



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (1)**

Meeting Date: **Thursday 9th July, 2020**

Time: **10.00 am**

Venue: **This will be a virtual meeting**

Members: **Councillors:**

Heather Acton (Chairman)  
Susie Burbridge  
Rita Begum

**Members of the public are welcome to view the live broadcast and a link can be found on the council's website [here](#)**



**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, Kisi Smith-Charlemagne, Senior Committee and Governance Officer.**

**Email: [kscharlemagne@westminster.gov.uk](mailto:kscharlemagne@westminster.gov.uk)  
Tel: 07817054613  
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 Director of Law 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 the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

#### Licensing Applications for Determination

#### 1. 94 GREAT PORTLAND STREET LONDON W1W 7NU

(Pages 5 - 96)

App No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
1.	West End Ward / Not in Cumulative Impact Area	94 Great Portland Street London W1W 7NU	New Premises Licence	20/02820/LIP N

#### 2. ODEON LUXE WEST END 38A LEICESTER SQUARE LONDON WC2H 7DX

(Pages 97 - 130)

App No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
2.	St James's Ward/ West	Odeon Luxe West End	New Premise	20/03120/LIP N

	End Cumulative Impact Area	38A Leicester Square London WC2H 7DX	s Licence	
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**3. ROYALTY HOUSE 72-74 DEAN STREET LONDON W1D 3SG**

**(Pages 131 -  
244)**

<u>Ap</u> <u>p</u> No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
3.	West End Ward/ West End Cumulative Impact Area	Royalty House 72-74 Dean Street London W1D 3SG	New Premise s Licence	20/03127/LIP N

**Stuart Love  
Chief Executive  
3 July 2020**

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

### **POLICY CONSIDERATIONS**

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from 7<sup>th</sup> January 2016.

### **GUIDANCE CONSIDERATIONS**

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. The most recent version was published in April 2018.

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

(As set out in the Council's Statement of Licensing Policy 2016)

- 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.

## **Procedure for virtual hearings held under the Licensing Act 2003**

The purpose of this procedure is to clarify how the Licensing Sub-Committee (“the Sub-Committee”) will conduct virtual licensing hearings made under the Licensing Act 2003 (as amended) and for licensing applications under other regimes. All hearings are conducted with due regard to the Council’s Constitution, relevant legislation and case law, regulations and guidance.

### **Accessing virtual hearings**

Virtual Licensing Sub-Committee hearings will be held on Microsoft Teams as a live Teams event. Each application will be dealt with by a separate Teams meeting. All applicants, responsible authorities and other persons (who have submitted a valid representation) (collectively called “Parties”) will be provided with a link to the meeting beforehand. **Only these parties will be able to participate in the hearing** (together with their adviser) provided they have registered, in advance, with the Licensing Authority, as specified below. A link for the general public to watch the meeting will be available on the Council’s website.

### **Final Submissions before the Hearing**

The parties (or their representatives) should use their best endeavours to ensure that all of their final submissions have been made so as to be included in the Sub-Committee report (typically **no later, than 5.pm, 5 working days** before the Sub-Committee hearing). This means by 5pm on the Thursday, the week before the Sub-Committee hearing is due to take place. Final submissions should set out the key points, policies and conditions that a party wishes the Sub-Committee to take account of in determining the application.

Any final submissions that a party wishes to make, (that have not been submitted so as to have been included in the report), **must** be submitted to the Licensing Service by **no later than 12 noon 3 working days** before the hearing is due to take place. The Licensing email address is: [Licensing@westminster.gov.uk](mailto:Licensing@westminster.gov.uk).

### **Rules during Licensing Hearings**

The following rules must be followed by all parties to ensure the virtual hearing can progress as successfully as possible:

- All parties wishing to participate in the hearing **must** register their wish to participate in the hearing and provide their email addresses to the **Licensing Service at [Licensing@westminster.gov.uk](mailto:Licensing@westminster.gov.uk)** no later than **12 noon on the Monday** before the Thursday hearing is scheduled to take place.
- All parties **should join the virