There are already significant issues in the area which will be exacerbated by the grant of the licence as set out above.

We attach a report by Cole Jarman (see **Appendix 2**) addressed to Damian Lavelle at Westminster City Council dated 3 February 2016 which details the severe inadequacies of the noise reports undertaken in relation to the current planning application (ref: 15/1 0428/FULL) for plant at the Property. The report clearly identifies that plant noise levels do not conform to Westminster City Council's planning policy with several errors cumulatively leading to a significant under assessment of the plant noise levels. The conclusion of the reports submitted with the planning application note that the attainment of the authority's expected noise criteria offers "many practical challenges which may be difficult to guarantee in practice". This is only one aspect of the noise issue at the Property.

Our client is very concerned about the noise as a result of the proposed licensable activities, in particular loud music and the noise created by a large number of people gathering both inside and outside of the Property. The proposed Extended Opening Hours would significantly affect Sunday and the early hours of Monday morning presenting a severe public nuisance to him and his neighbours in their residential properties at the very beginning of the working week. Finally, our client has seen no evidence of adequate sound proofing for the Property.

The proposed licence should not be granted unless the authority is content that the noise issues do not inhibit the licensing objective of the prevention of public nuisance.

### **Prevention of Crime and Disorder and Public Safety**

#### **Drunken and disorderly conduct**

The area in which the Property is located is dense with establishments which operate late into the night. Drunken and disorderly conduct is not uncommon and the police struggle to cope with the influx of drunk and disorderly people in the area as it currently stands. This creates issues for the general public including tourists and people with disabilities who could be discouraged from coming to the area. The proposed licence and in particular, the Extended Opening Hours would only further add to this issue.

#### **Pavement Disruption**

The Property and establishments in the locality already create significant disorder on the pavement near to and outside the Property as patrons queue to enter. Pedestrians are often forced to walk on the road which is especially dangerous as there is a

considerable amount of traffic on Piccadilly heading toward the West End and Soho. Cars regularly stop in the middle of the road to drop passengers off which creates further public safety issues. Again, the proposed licence and in particular, the Extended Opening Hours would only further exacerbate these issues.

### Fire regulation

Finally, our client notes that the Council should be reviewing the fire regulation at the building carefully regarding the kitchen and appropriate sprinkler system.

We, on behalf of our client, would ask that the authority gives due consideration to the operation of its licensing objectives and the issues that the proposed licence application, including the Extended Opening Hours, presents to the safeguarding of these objectives as noted above. Finally and as above, we also question how the increase in the number of permitted persons at the premises is in accordance with the licensing authority's objectives and request that this is reduced to a more appropriate level for the property.

## 3. Policy & Guidance

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

<b>Policy HRS1 applies</b>	(i) Applications for hours within the core hours will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.  (ii) Applications for hours outside the core hours will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.
<b>Policy RNT1 applies</b>	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

## 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2a</b>	Applicant's letter dated 23 March 2016
<b>Appendix 2b</b>	Draft visual and furniture document
<b>Appendix 2c</b>	Mnky Hse menu
<b>Appendix 2d</b>	Plans showing wall and soffit types
<b>Appendix 2e</b>	Diagrams showing soffit and wall section details
<b>Appendix 2f</b>	Objector's supporting documents – Cole Jarman acoustic report dated 3 February 2016
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Mr Nick Nelson Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk





18 Soho Square, London W1D 3QL

23 March 2016

Nick Nelson  
Premises Licensing Team  
Westminster City Council  
4<sup>th</sup> Floor, Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

Our ref: 1310

**By email**

Dear Sirs

**RE: MNKY HSE, 8-9 DOVER STREET, LONDON W1S 4LD –  
APPLICATION FOR NEW GRANT OF A PREMISES LICENCE**

I act for 8-10 Dover Street Limited, and have been instructed to make an application for the new grant of a premises licence for the above premises.

Firstly, the reason for the new grant application, rather than a variation of the existing licence, was because my client sought to add the ground floor as trading space, rather than back of house kitchen area and following pre-application advice that was sought it was agreed a new application would be lodged.

The existing licence for the Dover Street Winebar Licence (14/10693/LIPT), which my clients hold, will be surrendered should this application be granted and the appropriate surrender condition has been offered as part of this application.

There has been consultation with Environmental Health, the Police, the Council's District Surveyor and the LFEPA in respect of this application and the building works.

Amended conditions (as per the attached schedule) have been agreed with the Environmental Health Team and the Police.

The conditions proposed were discussed and agreed during the licensing pre-application process with Environmental Health and subsequently with the Police during the consultation period. The conditions proposed are also an improvement on the conditions on the existing licensing, bringing the licence up to Westminster's current model condition standards, for enforcement purposes.

There is only 1 representation from a local resident, Mr Green, against this application.

My clients acquired the premises in 2014. Since that time they have been working with Westminster City Council and a raft of experts in relation to the refit of the premises. The cost of this project/rebuild is approximately £5.5 million (the demolition work to get back to stone was over £1million). This does not include the purchase/lease costs. The premises plan to open in July 2016. A draft menu and design pictures are attached to this letter.

I fully appreciate that planning and licensing are separate regimes, however, I comment on the planning position as Mr Green has sought confirmation of the use of the Albemarle side of the premises. For clarity, on 31 October 2014 the City Council granted a Certificate of Lawful Use for the use of the basement floor of 47 Albemarle Street as office, kitchen and storage space ancillary to the use of the premises. The licensing plans submitted with the application confirm that Albemarle side of the premises is exactly in accordance with the Certificate of Lawful Use granted (14/08509/CLEUD) i.e kitchen and back of house. This application is therefore made in accordance with planning permission granted for the premises.

Should the layout plans vary at any time (which my client has no intention of doing given the planning position and the cost to install the kitchen) a variation application would be required and this would be consulted on in the usual manner. A further planning application would also be required, which again would be consulted on in the usual manner.

Also, for clarity Mr Green comments that extended hours have been applied for the activity 'anything of a similar description to live music, recorded music, or performance of dance' – to 3.30am on Sundays, which would, if it had been applied for, be an extension to the existing terminal hour for this activity from the existing licence. I confirm, however, that the application made by my clients is for 'anything of a similar description to live music, recorded music, or performance of dance' – to midnight on Sundays. So the terminal hour for licensable activities is exactly the same to the existing premises licence permissions.

My client has applied for the retail sale of alcohol on Sundays from 10am, rather than midday, as they intend to open for brunch and therefore wanted the flexibility to serve alcohol from this time.

The capacity for the premises as agreed with Environmental Health has been reduced from what was originally applied for to the following:

*The number of persons permitted on the premises at any one time (excluding staff) shall not exceed*

*Ground Floor 100 persons  
Basement 480 persons*

*With no more than 480 persons on the premises at any one time.*



### Noise and Nuisance

In respect of the comments made by Mr Green regarding the noise escape, plant and extraction, I note that these matters are being properly addressed by the Planning Team where approvals are being sought. In summary, principally due to the issues with the drainage at the premises the premises have had to be stripped back to stone (floor and walls) and this has allowed my client to seek expert advice on acoustic treatments to fully sound proof the premises.

In addition, as there is a new Aston Martin showroom being built next door to the entrance of these premises (and above the basement trading space) Aston Martin have had to strip out their floor/my clients ceiling to reinforce the floor with steel and this has meant that acoustic treatment by my client has also been possible to the ceilings.

The District Surveyor and Environmental Health have visited the premises whilst the demolition works were being undertaken and are therefore aware of the extent of the building works.

There are residential flats above the premises (on the first floor), which are the nearest noise sensitive premises and the main motivation of the acoustic design has been to ensure that during the operation of the premises noise transfer to the residential units do not cause a nuisance. On this point I note that no representations have been lodged against this application by any other residents.

In terms of the acoustic work, the following are being carried out (further details can be provided if necessary, although they have been submitted to the Council's Planning Team and the below are not exhaustive):

**Floor Upgrade: Basement - Ground Floor & Ground Floor – 1st Floor-** In order to address the airborne sound insulation for the timber joist system (see attached diagrams for the sound insulation in the cavity walls as well):

- Removal of the current ceilings within the Ground Floor and Basement
- Installation of 2x50mm CMS QuietSlab (density 60kg/m<sup>3</sup>), separated with polymeric mass barrier (mass 10kg/m<sup>2</sup>) within the joist voids
- Installation of an intermediate mass element (2x10mm Versapanel cementitious boards, or similar) on timber noggings, or steel angles.
- Installation of GAH-1 resilient hangers to the underside of the timber joists, with 2x12mm Versapanel boards as the new underfloor soffit within the Ground Floor bar and Basement restaurant. Hangers to provide a 150mm void incorporating 100mm of mineral wool insulation (RWA3, or similar).
- Foam, backer rod with acoustic mastic to be incorporated at the junction of ceilings to perimeter walls.

**Fire Escape Lobby Walls-** also insulated

**Distributed Sound System-** A distributed system with numerous speakers allows each speaker to operate at a lower volume. This ensures that localised noise levels are lower, which reduces the noise directly incident on the structure.

**Loudspeaker Mounting-** To ensure efficient control of noise a proprietary frame support is being used for each speaker. This will incorporate suitable anti-vibration mounting between support and speaker enclosure, with no rigid connections permitted to short-circuit the isolation

**Sound Limiter** The limiter will enable the separate control of the different zones and incorporate all elements of the revised system, including any additional filters or amplifiers. This will be set in conjunction with the Council's noise team in the usual way and my client is happy for the Council's Noise Team to liaise with Mr Green and attend his property when this is being set, in addition to the residents above.

In addition to this, my client has offered Westminster's model conditions on noise and nuisance as follows, as agreed with Environmental Health:

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
- Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- All windows and internal entrance doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- Patrons permitted to temporary leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway

My client is also happy to offer a further condition, with respect to the noise limiter as follows:

*A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused*

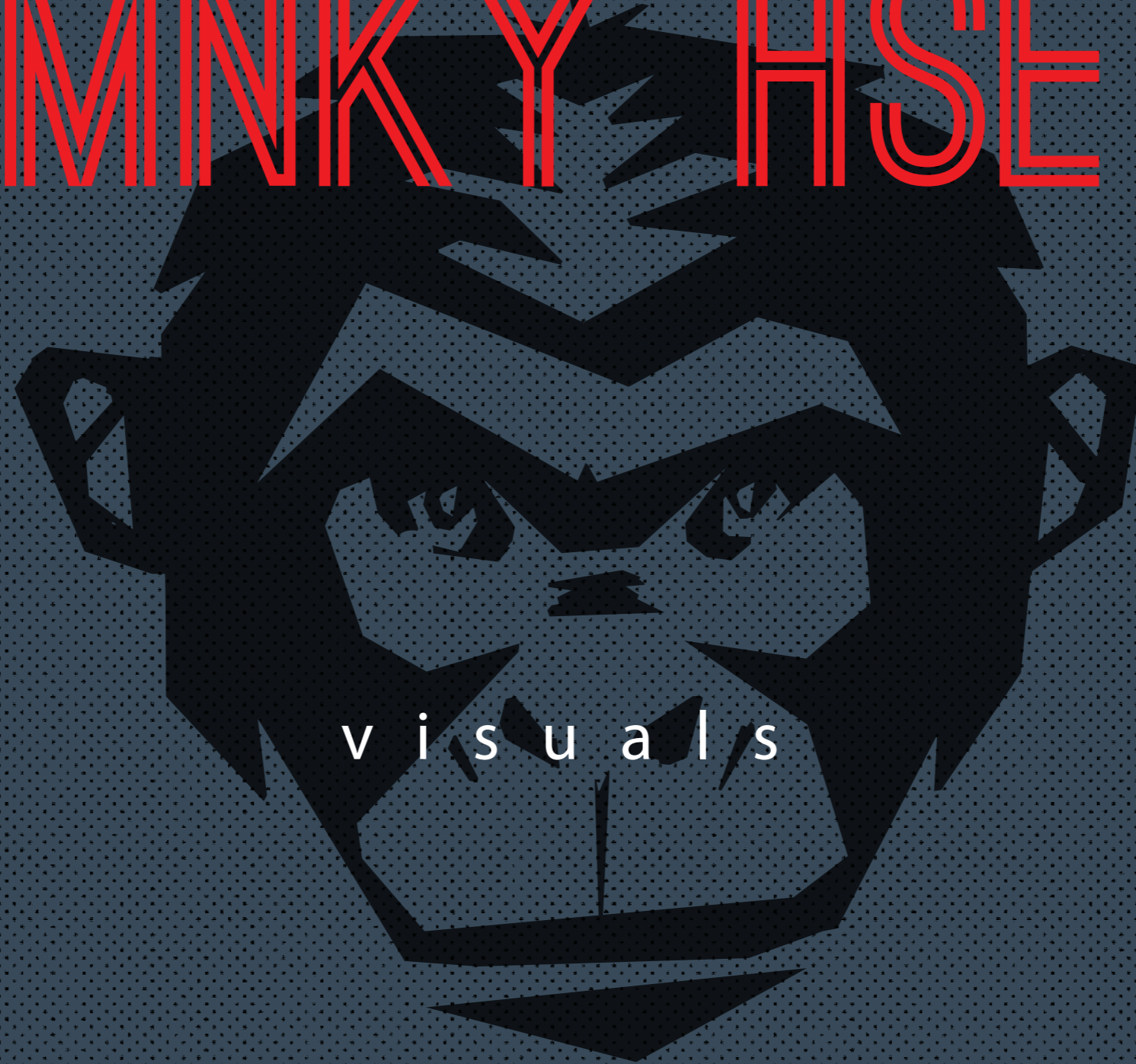
*to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device*

Should you have any questions please do not hesitate to contact Lana Tricker on 020 3755 5138.

Yours faithfully

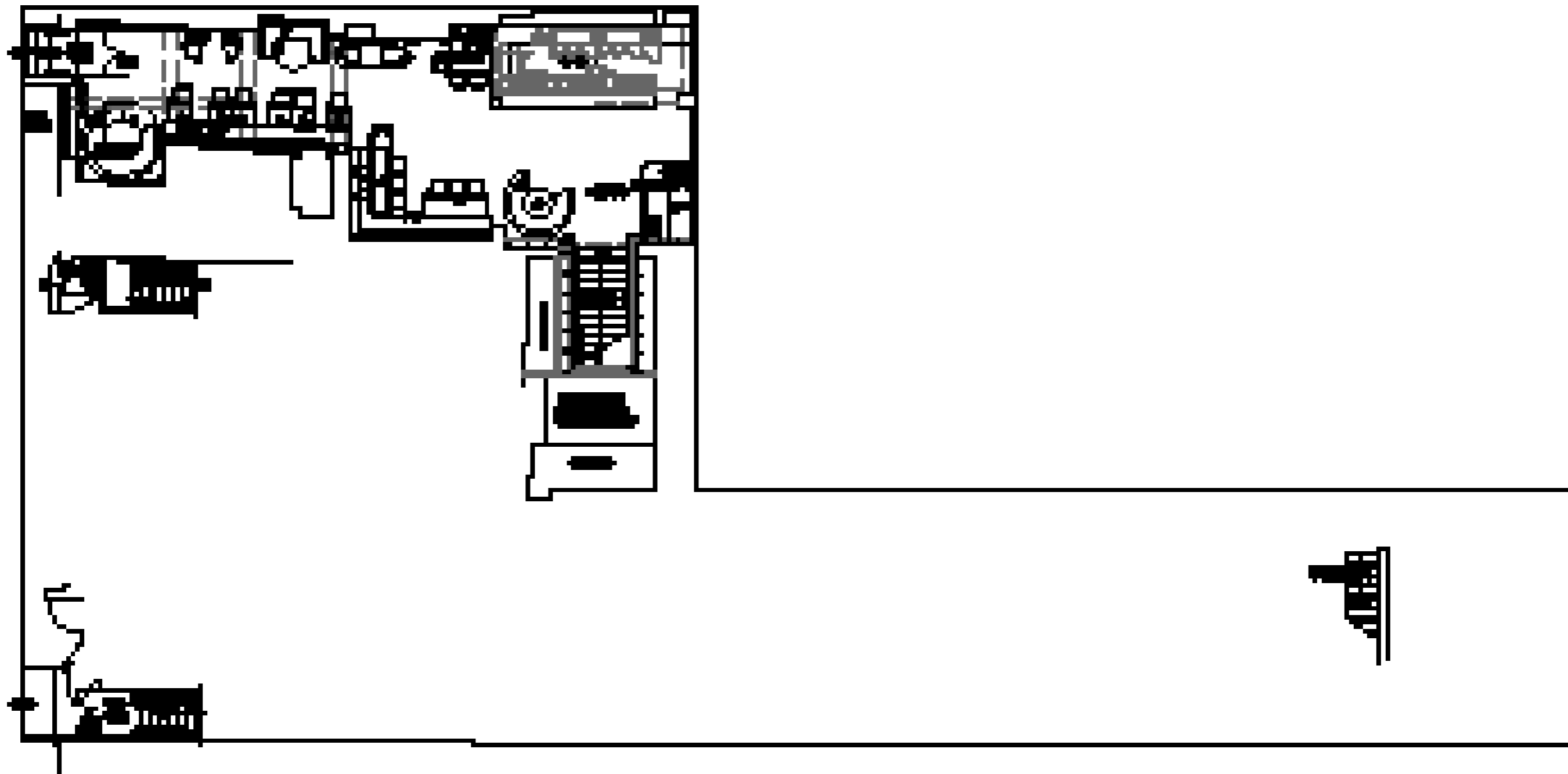
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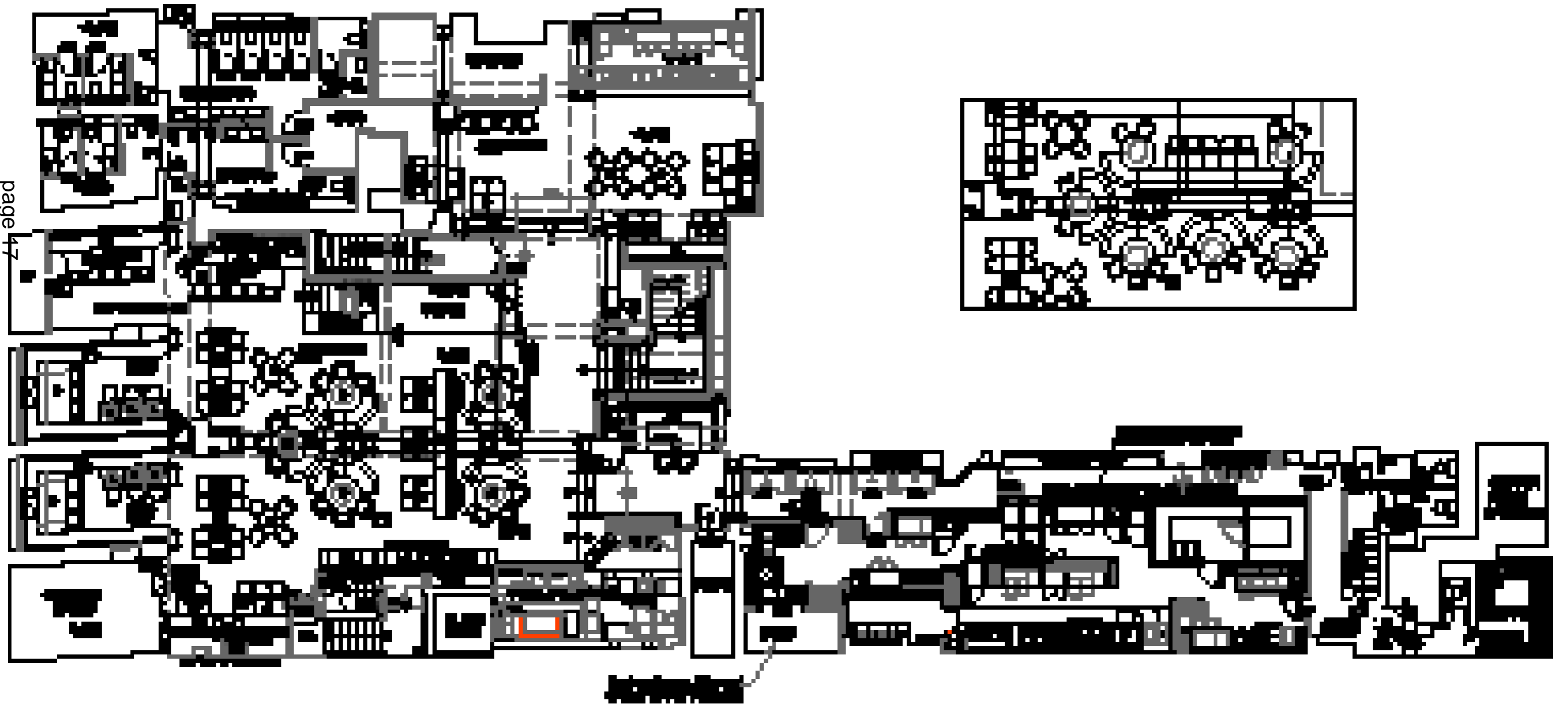
# MNKKY HSE



visuals

# PLANS





# ENTRANCE VIEW 1







# ENTRANCE VIEW 2



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# GROUND FLOOR BAR



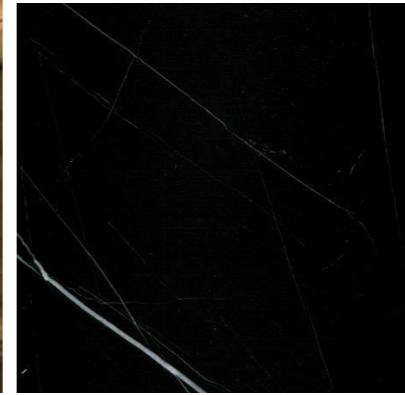
page 25



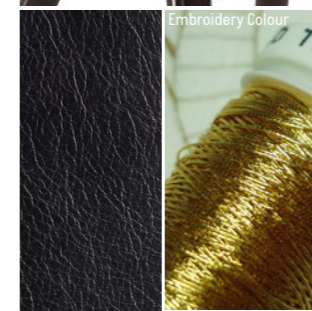
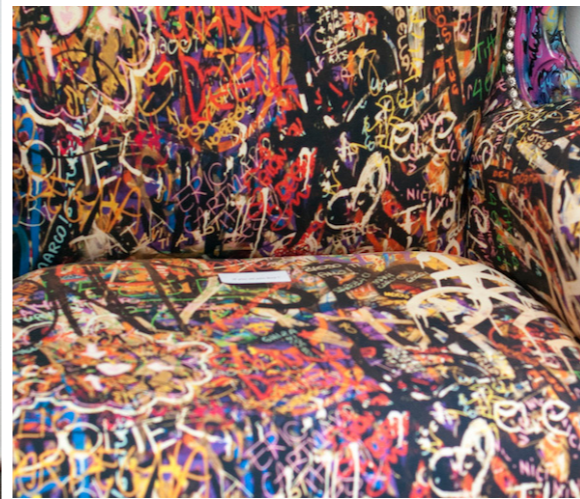
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# GROUND FLOOR FURNITURE



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# THE CORE



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# THE VAULTS



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# SUSHI BAR







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# BASEMENT BAR



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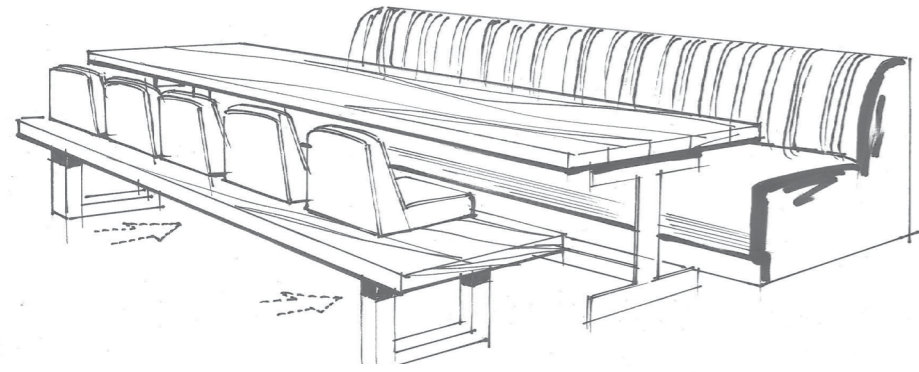


# BASEMENT FURNITURE

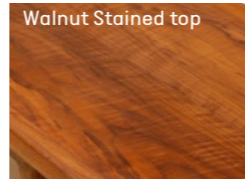
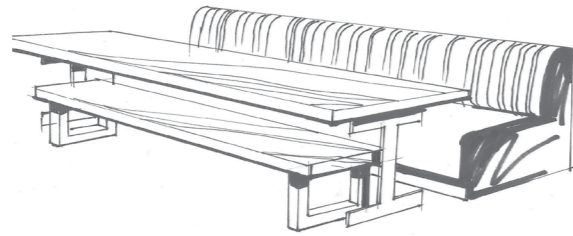


# BASEMENT RESTAURANT





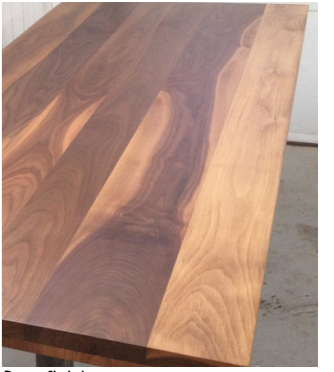
Suede to removable seats  
Sunberry Design Dallas  
6208



Walnut Stained top



Base finish

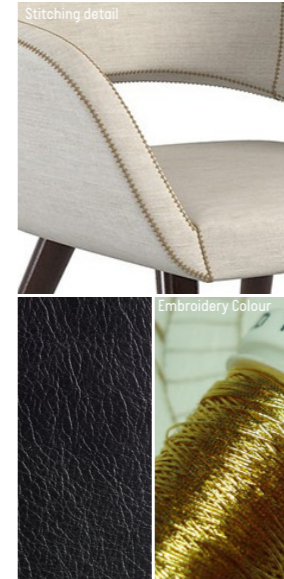


Base finish

# BASEMENT DJ



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# BASEMENT BAR

**KEANE.** THINKING  
LIFESTYLE  
DESIGN

KEANEBRANDS.COM

MNKEY HSE

MENU

**NEW BITES**  
OUR CULINARY TEAM IS CONSTANTLY WORKING ON FEATURING NEW AND EXCITING DISHES THAT EMBRACE LOCAL FARMS, PURVEYORS AND SEASONAL INGREDIENTS

**OSTRAS HUACATAY 6**  
SEASONAL OYSTERS, OYSTER EMULSION, HUACATAY, AJI LIMÓ

**CEVICHE MIXTO**  
FRESH PRAWNS, SQUID, MUSSELS, AJI AMARILLO, YUZU, TOBIKO

**STONE CRAB CLAW**  
AJI AMARILLO AIOLI

**CAMARÓN**  
ROCK SHRIMP, LIME, AJI ROCOTO

**PESCADO ENTERO**  
WHOLE CRISPY CATCH OF THE DAY

M

M

**TASTING MENU**  
MINIMUM FOR TWO GUESTS AND FOR THE WHOLE TABLE

**CEVICHE CLÁSICO**  
BRANZINO, SWEET POTATO, WHITE CORN

**CEVICHE DE ATUN CHIFA**  
YELLOWFIN TUNA, SOY, SESAME SEEDS, RICE CRACKER

**CEVICHE DE BLANQUILLO**  
LOCAL TILEFISH, TOMATO, AVOCADO

**TIRADITO DE COBIA**  
COBIA, DASHI, TRUFFLE OIL, CHIVES

**CAZUELA DE LANGOSTA**  
LOBSTER, RICE, WATERCRESS, SALSA CRIOLLA

**LUBINA CHILENA**  
CHILEAN SEA BASS, AJI AMARILLO

**SOLOMILLO DE RES**  
"SPICY BEEF", TENDERLOIN, ROZ, AJI ROCOTO, STAR ANISE

**PATATAS BRAVAS A LA PERUANA**  
CRISPY POTATOES, SPICY TOMATOES, HUANCANA SAUCE

**BRÓCOLI**  
SPROUTING BROCCOLI, CHILI GARLIC BUTTER, SESAME SEEDS

**ANTICUCHO DE POLLO**  
CHICKEN, AJI AMARILLO, GARLIC

**ANTICUCHO DE SETAS V**  
FOREST MUSHROOMS, AJI PANCA, PARSLEY

**PULPO AL OLIVO**  
JOSPER OCTOPUS, PERUVIAN OLIVES

**ENSALADA DE MAIZ V**  
JOSPER CORN, CRISPY CORN, RED CHILLIES

**CHICHA MORADA**  
PERUVIAN PURPLE CORN, COLADA, MIXED BERRIES, SHORTBREAD

**POSTRE FRÍO DE ARABICA**  
KIWICHA, CARAMELIZED BANANA, ZACAPA 23 YO RUM

**CARAMELO CON CHOCOLATE Y SORBETE DE FRAMBUESA**  
SALTED CARAMEL, GANACHE, PISCO AND RASPBERRY SORBET

**FRESH RAW FISH**

**CEVICHE CLÁSICO**  
BRANZINO, SWEET POTATO, WHITE CORN

**DORADA CRIOLLO**  
SEA BREAM, AJI AMARILLO, CRISPY CORN, CILANTRO

**ATUN CHIFA**  
YELLOWFIN TUNA, SOY, SESAME SEEDS, RICE CRACKER

**PARGO ROJO TRUFA**  
SNAPPER, TRUFFLES, PONZU, CHIVES

**LANGOSTINO**  
TIGER PRAWNS, HEARTS OF PALM, MANGO

**CEVICHE DE BLANQUILLO**  
LOCAL TILEFISH, TOMATO, AVOCADO, AJI LIMÓ

**CALABACINES Y CHAMPINONES V**  
ZUCCHINI, SHITAKE, MINT, GARLIC CHIPS

**PERUVIAN SASHIMI**

**VIEIRAS**  
SCALLOPS, BOTIJA OLIVES, CRISPY CANCHA, AJI LIMÓ

**ATUN NIKKEI**  
YELLOWFIN TUNA, GINGER, CHILI SAUCE

**COBIA**  
COBIA, DASHI, TRUFFLE OIL, CHIVES

**PEZ LIMÓN**  
YELLOWTAIL, GREEN CHILI, DAIKON

**ESPARRAGOS PERUANOS V**  
JOSPER ASPARAGUS, AJI AMARILLO, GARLIC

**SMALL DISHES**

**TORTILLAS CON GUACAMOLE V**  
CORN, TORTILLAS, GUACAMOLE

**ENSALADA DE QUINDA V**  
QUINDA, CILANTRO, MINT, POMEGRANATE

**ENSALADA DE MAIZ V**  
JOSPER CORN, CRISPY CORN, SWEET CORN, RED CHILLIES

**CAUSA TRADICIONAL**  
JOSPER OCTOPUS, YUKON GOLD POTATO, BOTIJA OLIVE PUREE

**ATUN ARROZ CROCANTE**  
TUNA, CRISPY RICE, HUACATAY

**ROLLO PEZ LIMÓN**  
YELLOWTAIL, JALAPENO, AVOCADO, LIME

**ROLLO DE SALMÓN**  
SALMON, AJI AMARILLO, CREAM CHEESE

**TACOS DE VIEIRAS**  
SCALLOPS, OYSTER SAUCE, CILANTRO, CHIVES

**TACOS DE SALMÓN**  
SALMON, TOMATO, AVOCADO

**CHICHARRÓN DE CERDO**  
JOSPER PORK BELLY, FENNEL, SMOKED CHILI, MINT

**SKEWERS**

**LANGOSTINO**  
TIGER PRAWNS, AJI PANCA, CHIVES

**TRADICIONAL**  
OX HEART, AJI PANCA, PARSLEY

**POLLO**  
CHICKEN, AJI AMARILLO, GARLIC

**RES**  
BEEF, AJI PANCA, CILANTRO

**SETAS V**  
FOREST MUSHROOMS, AJI PANCA, PARSLEY

**FRITOS**

**CALAMARES FRITOS CON OCOPA**  
BABY SQUID, HUACATAY, QUINDA

**CROQUETAS DE BACALAO**  
BLACK COD, GARLIC, CHIVES

**EMPANADAS DE CARNE**  
BEEF EMPANADA, AJI PANCA, POTATO, CILANTRO SAUCE

**MEATS**

**GALLINETA AL JOSPER**  
FREE RANGE CORNISH HEN, AJI PANCA, CILANTRO

**CHULETAS DE CORDERO**  
LAMB CHOPS, 3 PIECES, CRUSHED EGGPLANT

**COSTILLAS DE CERDO**  
PORK BACK RIBS, TAMARIND GLAZE, CASHEW NUTS

**COSTILLAS DE RES**  
BEEF SHORT RIBS, BEER, AJI LIMÓ

**SOLOMILLO DE RES**  
"SPICY BEEF", TENDERLOIN, ROZ, AJI ROCOTO, STAR ANISE

**ENTRANA**  
ROBATA SKIRT STEAK, 10OZ, HUACATAY, CHIMICHURRI, DAIKON

**LOMO DE RES**  
JOSPER RIB EYE, 12OZ, CHIMICHURRI, AJI ROCOTO SAUCE

**OCEAN**

**LUBINA CHILENA**  
CHILEAN SEA BASS, AJI AMARILLO

**SALMÓN A LA BRASA**  
SALMON, GOLDEN BEETROOT, CUCUMBER, MINT

**FILETE DE BRANZINO**  
MEDITERRANEAN SEA BASS, FENNEL, SALAD

**PULPO AL DLIVO**  
JOSPER OCTOPUS, PERUVIAN OLIVES

**LANGOSTINO TIGRE AL JOSPER**  
TIGER PRAWN, CHILI SAUCE

**IRON POT**

**ARROZ NIKKEI**  
CHILEAN SEA BASS, RICE, LIME, CHILI

**LANGOSTA**  
LOBSTER, RICE, WATERCRESS, SALSA CRIOLLA

**PAPA SECA V**  
PERUVIAN DRIED POTATOES, BUTTERNUT SQUASH, POACHED

**PAPA SECA CON CHAMPINONES V**  
PERUVIAN DRIED POTATOES, FOREST MUSHROOMS, ADD BLAC

**CAZUELA DE PATO**  
DUCK CONFIT, CILANTRO, RICE, PICKLED VEGETABLES

**ACCOMPANIMENTS**

**ESPARRAGOS PERUANOS**  
GRILLED PERUVIAN ASPARAGUS

**SETAS**  
SHITAKE, MUSHROOMS, SOY, TAMARIND BUTTER

**BRÓCOLI**  
SPROUTING BROCCOLI, CHILI GARLIC BUTTER, SESAME SEED

**PATATAS BRAVAS A LA PERUANA**  
CRISPY POTATOES, SPICY TOMATO, HUANCANA SAUCE





OSTRAS HUACALAY



CAZUELA DE LANGOSTA



ENSALADA DE MAIZ



CEVICHE CLASICO



COSTILLAS DE CERDO



ROELO DE SALMÓN



CAUSA TRADICIONAL

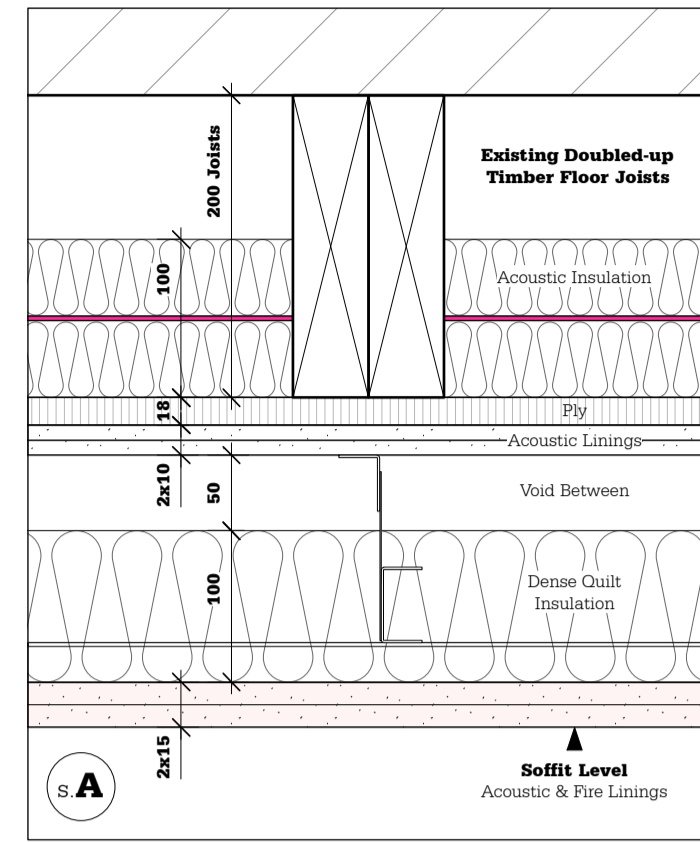


SOLOMILLO DE RES



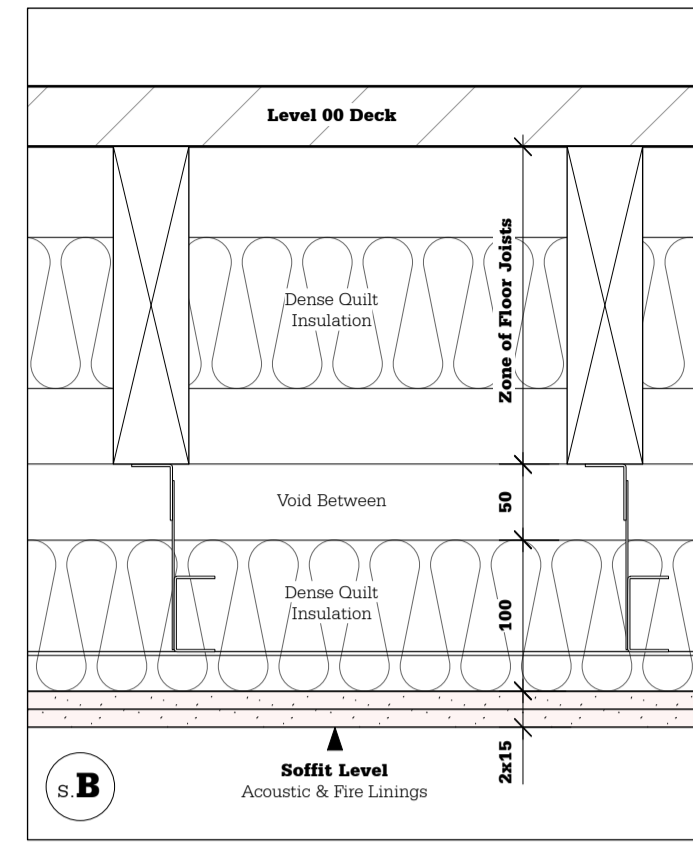


TYPICAL SOFFIT SECTION DETAILS :



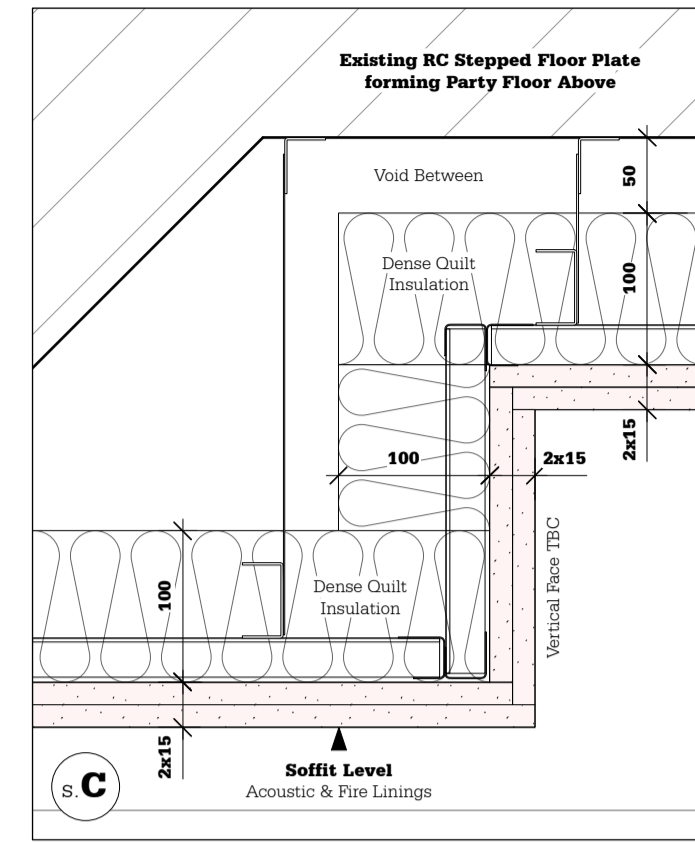
SOFFIT TYPE 'A' : PARTY-FLOOR ZONE

- CMS 'Queralta' mineral wool insulation between floor joists (60kg/m3)
- Structural plywood fixed to u/s joists
- 2no. layers EUROFORM 15mm 'Versapanel' boards, screwed to u/s ply
- B/GYPSUM 'Oyptframe GAH-1' acoustic hangers / resilient MF ceiling
- Proprietary facing grid UNISTRUT or similar by others (AV/HVAC facing)
- NB installed within acoustic zone with resilient / neoprene hangers below (TBC)
- 2no. layers B/GYPSUM 15mm 'Duraline' boards (taped, jointed)
- Mineral wool insulation (60kg/m3) with clear cavity above
- 7-9mm dia. foam backer rod within 2-3mm gap to perimeter at wall junction
- Plaster skim finish
- Finishes TBC by Interior Designer



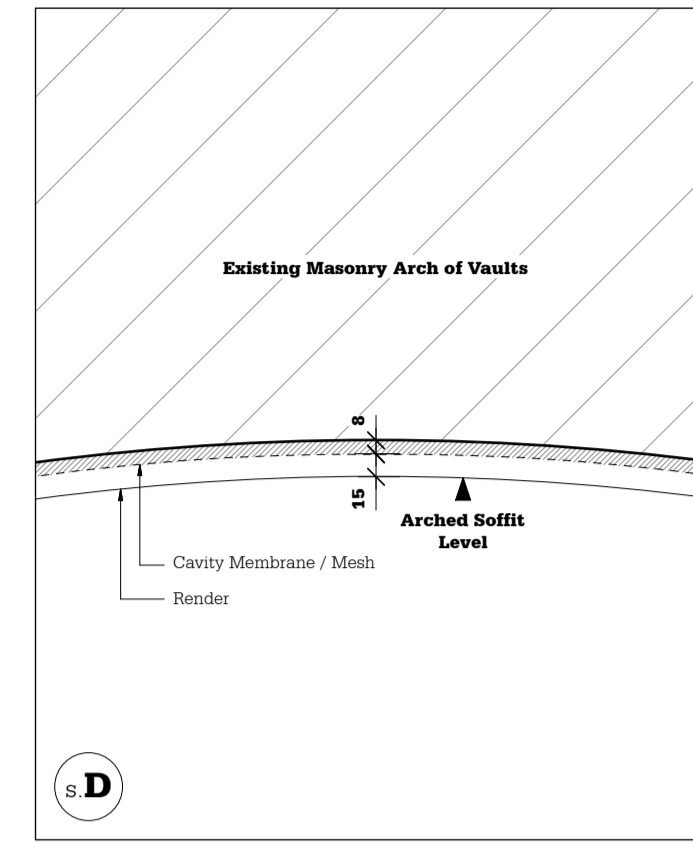
SOFFIT TYPE 'B' : TIMBER FLOORS (LOW ACOUSTIC)

- Mineral wool quilt insulation (60kg/m3) between floor joists, fixed with mesh
- B/GYPSUM 'Oyptframe GAH-1' acoustic hangers / resilient MF ceiling
- Proprietary facing grid UNISTRUT or similar by others (AV/HVAC facing)
- NB installed within acoustic zone with resilient / neoprene hangers below (TBC)
- Mineral wool insulation (60kg/m3) with clear cavity above
- 2no. layers B/GYPSUM 15mm 'Duraline' boards (taped, jointed)
- NB 60min. fire rating (as per manufacturer's literature)
- 7-9mm dia. foam backer rod within 2-3mm gap to perimeter at wall junction
- Plaster skim finish
- Finishes TBC by Interior Designer



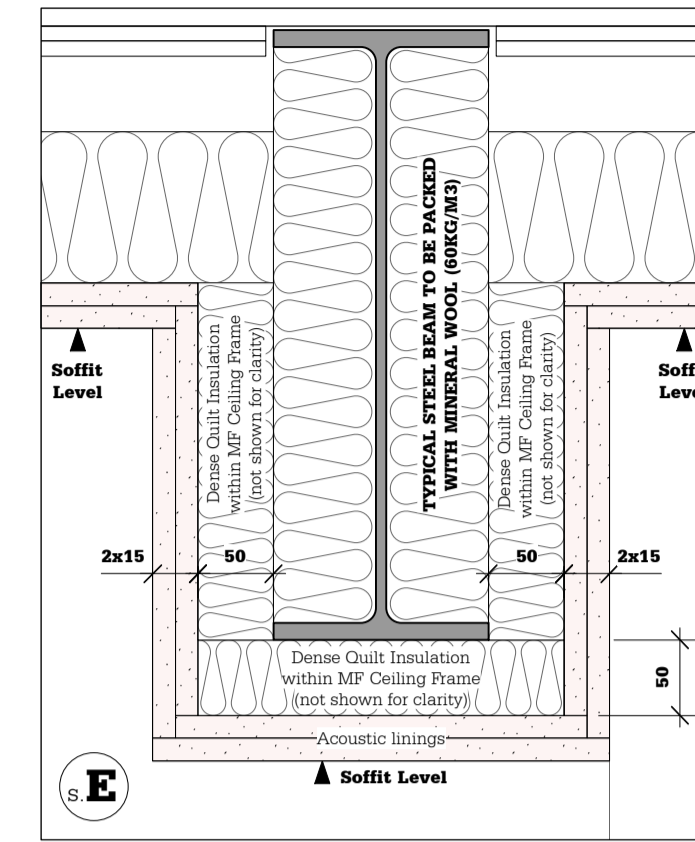
SOFFIT TYPE 'C' : BELOW CONCRETE FLOOR

- Existing ground floor RC stepped floor plate retained as existing (above)
- B/GYPSUM 'Oyptframe GAH-1' acoustic hangers / resilient MF ceiling
- Proprietary facing grid UNISTRUT or similar by others (AV/HVAC facing)
- NB installed within acoustic zone with resilient / neoprene hangers below (TBC)
- Mineral wool insulation (60kg/m3) with clear cavity above
- 2no. layers B/GYPSUM 15mm 'Duraline' boards (taped, jointed)
- NB 60min. fire rating (as per manufacturer's literature)
- 7-9mm dia. foam backer rod within 2-3mm gap to perimeter at wall junction
- Plaster skim finish
- Finishes TBC by Interior Designer



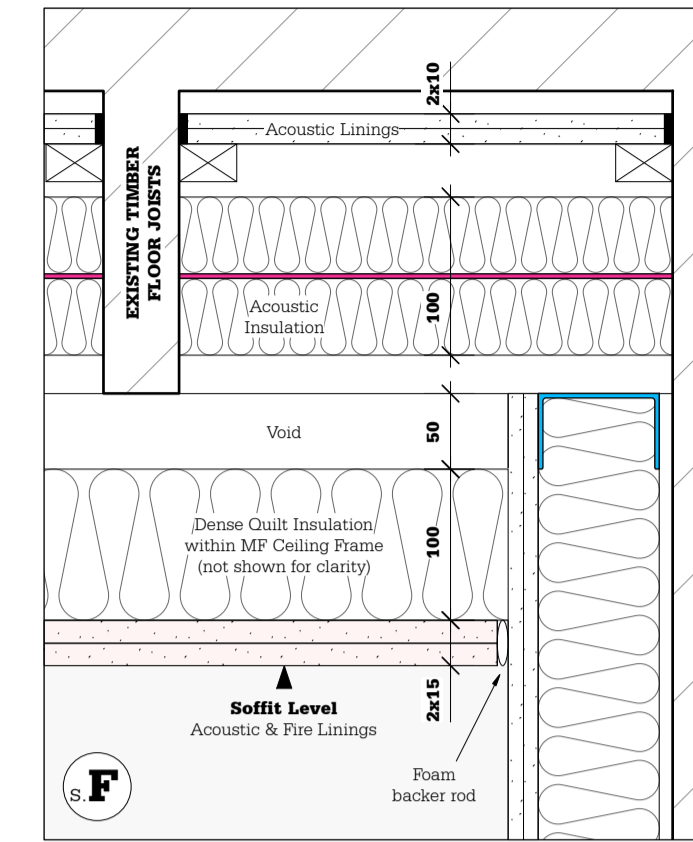
SOFFIT TYPE 'D' : VAULT ARCH SOFFIT

- DELTA MEMBRANES 'PT Lath' cavity membrane fixed to masonry arches / walls
- NB TBC with installer / manufacturer details / lapped with cavity floor membrane
- Rendered soffit finish (TBC with Int Designer)



SOFFIT TYPE 'E' : STEEL BEAM TREATMENT

- Mineral wool quilt insulation (60kg/m3) friction fit to webs of all steel beams
- B/GYPSUM 'Oyptframe GLI' lining channel / GL10 framing clips' to form boxing
- Mineral wool quilt insulation full fill within MF boxing
- 2no. layers B/GYPSUM 15mm 'Duraline' boards (60min. fire rating - taped, jointed)
- Plaster skim finish - finishes TBC by Int Designer

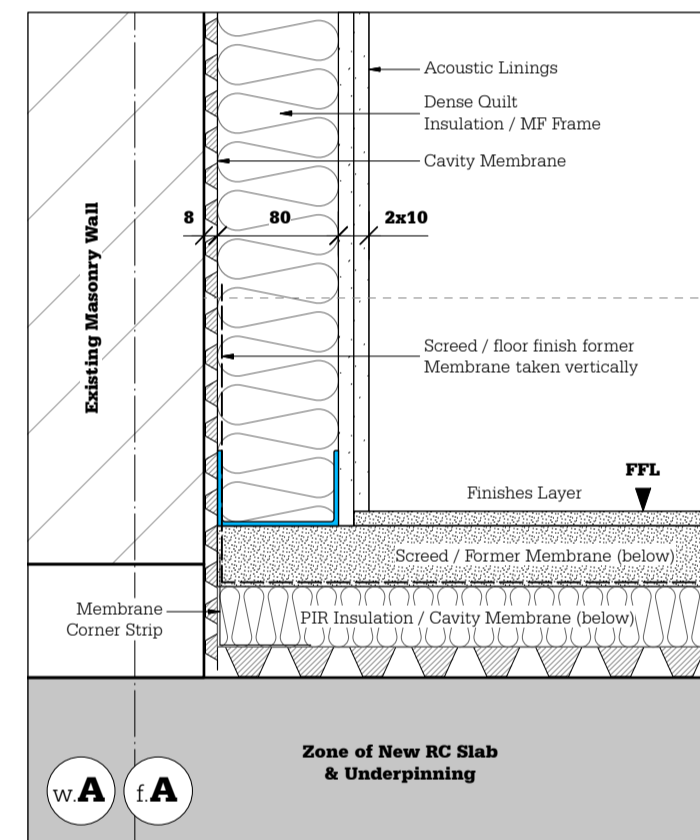


SOFFIT TYPE 'F' : TIMBER FLOORS (ACOUSTIC SEPARATION)

- Timber floor structure retained as existing
- 2no. layers EUROFORM 15mm 'Versapanel' boards, on timber battens
- NB Resilient strips to edges
- CMS 'Queralta' mineral wool insulation between existing floor joists (60kg/m3)
- B/GYPSUM 'Oyptframe GAH-1' acoustic hangers / resilient MF ceiling
- Proprietary facing grid UNISTRUT or similar by others (AV/HVAC facing)
- NB installed within acoustic zone with resilient / neoprene hangers below (TBC)
- Mineral wool insulation (60kg/m3) with clear cavity above
- 2no. layers B/GYPSUM 15mm 'Duraline' boards (taped, jointed)
- NB 60min. fire rating (as per manufacturer's literature)
- 7-9mm dia. foam backer rod within 2-3mm gap to perimeter at wall junction
- Plaster skim finish
- Finishes TBC by Interior Designer

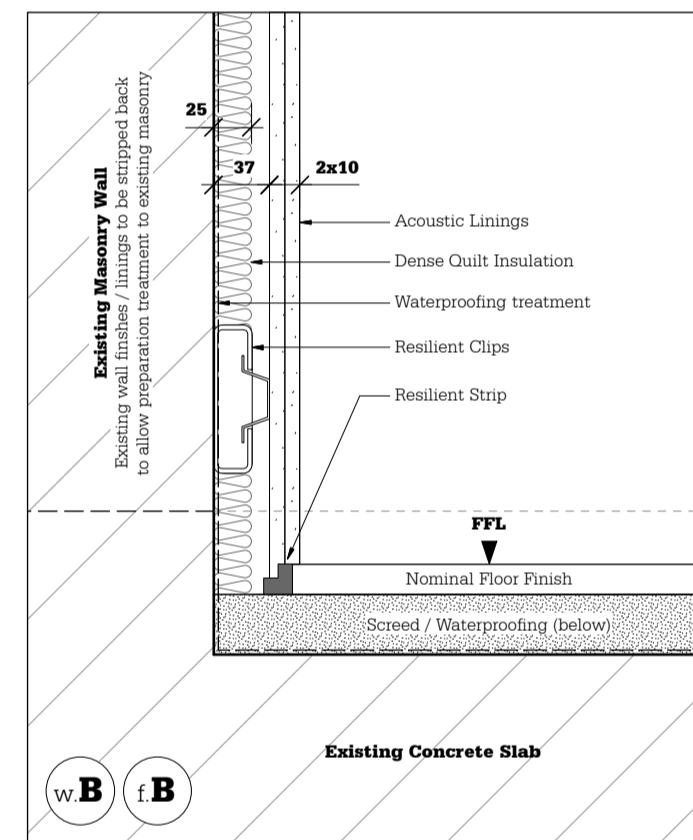
GENERAL NOTES :  
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT STUDIO WEBB ARCHITECTS' AND ALL OTHER CONSULTANTS DRAWINGS & INFORMATION.  
ALL DIMENSIONS & LEVELS ARE TAKEN FROM SURVEY INFORMATION. SITE CHECK DIMENSIONS ARE TO BE ESTABLISHED BY THE CONTRACTOR PRIOR TO UNDERTAKING WORKS, AND DISCREPANCIES HIGHLIGHTED WHERE NECESSARY.  
THIS DRAWING IS ISSUED FOR COMMENT FROM ALL RELEVANT CONSULTANTS & SUPPLIERS.  
THE CEILING PLAN DETAILS & LEVELS SHOWN ON THIS DRAWING RELATE TO PROPOSED BASE BUILT SUSPENDED ACOUSTIC & FIRE RATED SCFFIT LININGS.  
REFER TO INTERIOR DESIGN INFORMATION FOR FURTHER DETAIL REGARDING DECORATIVE FINISHES & ADDITIONAL PROPOSED SUSPENDED CEILING & BULK HEADS.  
REFER TO KP ACOUSTIC DESIGN & DETAILS.  
REFER TO CAVITY DRAIN INSTALLER DETAILS & SPEC.

TYPICAL FLOOR & WALL PLAN / SECTION DETAILS :



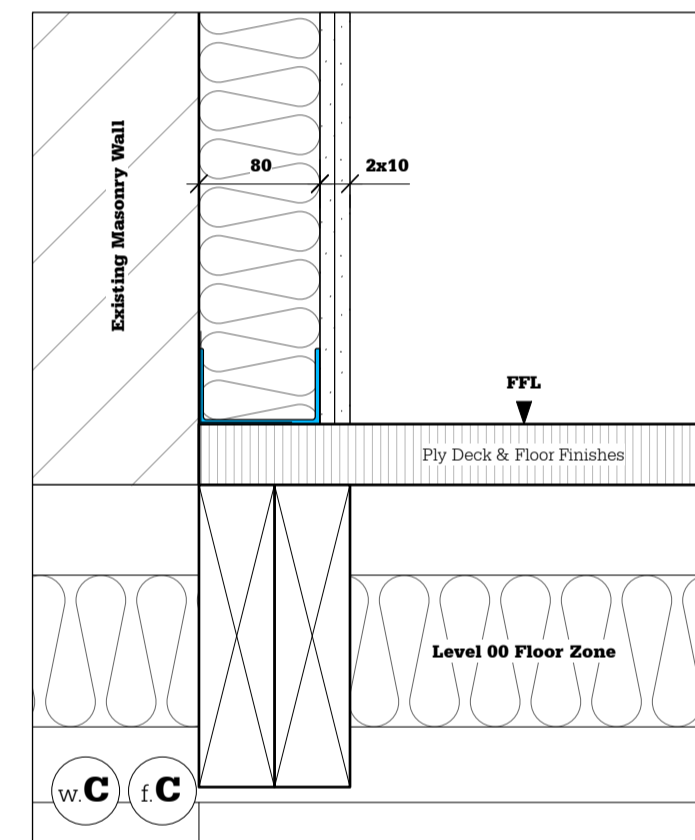
FLOOR / WALL TYPE 'A' : PERIMETER WALLS (DOVER ST)

- New RC slab / mass concrete underpinning as per Str.Eng. Design
- DELTA MEMBRANES 'MS-20' cavity membrane above
- NB installed as per manufacturer / installer design / lapped with corner strip
- KINGSPAN 'Styrene' rigid extruded polystyrene floor insulation
- 1000 gauge polythene sheet membrane (overlapped / returned vertically to edges)
- 40mm UZIN 'NC160 / R2001' grout & smoothing screed compound
- 6-10mm UZIN 'NC160' finish / 'EZ Elastica' seal coat (as Int Designer spec.)
- DELTA MEMBRANES 'MS-500' cavity membrane fixed to perimeter masonry walls
- MF frame independent wall lining (B/GYPSUM or similar approved)
- 75mm mineral wool quilt insulation (60kg/m3) between
- 2no. layers 10mm VERSAPANEL boards fixed to MF frame (taped / jointed)
- Plaster skim finish - Finishes TBC by Interior Designer



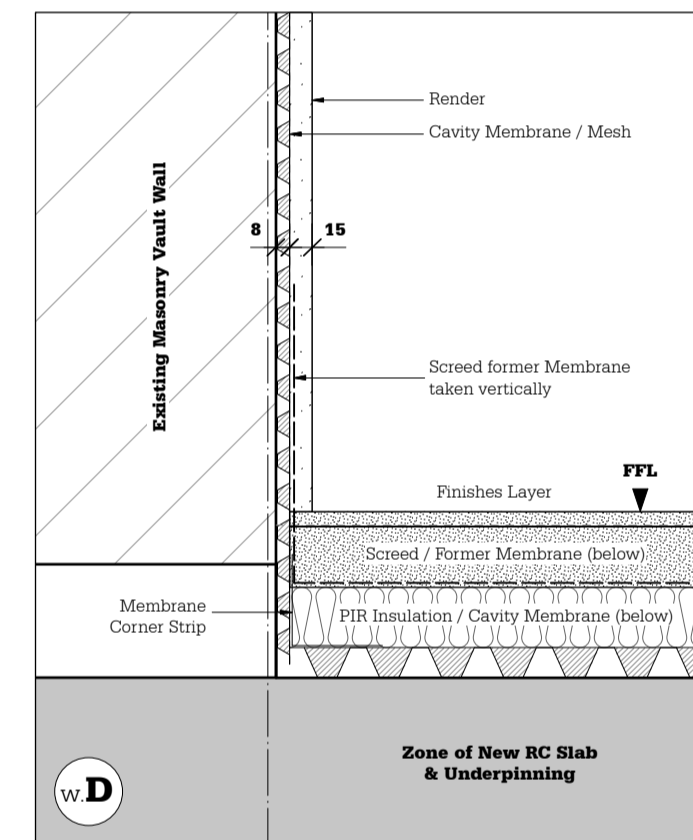
FLOOR / WALL TYPE 'B' : PERIMETER WALLS (ALBEMARLE ST)

- Existing floor slab retained (screed / finishes over to be removed)
- DELTA MEMBRANES proprietary surface preparation (TBC with installer)
- DELTA MEMBRANES 'NB-Dura' waterproofing treatment applied to slab
- NB Waterproofing Specification is TBC with installer
- UZIN 'NC160 / R2001' access or alternative waterproofing screed layer (TBC)
- 40mm UZIN 'NC160 / R2001' grout & smoothing screed compound
- 6-10mm UZIN 'NC160' finish / 'EZ Elastica' seal coat (as Int Designer spec.)
- Existing masonry wall retained (finishes / plaster stripped back)
- DELTA MEMBRANES Proprietary surface preparation (TBC with installer)
- Sika water proofing render applied to masonry walls (spec. TBC)
- NB Waterproofing Specification is TBC with installer
- CMS DANSKIN 'Isomax' clips (37mm) resin fixed to wall face (450mm c/c)
- Mineral wool quilt insulation (60kg/m3) to cavity
- 2no. layers 10mm VERSAPANEL boards fixed to MF frame (taped / jointed)
- Plaster skim finish - Finishes TBC by Interior Designer



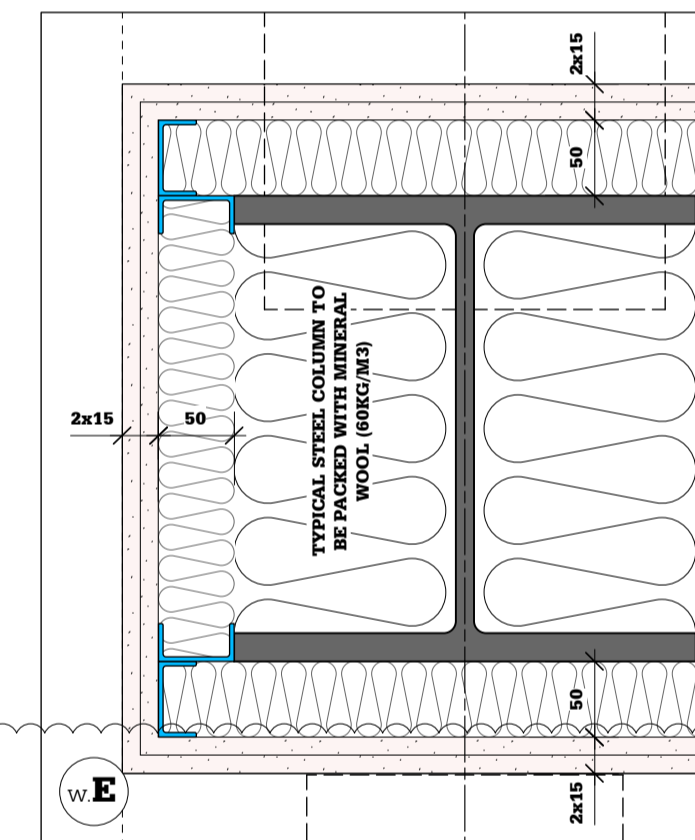
FLOOR / WALL TYPE 'C' : LEVEL 00 PERIMETER (DOVER ST)

- Timber floor structure (as Str.Eng. design)
- Plywood deck to replace existing (where required) - allow for levelling
- Nominal floor finishes (TBC with Int Designer)
- MF frame independent wall lining (B/GYPSUM or similar approved)
- 75mm mineral wool quilt insulation (60kg/m3) between
- 2no. layers 10mm VERSAPANEL boards fixed to MF frame (taped / jointed)
- Plaster skim finish - Finishes TBC by Interior Designer



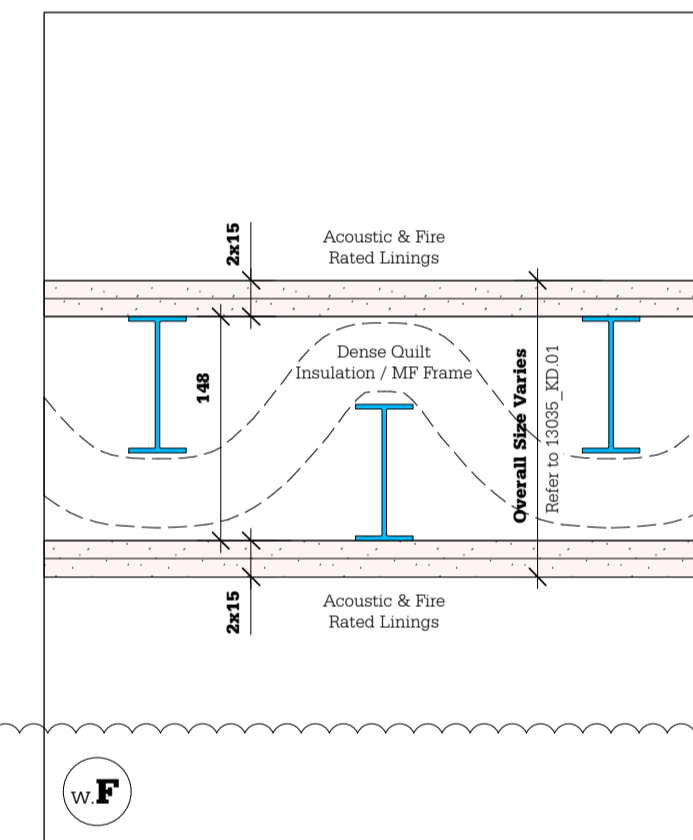
WALL TYPE 'D' : VAULTS (DOVER ST)

- DELTA MEMBRANES 'PT Lath' cavity membrane fixed to masonry walls
- NB TBC with installer / manufacturer details / lapped with cavity floor membrane
- Rendered wall finish (TBC with Int Designer)



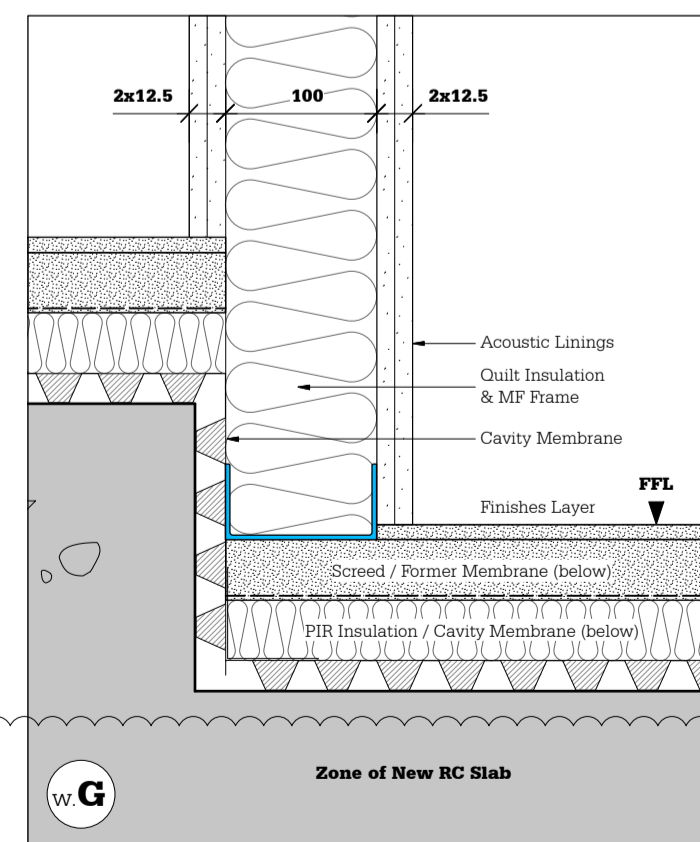
WALL TYPE 'E' : STEEL COLUMNS (PLAN DETAIL)

- Mineral wool quilt insulation (60kg/m3) friction fit to webs of all steel columns
- MF frame to form boxing with mineral wool quilt insulation between
- Allow for additional layer 12mm WBP ply board (to concrete panel / timber finishes)
- 2no. layers B/GYPSUM 15mm 'Duraline' boards (60min. fire rating - taped, jointed)
- Plaster skim finish - finishes TBC by Int Designer



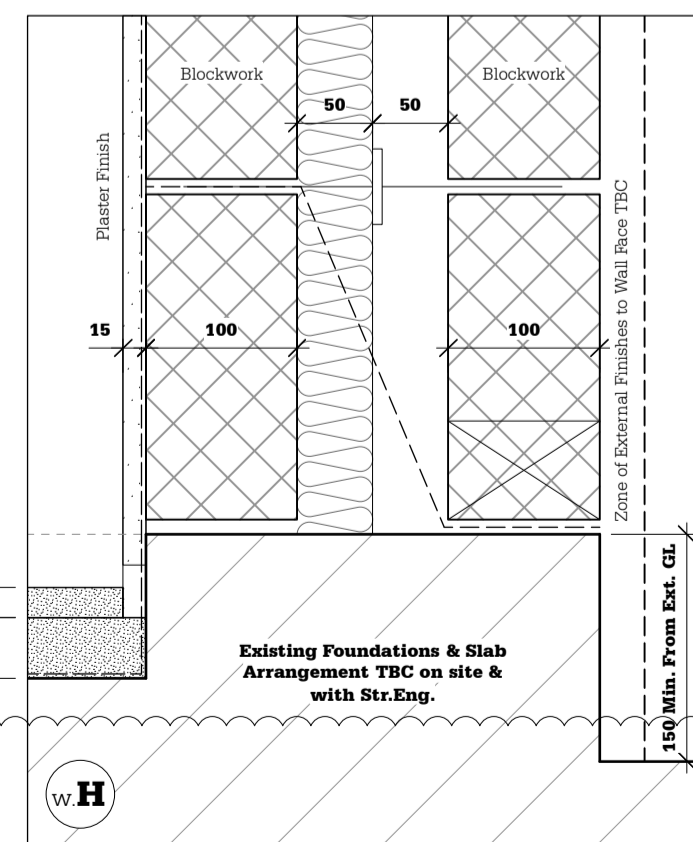
WALL TYPE 'F' : ACOUSTIC PARTITION (PLAN DETAIL)

- 2no. rows staggered B/GYPSUM 'Oyptframe 90' studs - 300mm c/c
- B/GYPSUM 'Oyptframe 148 DC 60' Deep flange floor & ceiling channels
- NB Overall dimension varies - refer to 15035\_KD-01 plan for further details
- B/GYPSUM 'Oyptframe SC2' Spacer Clips
- 100mm mineral wool quilt insulation (60kg/m3) within void
- Allow for additional layer 12mm WBP ply board (to concrete panel / timber finishes)
- 2no. layers B/GYPSUM 15mm 'Duraline' boards (taped, jointed) both sides
- NB 60min. fire rating (as per manufacturer's literature)
- Plaster skim finish
- Finishes TBC by Interior Designer
- Refer to Architect / Str.Eng. stair details for enclosing stringer arrangement



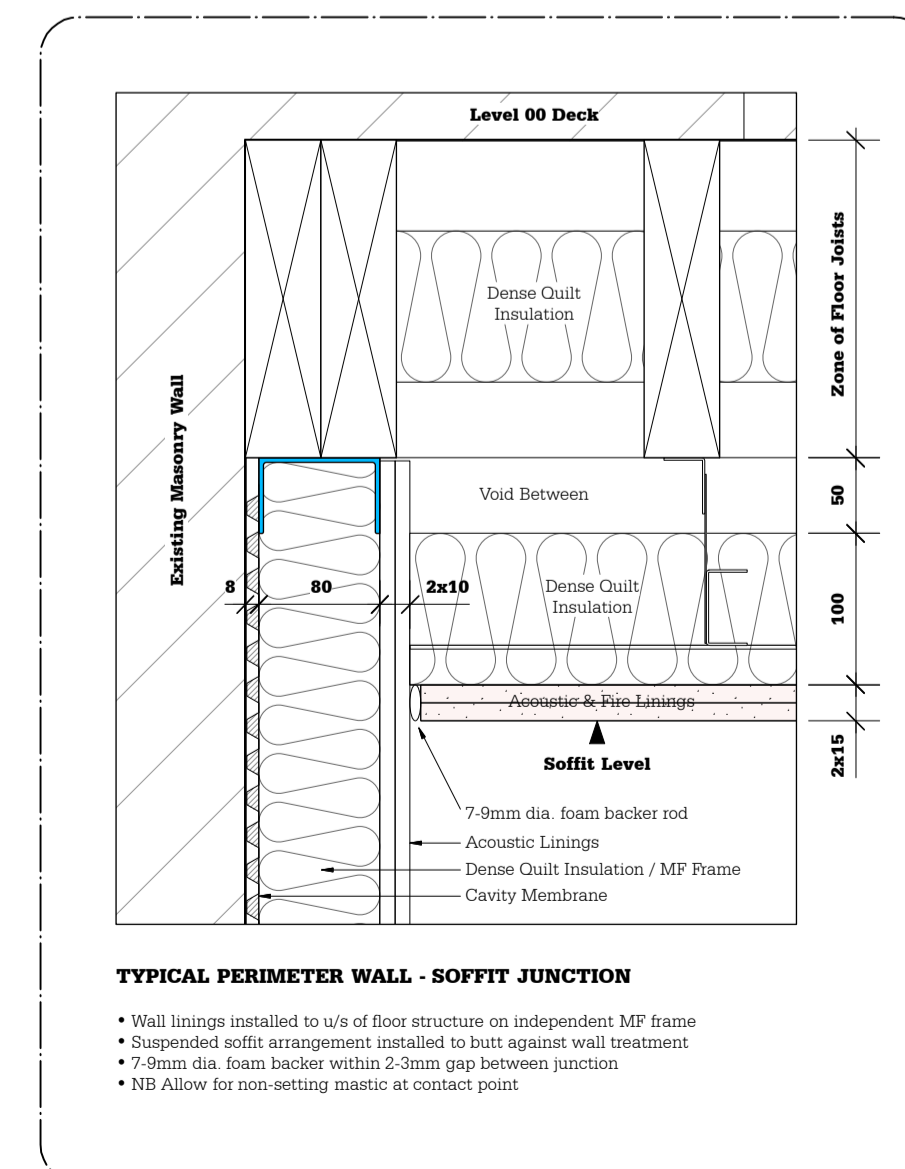
WALL TYPE 'G' : TYPICAL PARTITION

- MF partition system (B/GYPSUM 'Oyptframe Classic' or similar approved)
- Mineral wool quilt insulation between
- Allow for additional layer 12mm WBP ply board (to concrete panel / timber finishes)
- 2no. layers 12.5mm B/GYPSUM 'Moisture Resistant' boards (taped, jointed)
- Plaster skim finish
- Finishes TBC by Interior Designer



WALL TYPE 'H' : EXTERNAL CAVITY WALL INFILL

- Zone of tiled external finishes (spec. TBC with Int Designer)
- Outer skin height-weight blockwork (3.2N/mm2 min.)
- Outer cavity - c/c cavity free with insulation restraint
- PIR insulation (KINGSPAN 'Toothbrush' or similar approved)
- DPC layer
- Inner skin height-weight blockwork (PORTERRA 'Thermalite' or similar) TBC
- Sika waterproofing treatment applied masonry
- NB Waterproofing Spec. TBC with installer
- Plaster wall finish
- Finishes TBC by Interior Designer



TYPICAL PERIMETER WALL - SOFFIT JUNCTION

- Wall linings installed to u/s of floor structure on independent MF frame
- Suspended soffit arrangement installed to butt against wall treatment
- 7-9mm dia. foam backer within 2-3mm gap between junction
- NB Allow for non-setting mastic at contact point

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REV	DATE	NOTES
B	19.02.16	Revised Tender Issue
A	07.01.16	Soffit Type F Added

PROJECT	8-10 Dover Street, W15 4LQ
TITLE	Typical Floor, Wall & Soffit Details
STATUS	TENDER ISSUE

DATE	SCALE	PROJECT NO	DRAWING NO	REVISION
12.2015	1:5 @ A1	15035	KD.00	B

Damian Lavelle  
Development Planning  
Westminster City Council  
PO BOX 732  
Redhill RH1 9FL

3<sup>rd</sup> February 2016  
**Ref:** 15-0754 L01-0

Dear Mr Lavelle

### **8-9 Dover Street-Application Ref 15/10428/Full**

I refer to the above application.

Cole Jarman are acoustic consultants. We are familiar with City of Westminster planning requirements with respect to plant noise having submitted many reports in relation to planning applications in Westminster over more than 20 years.

We have been appointed by Mr David Green of 47 Albemarle Street to review the planning application with respect to noise, in particular in relation to plant noise and the acoustic reports that have accompanied the planning application.

Two acoustic reports have been submitted:

- a) Environmental Noise Measurement Report - Waterloo Acoustics dated 30<sup>th</sup> September 2014
- b) Environmental Noise Assessment Report - Waterloo Acoustics dated 2<sup>nd</sup> November 2015. This report has been supplied in two sections covering the main text with the calculations in a separate appendix.

I comment on these:

#### Environmental Noise Measurement Report

The results of a noise survey at the site are recorded in this report.

It is noted the survey was undertaken using precision instrumentation extending over three days. The authors note that existing plant serving the premises was operational for some of the time. However it is noted that plant did not operate each day and so in deriving plant noise limits the minimum background noise levels over the complete survey are used. The minimum recorded levels were





Daytime (0700-2300)                    52dBA

Night-time (2300-0700)                51dBA

In the report it is recorded that the noise levels were recorded at a height of 1.5m (para 5.5), but the position was also at first floor level (para 5.1). The position was also close to other plant serving other premises (para. 2.3)

My client's property is at 2<sup>nd</sup> floor level overlooking the well area between Dover Street and Albemarle Street. Whilst he overlooks the plant area he is not directly adjacent to the existing plant.

Upon reading the report I was concerned that the background noise levels in the report were not representative of my client's property. We therefore undertook a background noise survey at the suite on 20-21<sup>st</sup> January.

The noise survey was carried out using a Rion NL-52 precision sound level meter with windshield. The meter was calibrated before and after the noise survey using a Rion type NC-74 and found to have not drifted significantly. There was no rain during the survey. The readings were made on my client's roof terrace 1m from the façade at the terrace edge, the position indicated on the attached figure 15/0754/F1. Noise levels were recorded over repeating 15 minute periods.

The results are shown on the attached figure 15/0754/TH01. The recorded minimum background noise levels were as follows:

Daytime 0700-2300 hours                49 dBA

Night-time 2300-0700 hours            47 dBA

It can be seen that the minimum background noise levels were 3dBA lower daytime and 4dBA lower night-time than in the Waterloo Acoustics report.

In setting plant noise limits City of Westminster expects plant noise levels to be 10dBA below minimum background noise levels. (At quiet locations a lower standard is acceptable, but that does not apply in this case).

Therefore with measured background noise levels at Albemarle Street 3-4dBA lower, the noise limits to be applicable at Albemarle Street should be 3-4dBA lower than proposed by Waterloo.

The appropriate limits for Albemarle Street residences should therefore be:

Daytime 0700-2300 hours                39 dBA

Night-time 2300-0700 hours            37 dBA



As noted in the Waterloo Acoustics report where plant is tonal a 5dB weighting is applied.

#### Environmental Noise Assessment

In this report Waterloo assess the plant noise against their own derived noise limits. They work to the daytime limit they derived of 42dBA, i.e. assuming that the plant would operate to 2300 hours each day only.

In their calculations they assess noise levels to three locations one on Dover Street and two on Albemarle Street. At the three positions they calculate noise levels as follows:

Position A Albemarle Street - 41dBA

Position B Dover Street – 41 dBA

Position C Albemarle Street – 41dBA

In their calculations for positions A and C they ignore the contributions for two condensers and noise breakout from the air handling units, apparently on the grounds that location B is the most critical.

The authors of the report do not have confidence in their calculations stating that 42dBA “...appears achievable in theory” (para 7).

I have a number of issues with respect to the assessment carried out. These are outlined below:

- a) An application for a new premises licence has been made (ref 16/00517/LIPN). This requests the premises be licenced for music and refreshments until 0330 hours. Therefore clearly the plant will operate at night and plant should be designed to achieve the appropriate night-time noise limits, not daytime as assumed by Waterloo.
- b) With the assessments to Albemarle Street the background noise levels used are higher than we have recorded. For Albemarle Street the lower night-time noise limit derived above of 37dBA should be used, not 42dBA as used by Waterloo.
- c) With the noise calculations at no time has a 3dB façade reflection correction been applied. The standard Westminster condition (C46) is clear that limits apply at 1m from the windows of residential/ noise sensitive windows.
- d) With respect to the noise calculations for the condenser plant this has been done solely on the basis of manufacturer’s sound pressure levels at 1m. In some situations noise levels around a unit can vary and therefore where possible equipment sound power levels should be used. These are values of the total sound output of plant, rather than a sound pressure level at one position. We have been able to obtain manufacturers’ sound power data for the units:

PUHZ-ZRP140YKA – 70dBA

PUHZ-ZRP250YKA – 77dBA

PUHZ-ZRP100YKA – 69dBA



PURY-P250YLMA – 83.5dBA

PUHY-P400YKB – 83dBA

The Waterloo Acoustics noise calculations do not show their derivations of sound power levels, however we assess their calculations understate the noise levels as follows:

PUHZ-ZRP250YKA – 4dBA understatement

PUHZ-ZRP100YKA – 3 dBA understatement

PURY-P250YLMA – 7.5dBA understatement

PUHY-P400YKB – 4dBA understatement

For the PUHZ-ZRP140YKA any difference is not derivable from their calculations.

- e) My client's property extends towards the locations of the proposed plant such that it is closer to the plant than taken by Waterloo in their calculations to Albemarle Street. Generally the nearest window will be 6-9m from plant whereas Waterloo Acoustics take it at 8-13m generally. Typically this means distance noise attenuation under assessed by 2-3dBA.
- f) In totalling noise levels to Albemarle Street the contributions from the PUHZ ZRP140YKA condensers and breakout noise from the air plant is ignored.

Taking account of all these deficiencies in the calculations I would assess that the total façade incident plant noise levels at Albemarle Street would be around 49 dBA, some 8dBA higher than Waterloo Acoustics.

This means plant noise levels some 12dBA above the derived appropriate noise limit of 37dBA, thereby very clearly not conforming to City of Westminster planning policy.

### Conclusions

I have reviewed the Waterloo Acoustics reports submitted with the planning application for new plant at 8-9 Dover Street.

We have found that minimum background noise levels at our client's property are 4dB lower than the applicant's levels, the difference thought due to the applicant's consultants measuring close to existing plant, rather than at the Albemarle Street residences

I have noted several errors in the noise calculations that cumulatively lead to a significant under assessment of the plant noise levels.

I assess that the total façade incident plant noise levels at Albemarle Street would be around 49 dBA, some 8dBA higher than assessed by Waterloo Acoustics.



This means plant noise levels some 12dBA above the derived appropriate noise limit of 37dBA, thereby very clearly not conforming to City of Westminster planning policy. Therefore the current application should be refused on noise grounds.

It may be that the applicants will want to review their assessment and consider further noise mitigation.

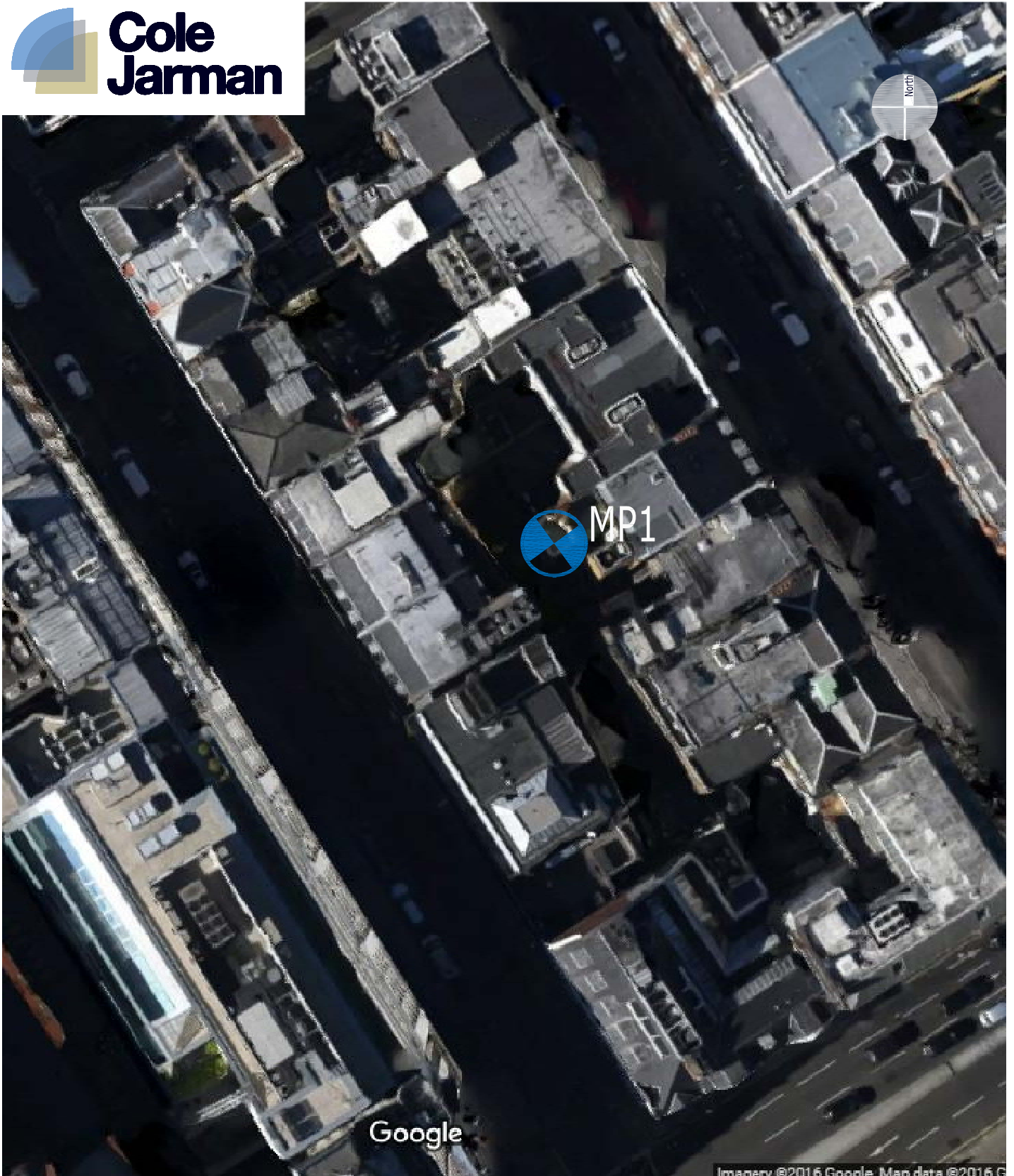
With respect to the air handling plant control of breakout from fan casings could be readily achieved by having that plant installed within the building envelope in the same way that the main kitchen extract is proposed to be, with only louvres to the rear area. This would also reduce the visual impact of the plant, which whilst not an acoustic issue, is a concern of my client. With respect to condenser plant these would need additional acoustic treatment.

#### Other Matters

The planning application related to the installation of plant associated with 8-9 Dover Street. In 2014 a Certificate of Lawful use was granted for the use of the basement at 47 Albemarle Street as ancillary space (office, kitchen and storage space) to restaurant use at 8-10 Dover Street. It is most important to my client that this continue as the permitted use only. If there were public spaces with music entertainment sound would readily pass up the walls of the building and impact upon my client residential amenity.

Yours sincerely

Neil Jarman BSc (Hons) CEng MCIBSE MIOA



Title: Site plan illustrating the measurement position  
MP1

Figure 15/0754/F1

Project: 8-9 Dover Street

Date: January 2016

Revision: -

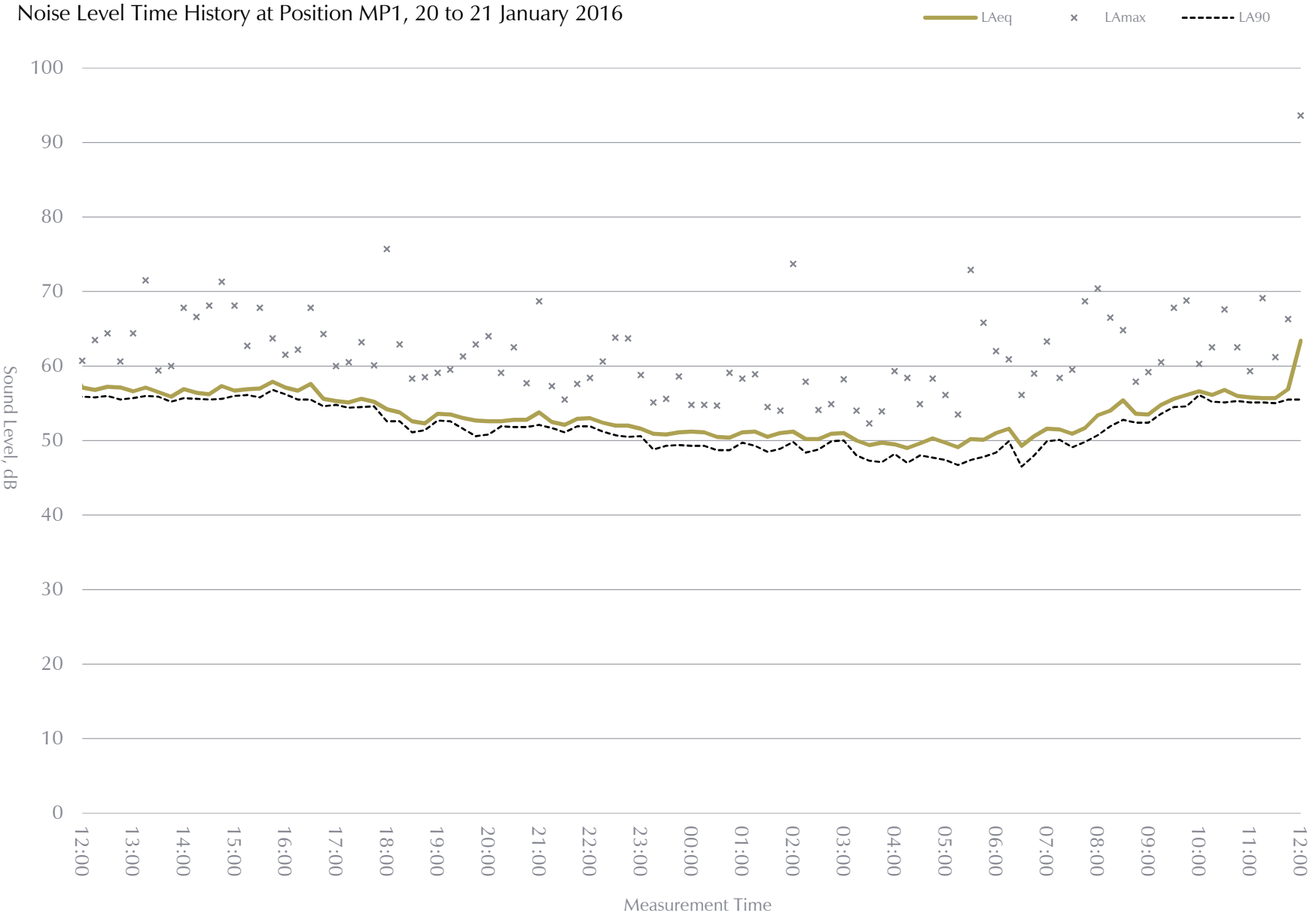
Scale: Not to scale

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Figure 15/0754/TH01



Licence history for:  
 Dover Street Wine Bar  
 Ground Floor Left  
 8-9 Dover Street  
 London  
 W1S 4LD

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
Conversion application 05/07928/LIPC	Application to convert the licence under the Licensing Act 2003	18.09.2005	Granted under delegated authority
Transfer application 14/10693/LIPT	Application to transfer the premises licence from Dover Street Restaurant Limited to Mr Boris Kofman & Mr Saul Lewin	02.02.2015	Granted under delegated authority

There is no appeal history for the premises

Licence history for:  
 Dover Street Wine Bar  
 Ground Floor Left  
 8-9 Dover Street  
 London  
 W1S 4LD

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
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There is no appeal history for the premises



**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Conditions consistent with the operating schedule**

9. After 00.00 hours (midnight) the supply of alcohol shall be ancillary to the provision of substantial food and/or music and dancing.

10. 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.

11. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed:

Ground Floor	100 persons
Basement	480 persons

With no more than 480 persons on the premises at any one time.

*This condition has been modified following agreement with Environmental Health.*

12. A Challenge 21 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.

13. 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 preceding 31 day period.

14. 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.

15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

16. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

17. All windows and internal entrance doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.

18. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

19. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and

mechanical equipment, shall at all material times be maintained in good condition and full working order.

20. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
21. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
22. All self-closing doors shall be effectively maintained and not held open other than by an approved device.
23. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
24. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
25. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
26. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
27. Patrons permitted to temporary leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
28. 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.
29. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.
30. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
31. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons

- (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
32. There shall be no sales of hot food or hot drink for consumption 'off' the premises after 23.00 hours.
  33. No deliveries to the premises shall take place between 23.00 and 07.00 hours.
  34. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
  35. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
  36. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
  37. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
  38. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
  39. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority by way of variation.
  40. No licensable activities shall take place at the premises until premises licence 14/10693/LIPT (or such other number subsequently issued for the premises) has been surrendered.
  41. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound

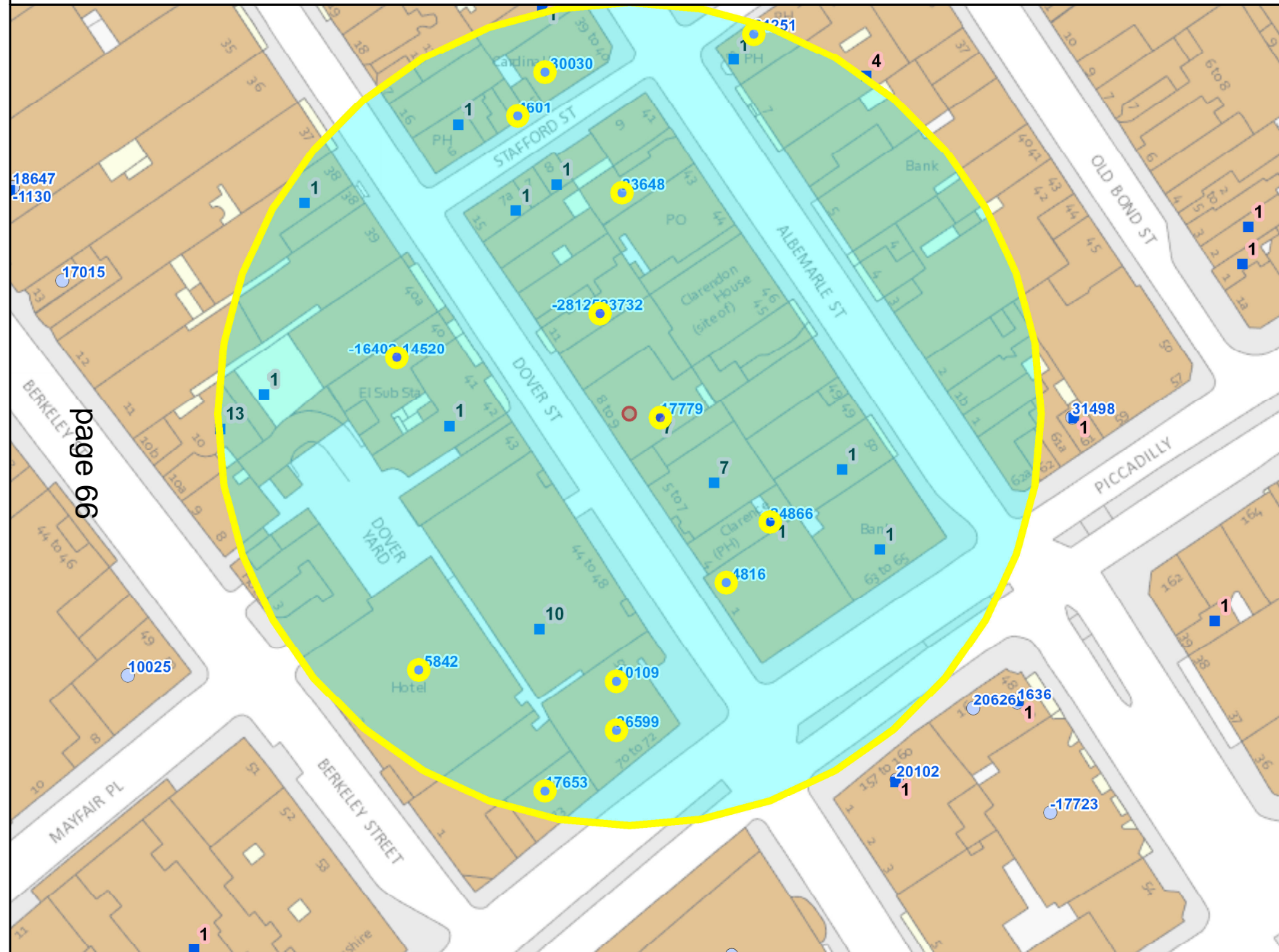
generating equipment shall be used on the premises without being routed through the sound limiter device.

**Conditions proposed by the Police and agreed with the applicant**

42. There shall be no admittance or re-admittance to the premises after 02:00, except for those patrons temporarily leaving the premises to smoke, save for a maximum number of 25 guests per night who may be admitted at the manager's discretion provided a legible record of these people's names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance will also be recorded.
43. At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises from 20:00 whilst it is open for business.
44. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
45. There shall be no sales of alcohol for consumption off the premises after 23:00.



# Mnky Hse 8-9 Dover Street



page 66

Residential / Proposed Residential	47
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10  
 Meters

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Data Source: Uniform Database  
 Date: 18/03/2016



**Premises within 75 metres of: MnkY Hse, 8 - 9 Dover Street**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
14/09521/LIPVM	Mayfair Club	Basement 49-50 Dover Street London W1J 8DJ	Sunday 09:00 - 05:00 Monday to Saturday 09:00 - 06:00
14/10693/LIPT	Dover Street Wine Bar	Ground Floor Left 8 Dover Street London W1S 4LD	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
15/00717/LIPDPS	Gymkhana Restaurants	Basement And Ground Floor 42 Albemarle Street London W1S	Monday to Sunday 10:00 - 01:30
09/03331/LIPD	Thresher Wine Shop	12 Dover Street London W1S 4LL	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
14/08698/LIPDPS	Babbo Restaurant Limited	Ground Floor Cardinal House 39 - 40 Albemarle Street London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
12/07557/LIPDPS	The Arts Club	Basement To First Floor 40 Dover Street London W1S 4NP	Monday to Sunday 00:00 - 00:00 Monday to Sunday 08:30 - 03:30
12/11096/LIPN	The Arts Club	Basement To First Floor 40 Dover Street London W1S 4NP	Monday to Sunday 00:00 - 00:00 Sunday 08:30 - 00:00 Monday to Saturday 08:30 - 03:30
15/05632/LIPVM	Mahiki	1 Dover Street London W1S 4LA	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
09/06623/LIPN	Le Petit Cafe	5A Stafford Street London W1S 4RR	Monday to Friday 06:00 - 20:00 Saturday 08:00 - 20:00
15/04943/LIPDPS	The Clarence Public House	4 Dover Street London W1S 4LD	Monday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:30
15/05204/LIPDPS	Whisky Shop	70 Piccadilly London W1J 8HP	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
15/08193/LIPDPS	The Kings Head	The Kings Head 10 Stafford Street London W1S 4RX	Monday to Thursday 07:00 - 00:30 Sunday 07:00 - 00:30 Friday to Saturday 07:00 - 01:30
14/07481/LIPDPS	Pescatori	11-12 Dover Street London W1S 4LJ	Monday to Saturday 10:00 - 00:30 Sunday 23:00 - 00:00
15/05850/LIPDPS	Holiday Inn Mayfair	3 Berkeley Street London W1J 8NE	Monday to Sunday 00:00 - 00:00
15/04718/LIPDPS	Cafe De Pierre	73 Piccadilly London W1J 8HS	Monday to Sunday 07:00 - 23:30

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2011
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application Form	18 January 2016
<b>5</b>	Application covering letter	18 January 2016
<b>6</b>	Dover Street Wine Bar Premises Licence	2 February 2015
<b>7</b>	Environmental Health representation	12 February 2016
<b>8</b>	Environmental Health agreement to conditions and withdrawal of representation	15 March 2016
<b>9</b>	Police representation	27 January 2016
<b>10</b>	Police agreement to conditions and withdrawal of representation	3 February 2016
<b>11</b>	Mr David Green representation	4 February 2016



City of Westminster

## Licensing Sub-Committee Report

Item No:	
Date:	
Licensing Ref No:	16/01324/LIPV - Premises Licence Variation
Title of Report:	Cafe Royal Hotel 8 Air Street London W1B 5AB
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	2 February 2016		
<b>Applicant:</b>	Cafe Royal Management Limited		
<b>Premises:</b>	Cafe Royal Hotel		
<b>Premises address:</b>	8 Air Street London W1B 5AB	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	This premises operates as a hotel with a number of bars and restaurants within its demise.		
<b>Variation description:</b>	<p>To vary the existing premises licence so as to remove the following conditions in relation to the second floor Pompadour Suite:</p> <p>42. There shall be no loudspeakers provided to the External Balcony area.</p> <p>43. All doors to the external balcony area shall be kept closed after 24:00 hours except for immediate access and egress. And to amend the hour in condition 44 as follows:</p> <p>44. No drinks shall be permitted in the external balcony area after 03:00 hours (00:00 as existing).</p> <p>No other changes are sought.</p>		
<b>Premises licence history:</b>	This premises benefits from a licence under the Licensing Act 2003, licence number 15/11836/LIPDPS. Please refer to Appendix 3 for a full licence history.		
<b>Applicant submissions:</b>	The applicant has provided two photographs of the balcony. Please refer to Appendix 2.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Exhibition of films, Performance of live music and Performance of dance and Anything of a similar description						
<i>Note: licensed Monday to Sunday 00:00 to 00:00 for residents and their guests</i>						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:00	No variation applied for		All areas except ground floor retail/cafe, ground floor hotel bar and spa	No variation applied for
Tuesday	09:00	03:00				
Wednesday	09:00	03:00				
Thursday	09:00	03:00				
Friday	09:00	03:00				
Saturday	09:00	03:00				
Sunday	09:00	01:00				
<b>Seasonal variations:</b>	<b>Current:</b> None				<b>Proposed:</b> No variation applied for	

<b>Non-standard timings:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	

<b>Recorded Music</b>						
<i>Note: licensed Monday to Sunday 00:00 to 00:00 for residents and their guests</i>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
Monday	09:00	01:00	No variation applied for		All areas except ground floor retail/cafe	No variation applied for
Tuesday	09:00	01:00				
Wednesday	09:00	01:00				
Thursday	09:00	01:00				
Friday	09:00	01:00				
Saturday	09:00	01:00				
Sunday	09:00	01:00				
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	

<b>Late night refreshment</b>						
<i>Note: licensed Monday to Sunday 00:00 to 00:00 for residents and their guests</i>						
<b>Indoors, outdoors or both</b>			<b>Current :</b>		<b>Proposed:</b>	
			Indoors		No variation applied for	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
Monday	23:00	23:30	No variation applied for		Spa and ground floor retail/cafe	No variation applied for
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	00:00				
Saturday	23:00	00:00				
Sunday						
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	

<b>Late night refreshment</b>						
<i>Note: licensed Monday to Sunday 00:00 to 00:00 for residents and their guests</i>						
<b>Indoors, outdoors or both</b>			<b>Current :</b>		<b>Proposed:</b>	
			Indoors		No variation applied for	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
Monday	23:00	01:00	No variation applied for		Ground floor hotel bar	No variation applied for
Tuesday	23:00	01:00				
Wednesday	23:00	01:00				
Thursday	23:00	01:00				
Friday	23:00	01:00				
Saturday	23:00	01:00				
Sunday	23:00	01:00				
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	

<b>Non-standard timings:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	No variation applied for

**Late night refreshment**  
*Note: licensed Monday to Sunday 00:00 to 00:00 for residents and their guests*

<b>Indoors, outdoors or both</b>	<b>Current :</b>	<b>Proposed:</b>
	Indoors	No variation applied for

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	03:00	No variation applied for		All other areas except spa and retail/cafe	No variation applied for
Tuesday	23:00	03:00				
Wednesday	23:00	03:00				
Thursday	23:00	03:00				
Friday	23:00	03:00				
Saturday	23:00	03:00				
Sunday	23:00	01:00				

<b>Seasonal variations:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	No variation applied for

<b>Non-standard timings:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	No variation applied for

**Sale by Retail of Alcohol**  
*Note: licensed Monday to Sunday 00:00 to 00:00 for residents and their guests*

<b>On or off sales</b>	<b>Current :</b>	<b>Proposed:</b>
	On and Off	No variation applied for

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No variation applied for		Ground Floor Bar	No variation applied for
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				

<b>Seasonal variations:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	No variation applied for

<b>Non-standard timings:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	No variation applied for

**Sale by Retail of Alcohol**  
*Note: licensed Monday to Sunday 00:00 to 00:00 for residents and their guests*

<b>On or off sales</b>	<b>Current :</b>	<b>Proposed:</b>
	On and Off	No variation applied for

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	23:30	No variation applied for		Spa and ground floor retail/cafe	No variation applied for
Tuesday	07:00	23:30				
Wednesday	07:00	23:30				
Thursday	07:00	23:30				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	22:30				

<b>Seasonal variations:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	No variation applied for
<b>Non-standard timings:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	No variation applied for

<b>Sale by Retail of Alcohol</b>						
<i>Note: licensed Monday to Sunday 00:00 to 00:00 for residents and their guests</i>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			On and Off		No variation applied for	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	07:00	03:00	No variation applied for		All other areas not mentioned above	No variation applied for
<b>Tuesday</b>	07:00	03:00				
<b>Wednesday</b>	07:00	03:00				
<b>Thursday</b>	07:00	03:00				
<b>Friday</b>	07:00	03:00				
<b>Saturday</b>	07:00	03:00				
<b>Sunday</b>	07:00	01:00				
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	00:00	00:00	No variation applied for		All areas	No variation applied for
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No variation applied for	

<b>1-C</b>	<b>Layout alteration</b>
No alterations applied for	

<b>1-D</b>	<b>Conditions being varied, added or removed</b>	
Amendments to condition 42 and 43 – see Appendix 4 Removal of condition 44		
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	No variation applied for

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Reaz Guerra
<b>Received:</b>	29 <sup>th</sup> February 2016
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is situated in the West End Stress Area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.</p> <p>An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.</p> <p>It is for these reasons that we are objecting to the application.</p>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Anil Drayan
<b>Received:</b>	19 <sup>th</sup> February 2016
<p>I refer to the variation application of the Premises Licence for the above premises which is located in the West End Cumulative Impact Area.</p> <p><b>The applicant is seeking the following:</b></p> <ol style="list-style-type: none"> <li>1. To remove condition 42</li> <li>2. To remove condition 43</li> <li>3. To amend condition 44</li> </ol> <p><b>I wish to make the following representations:</b></p> <ol style="list-style-type: none"> <li>1. The removal of condition 42 may lead to an increase in Public Nuisance in the West End Cumulative Impact Area</li> <li>2. The removal of condition 43 may lead to an increase in Public Nuisance in the West End Cumulative Impact Area</li> <li>3. The proposed amendment of condition 44 may lead to an increase in Public Nuisance in the West End Cumulative Impact Area</li> </ol> <p>No additional conditions have been offered in mitigation. The applicant is advised to contact the undersigned to arrange a site visit to discuss the reasons for the application after which Environmental Health may propose additional conditions.</p>	



<b>2-B Other Persons</b>			
<b>Name:</b>		Steve Chambers	
<b>Address and/or Residents Association:</b>		The Soho Society St Annes Tower 55 Dean Street London W1D 6AF	
<b>Status:</b>	Pending	<b>In support or opposed:</b>	Opposed
<b>Received:</b>			
<p>The conditions that currently apply to this venue are intended to protect residential amenity and their removal is objected to. The premises has existing permission for licensable activities, including sale of alcohol until 3 am and it is reasonable that there should be no loudspeakers in the balcony area, that doors remain closed after 24:00 and drinks cannot be taken outside after 00:00. The exterior noise will also be an attraction to people in the area, thereby causing dispersal problems late at night. Removal of these conditions to a licensed premises in the West End Cumulative Impact Area will cause a loss of residential amenity and as such is not in line with the licensing objectives of Westminster City Council.</p>			

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies:</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
<b>Policy PB2 applies:</b>	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.
<b>Policy MD2 applies:</b>	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
<b>Policy HOT1 applies:</b>	<p>Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:</p> <p>(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.</p> <p>(b) The hours of serving of alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel,</p> <p>(c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.</p>

#### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity <b><i>Note: at the time of publishing this report the mapping system was unavailable. This Appendix shall be provided as a separate document.</i></b>

<b>Report author:</b>	Mrs Sumeet Anand-Patel Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2737 Email: sanandpatel@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	7 <sup>th</sup> January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015







**Note:**  
 This drawing is marked  
 for illustration only. Indicative  
 of layouts only.

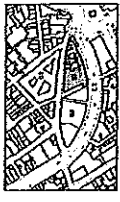
This drawing is for information only and does not constitute a contract. It is subject to change without notice. The client is responsible for the accuracy of the information provided.

-  Public area
-  Public toilets
-  External
-  Staff area
-  Staff toilets
-  Main alcohol storage
-  Spa
-  Spa toilets
-  Restaurant area

Areas where licensed  
 activities are permitted

-  Area to which licensable  
 activities are restricted  
 as per premises licence
-  Area referred to in the  
 conditions attached to  
 the premises licence

Code	Area	Area	Area	Area	Area
01	Public area	Public area	Public area	Public area	Public area
02	Public toilets	Public toilets	Public toilets	Public toilets	Public toilets
03	External	External	External	External	External
04	Staff area	Staff area	Staff area	Staff area	Staff area
05	Staff toilets	Staff toilets	Staff toilets	Staff toilets	Staff toilets
06	Main alcohol storage	Main alcohol storage	Main alcohol storage	Main alcohol storage	Main alcohol storage
07	Spa	Spa	Spa	Spa	Spa
08	Spa toilets	Spa toilets	Spa toilets	Spa toilets	Spa toilets
09	Restaurant area	Restaurant area	Restaurant area	Restaurant area	Restaurant area



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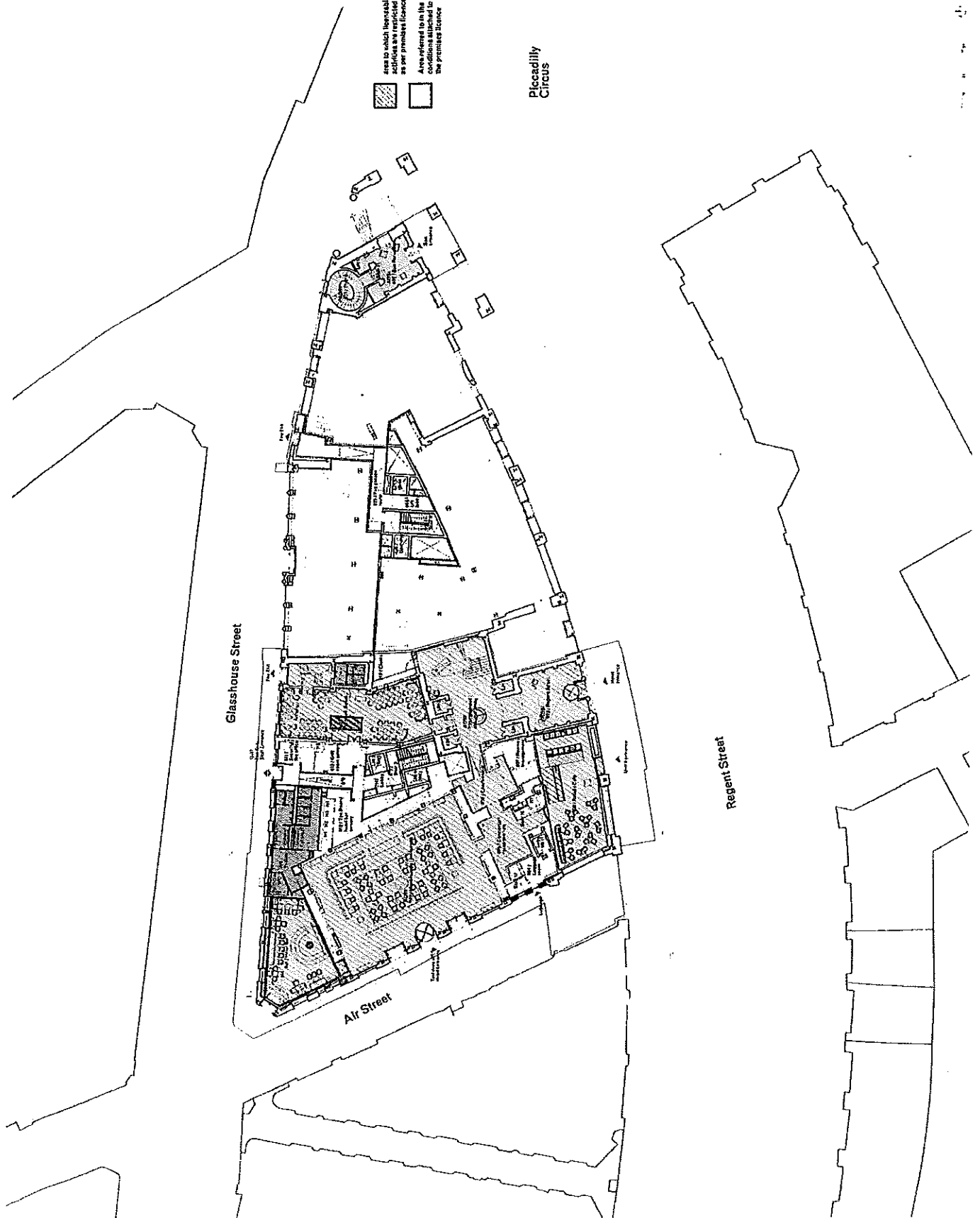
Project No: 869

Client: Café Royal

Architect: Alroy Group

Project Name: 869\_06\_00










Date: 12/01/11  
 Drawn: J. GIBSON  
 Checked: E. W. J. J. J.





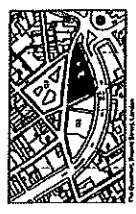
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Please do not use this drawing for construction purposes. It is for illustration only. All dimensions and quantities are approximate. All dimensions and quantities are subject to change without notice.

-  Public area
-  Public toilets
-  External
-  Staff area
-  Staff toilets
-  Mini alcohol storage
-  Spa
-  Spa toilets
-  Guestroom linen

Areas where licensed activities are provided

NO.	DATE	DESCRIPTION	BY	CHKD



David Chipperfield Architects

Project: **Calix Royal**

Project Number: **888**

Client: **Alroy Group**

Project Name: **Ueno Hotel in Diagram**

Project Number: **88\_02**

Date: **11/08/02**

Scale: **1:100**



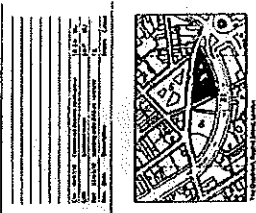






This drawing set is to be used in conjunction with the following information:  
 1. The project description and program.  
 2. The site plan and location map.  
 3. The architectural and engineering specifications.  
 4. The contract documents.  
 5. The building code and applicable laws and regulations.  
 6. The local zoning ordinance.  
 7. The fire department's requirements.  
 8. The health department's requirements.  
 9. The utility companies' requirements.  
 10. The manufacturer's requirements for the building materials.  
 11. The manufacturer's requirements for the building systems.  
 12. The manufacturer's requirements for the building equipment.  
 13. The manufacturer's requirements for the building finishes.  
 14. The manufacturer's requirements for the building fixtures.  
 15. The manufacturer's requirements for the building furniture.  
 16. The manufacturer's requirements for the building lighting.  
 17. The manufacturer's requirements for the building sound.  
 18. The manufacturer's requirements for the building security.  
 19. The manufacturer's requirements for the building accessibility.  
 20. The manufacturer's requirements for the building sustainability.

1. Floor level  
 2. Ceiling level  
 3. Elevation  
 4. Section  
 5. Detail  
 6. Schedule  
 7. Note  
 8. Title block  
 9. Index  
 10. Revision table  
 11. Drawing title  
 12. Drawing number  
 13. Drawing date  
 14. Drawing scale  
 15. Drawing author  
 16. Drawing checker  
 17. Drawing approver  
 18. Drawing date  
 19. Drawing scale  
 20. Drawing author

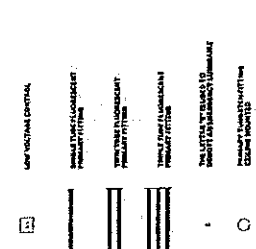


**David Chipperfield Architects**  
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 Fax: +44 (0)20 7460 8001  
 Email: [info@dca.com](mailto:info@dca.com)  
 Website: [www.dca.com](http://www.dca.com)

Project: **369**  
 Client: **Alroy Group**  
 Architect: **Alroy Group**  
 Date: **2014**  
 Scale: **1:100**  
 Drawing No: **808\_05\_05**  
 Drawing Title: **Proposed 1st Floor**  
 Drawing Date: **2014**  
 Drawing Scale: **1:100**  
 Drawing Author: **DA**  
 Drawing Checker: **DA**  
 Drawing Approver: **DA**

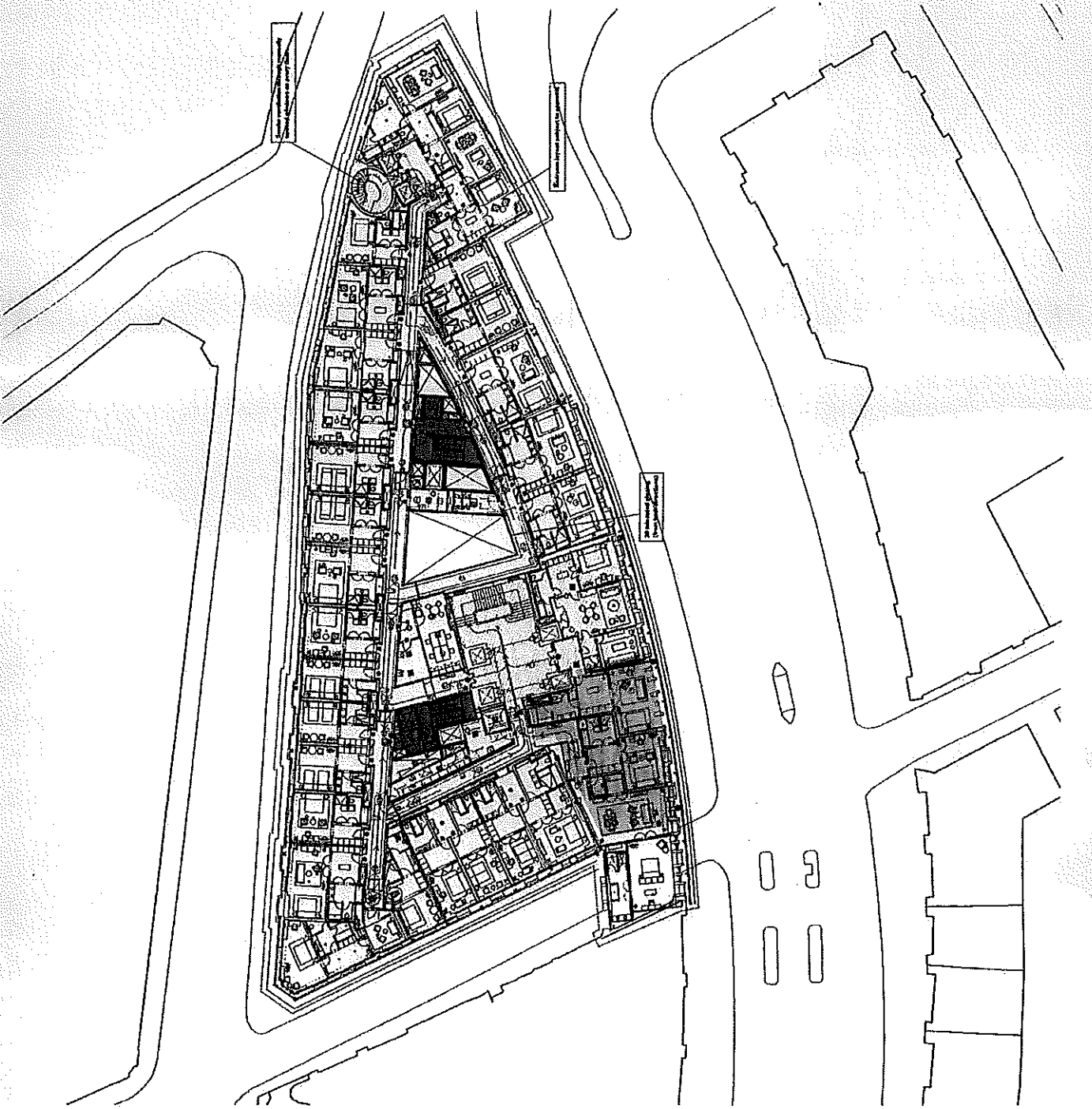
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 19. Drawing scale  
 20. Drawing author



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 Website: [www.dca.com](http://www.dca.com)

Project: **369**  
 Client: **Alroy Group**  
 Architect: **Alroy Group**  
 Date: **2014**  
 Scale: **1:100**  
 Drawing No: **808\_05\_05**  
 Drawing Title: **Proposed 1st Floor**  
 Drawing Date: **2014**  
 Drawing Scale: **1:100**  
 Drawing Author: **DA**  
 Drawing Checker: **DA**  
 Drawing Approver: **DA**



100% - 100% of the building construction  
 90% - 90% of the building construction  
 80% - 80% of the building construction  
 70% - 70% of the building construction  
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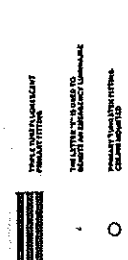
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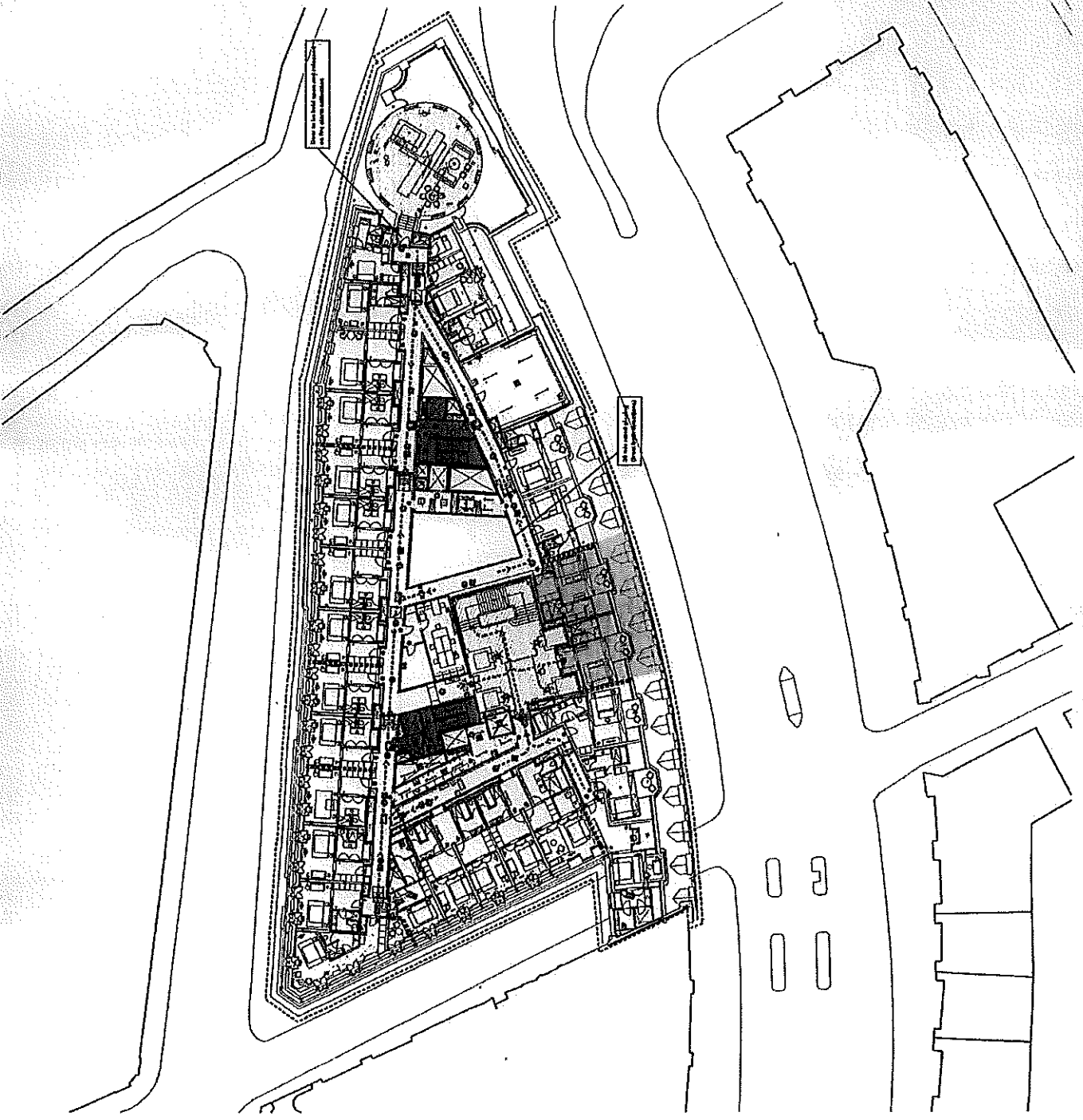
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 10% of the building construction  
 0% of the building construction



All materials and finishes are  
 indicative only and subject to change.



**Architectural Legend**

- Architectural symbols and their corresponding descriptions.
- Material callouts: Wood, Concrete, Brick, etc.
- Room and area callouts: Lobby, Staircase, etc.

**Project Information**

Project Name: **Case Royal**

Client: **Alroy Group**

Architect: **David Chipperfield Architects**

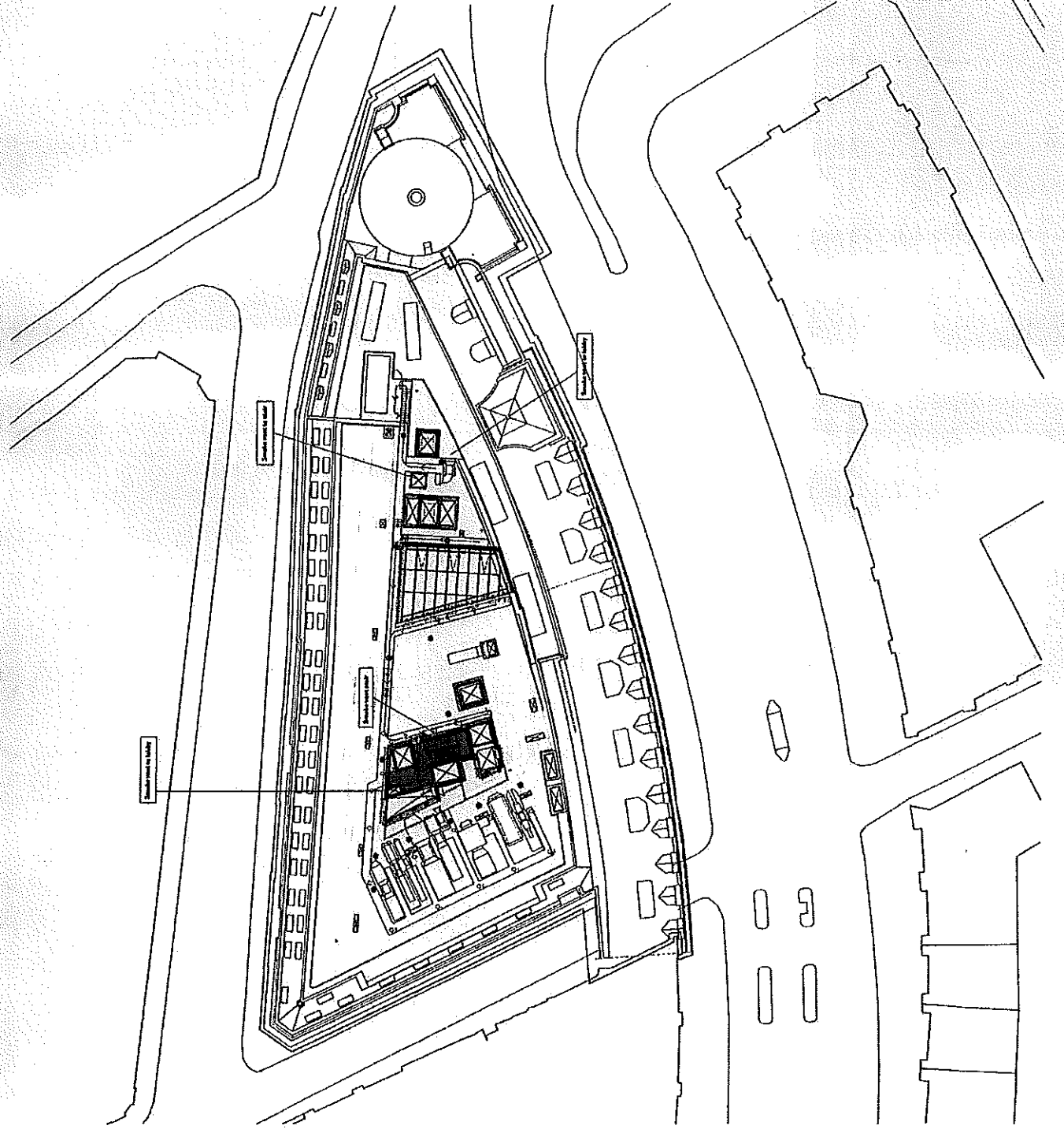
Address: **809, 40, 00**

**Technical Specifications**

- Structural notes: Foundation, columns, beams.
- Material specifications: Wall thickness, floor finish.
- Room dimensions and area calculations.










**Notes**

All dimensions are in meters unless otherwise stated.



This drawing is marked for illustration only indicative of layouts only

The drawing is an approximate illustration of the proposed building layout and is not intended to be used for construction purposes.

-  Public area
-  Public toilets
-  External
-  Staff area
-  Staff toilets
-  Main alcohol storage
-  SPA
-  Spa toilets
-  Guestroom area

Area where licensed activities are provided



David Chipperfield Architects

Project: Cafe Royal

869

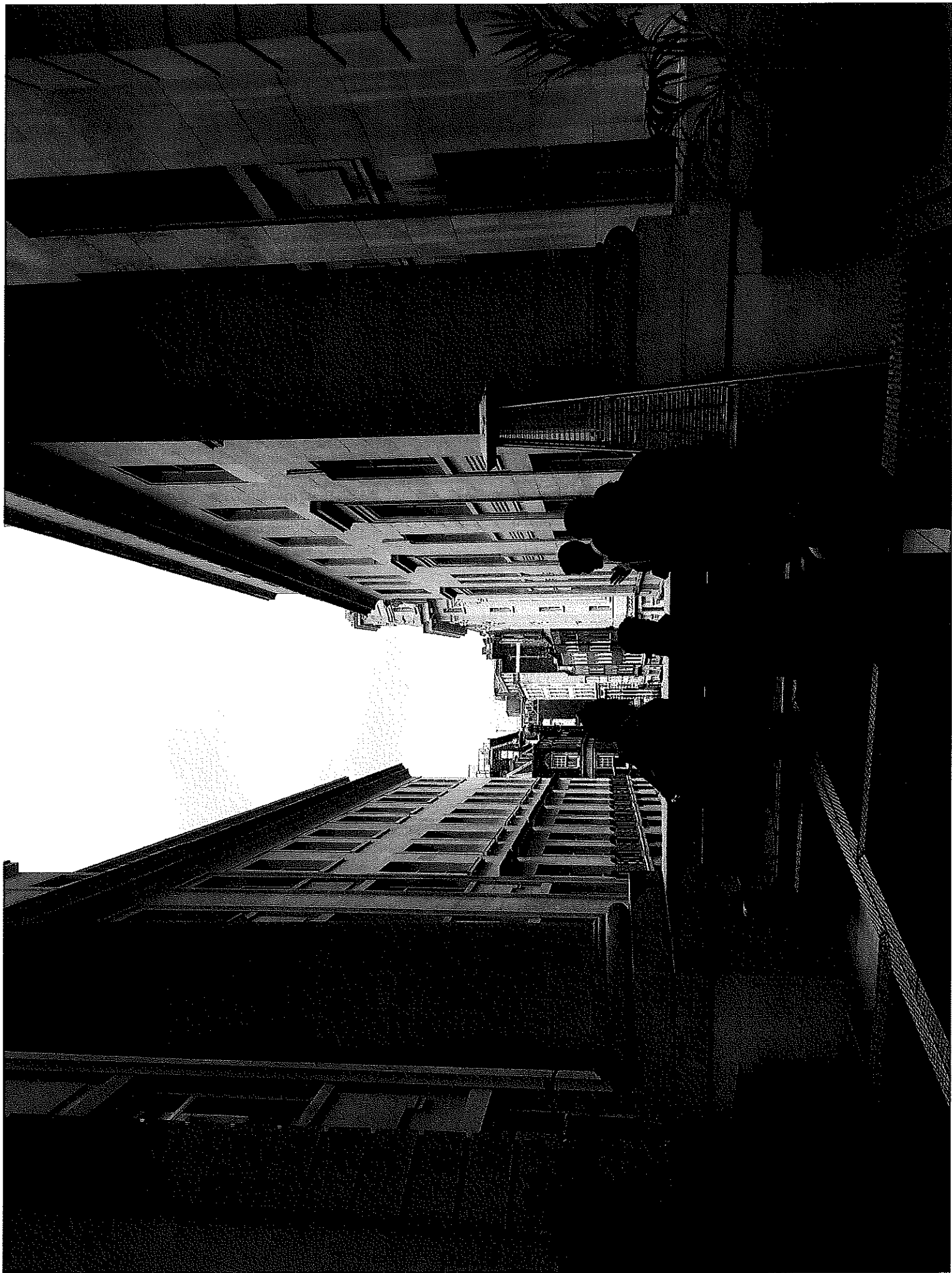
Client: Altrow Group

Project Name: 96\_1  
 License: Upper Basement  
 Date: 2009 AT  
 Approved: AP  
 City: New York

APPENDIX 2







## Licence &amp; Appeal History

Application	Details of Application	Date Determined	Decision
<b>New Application</b> 12/06396/LIPN	Application to permit regulated entertainment, sale of alcohol and late night refreshment	13.09.2012	Granted by Licensing Sub-Committee
<b>Variation Application</b> 12/08321/LIPV	Application to vary the conditions relating to entry of persons into the private dining room, lounge and bar on the first floor	23.10.2012	Granted under delegated authority
<b>DPS Application</b> 12/10298/LIPDPS	Application to vary the designated premises supervisor	11.02.2013	Granted under delegated authority
<b>Variation Application</b> 13/00650/LIPV	Application to vary the conditions relating to the 'Grill Room'	04.04.2013	Granted by Licensing Sub-Committee
<b>Variation Application</b> 13/05807/LIPV	Application to remove the restriction of tables and chairs to be provided outside the premises and allow them to be used on Glasshouse Street only	18.09.2013	Granted under delegated authority
<b>DPS Application</b> 14/03143/LIPDPS	Application to vary the designated premises supervisor	16.05.2014	Granted under delegated authority
<b>Variation Application</b> 15/00828/LIPV	Application to vary the hours permitted in the Grill and TEN rooms within the hotel.	16.04.2015	Granted by Licensing Sub-Committee
<b>Variation Application</b> 15/11836/LIPDPS	Application to vary the designated premises supervisor	01.03.2016	Granted under delegated authority
<b>Variation Application</b> 16/01324/LIPV	Current Application	Pending	

There is no appeal history

*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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate 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

**Conditions: On Current Licence -**

**Mandatory:**

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.
  - (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.
  - (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.
  - (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.

against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

10. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

## **Annex 2 – Conditions consistent with the operating Schedule**

First Floor Private Bar/ Members Lounge, private dining/reading room

11. The provision of licensable activities shall be restricted to:
  - a) persons taking a table meal; or
  - b) persons attending pre-booked private events; a list of such events shall be kept for 31 days for inspection by the responsible authorities; or
  - c) residents and their guests or
  - d) members of the private members club (as defined in the document headed 'Café Royal Rules of Membership 2012' or such amended Rules as submitted to the Licensing Authority from time to time ) operating at the premises and their guests. No member to be allowed to bring more than four guests at any one time. There shall be a annual membership fee of at least £500 and a minimum period of 24 hours between nomination and acceptance to membership. Details of the membership register to be disclosed to the responsible authorities when requested or
  - e) bona fide guests of the management or proprietor, restricted to no more than 35 persons at any time; a legible record including the full names of all guests and the person inviting the bona fide guests will be recorded at the time and retained for a minimum of 28 days for inspection by the responsible authorities.

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

### Ten Room

12. The sale of alcohol within the Ground Floor Grill Room shall only be to persons
  - (a) taking a table meal, or
  - (b) persons attending a pre- booked or ticketed event, a list of such events shall be kept for 31 days for inspection by the responsible authorities, or
  - (c) residents and their bona fide guests, or
  - (d) persons served by waiter/waitress service whilst seated (with the exception of the hatched area as shown on the plan limited to a capacity of 10 persons) up to the hours of 01:00.

### Ground Floor Retail / Cafe

13. Save for the area hatched black on the plan, the sale of alcohol for consumption on the premises shall be by waiter / waitress service only and to persons seated.
14. Substantial food and non-intoxicating beverages, including drinking water, shall be available at all times in the bar where alcohol is sold or supplied.
15. Any sale of alcohol for consumption on the premises shall only be permitted in

sealed containers and only until 23:00.

16. The sale, exposure for sale, or display of alcohol shall be limited to the sales area cross hatched on the plans to be submitted.
17. The number of persons permitted in the retail/cafe shall be 70 persons (excluding staff).
18. No regulated entertainment shall be provided.

Ground Floor Hotel Bar

19. The sale of alcohol shall be by waiter/waitress or bar service only.
20. Substantial food and non-intoxicating beverages, including drinking water, shall be available at all times in the bar where alcohol is sold or supplied.
21. There shall be no access to the hotel bar from the corner of Glasshouse Street/ Air Street after 24:00 hours.
22. Regulated entertainment shall be restricted to recorded music only.
23. The number of persons permitted in the Hotel Bar shall be 90 persons (excluding staff).

Oscar Wilde Bar (Grill Room) / First Floor Domino Room

24. The sale of alcohol shall be by waiter/waitress service only and to persons seated (with the exception of the hatched area as shown on the plan limited to a capacity of 10 persons).
25. Substantial food and non-intoxicating beverages, including drinking water, shall be available at all times where alcohol is sold or supplied for consumption on the premises.
26. The number of persons permitted in the Oscar Wilde Bar shall be no more than 100 persons.

27. After 01:00 admission to the Oscar Wilde Bar from Glasshouse Street shall only be to:
  - a) Persons on a Guest List, a copy of which shall be kept for 31 days for inspection by the responsible authorities; or
  - b) Guests of the management, limited to no more than 20 persons at any time, a record of the authorising manager's name and names of such guests shall be kept for 31 days for inspection by the responsible authorities.
28. After 23:00 a minimum of 1 SIA door supervisor shall be on duty at each entrance to the Oscar Wilde Bar.
29. The number of persons permitted in the Oscar Wilde Bar and or Domino room shall be: Oscar Wilde Bar 100 persons, Domino Room 70 persons.
30. The sale of alcohol within the First Floor Domino Room shall only be to persons
  - a) taking a table meal, or
  - b) persons attending a pre-booked or ticketed event, a list of such events shall be kept for 31 days for inspection by the responsible authorities, or
  - c) residents and their bona fide guests.

#### First Floor Meeting Rooms 1, 2 & 3 and Board Room

31. The sale of alcohol shall only be to persons
  - (a) taking a table meal, or
  - (b) persons attending a pre-booked private event, a list of such events shall be kept for 31 days for inspection by the responsible authorities, or
  - (c) residents and their bona fide guests.
32. The number of persons permitted in Meeting Room 1, 2, 3 and the Boardroom shall not exceed 430 persons.

#### First Floor Private Bar, Members Lounge, private dining/reading room

33. 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.
34. The sale of alcohol shall be by waiter/waitress service only.
35. The number of persons permitted shall be: Private Bar 80 persons, Private Lounge 80 persons, Private dining/reading room 15 persons.

#### First Floor Screening Room

36. The provision of licensable activities shall be restricted to:
  - (a) Persons taking a table meal; or
  - (b) Persons attending pre-booked or ticketed events; a list of such events shall be kept for 31 days for inspection by the responsible authorities; or
  - (c) Residents and their guests.
37. Substantial food and non-intoxicating beverages, including drinking water, shall be available at all times in the bar where alcohol is sold or supplied.



38. The number of persons permitted in the Screening room shall be 150 persons.

Second Floor Pompadour Suite

39. The supply of alcohol within the Pompadour Suite shall only be to persons

- (a) taking a table meal, or
- (b) persons attending pre- booked or ticketed events, a list of such events shall be kept for 31 days for inspection by the responsible authorities, or
- (c) residents and their bona fide guests.

40. The number of persons permitted in the Pompadour Suite shall be 250 persons.

41. There shall be no Regulated Entertainment provided to the External Balcony area.

42. *There shall be no loudspeakers provided to the External Balcony area.*

43. *All doors to the external balcony area shall be kept closed after 24:00 hours except for immediate access and egress.*

***The applicant is seeking to remove conditions 42 and 43 above. EH have no objection to the removal of condition 42.***

44. *No drinks shall be permitted in the external balcony area after 24:00 hours.*

***The applicant is seeking to amend the above condition to read:***

*No drinks shall be permitted in the external balcony area after 03:00 hours*

***Note: Please refer to the conditions consistent with the operating schedule for further conditions proposed by the applicant.***

Spa

45. The sale of alcohol shall be by waiter/waitress service only save for in the café as shown on the plan.

46. There shall be no glass vessels permitted within the Spa save for in the café as shown on the plan.

47. Regulated entertainment shall be restricted to recorded music

only. Whole Premises

48. The provision of licensable activities to members of the public shall be permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

49. Patrons temporarily leaving the premises on the ground floor for the purposes of smoking shall not take any drinks of any kind with them outside the premises.

50. No goods including fuel delivered or collected by vehicles arriving at or departing from the premises shall be accepted or despatched if unloaded or loaded on the public highway. You may accept or dispatch such goods only if they are

- unloaded or loaded within the curtilage of the building of the Quadrant 3 complex.
51. All tables and chairs shall be removed from the outside area at 23:00 each day
  52. No loudspeakers shall be located in any external area.
  53. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period.
  54. 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 to the public.  
This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.
  55. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
  56. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00 hours.
  57. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
  58. No waste or recyclable materials, including bottles, shall be moved, removed or placed on the public highway between the hours of 23:00 and 0700.
  59. There shall be at least one SIA licensed door supervisor at each of the entrances on Glasshouse Street/Air Street, Glasshouse Street, Air Street and Regent Street from 20:00 until the end of permitted hours.
  60. Any special effects or mechanical installations shall be arranged and stored so as to minimize any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
    - o Dry ice and cryogenic fog
    - o Smoke machines and fog generators
    - o Pyrotechnics including fire works
    - o Firearms
    - o Lasers
    - o Explosives and highly flammable substances
    - o Real flame
    - o Strobe lighting.
  61. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other persons any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is

increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

62. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
63. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
64. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
65. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
66. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
67. Curtains and hangings shall be arranged so as not to obstruct emergency signs, fire extinguishers or other fire fighting equipment.
68. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame- retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
69. The certificates listed below shall be submitted to the Licensing Authority upon written request.
  - o Any emergency lighting battery or system
  - o Any electrical installation
  - o Any emergency warning system.
70. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
71. The sale of alcohol shall be permitted between 0700 and 1000 Monday to Saturday and 0700 to 1200 Sundays to persons taking a table meal and as an ancillary to that meal.
72. 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.
73. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue

- (b) all ejections of patrons
  - (c) any complaints received that relate to crime and disorder
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system e.g. any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service.
74. Save for those areas already authorised in the licence to permit recorded music, all other areas on the ground floor, first floor and spa shall be permitted at all times to provide recorded music.

**Conditions consistent with the operating schedule**

75. *Where there is regulated entertainment in the Pompadour Suite, all doors to the external balcony should be kept closed after midnight except for access and egress.*
76. *The second floor will be supervised by an SIA door supervisor when open.*
77. *The external balcony will be to be covered by CCTV.*
78. *The sale of alcohol on the external balcony shall be by waiter/waitress service.*
79. *The use of the external balcony after midnight shall only be open to:*
- *pre-booked functions, or*
  - *residents and their guests; or*
  - *persons on a guest list.*
80. *The number of persons shall not exceed 50 at any time, excluding staff.*
81. *There will also be a risk assessment to deal with the risk of falling glass*

***EH propose alternative wording to the applicant's conditions above:***

82. *When there is regulated entertainment in the Pompadour Suite, all doors to the external balcony shall be kept closed after midnight except for immediate access and egress.*
83. *The external balcony shall be supervised by an SIA door supervisor when open.*
84. *The external balcony will be covered by CCTV.*
85. *The supply of alcohol on the external balcony shall be by waiter/waitress service only.*
86. *The use of the external balcony after midnight shall only be open to:*
- (a) persons taking a table meal, or*
  - (b) persons attending pre- booked or ticketed events, a list of such events shall be kept for 31 days for inspection by the responsible authorities, or*
  - (c) residents and their bona fide guests.*
87. *The number of persons on the external balcony shall not exceed 50 at any one time, excluding staff.*

88. *The use of the external balcony shall only be after risk assessments have been carried with regard to the need for drinking vessels being polycarbonate only and preventing the risk of items falling or being thrown from the balcony.*

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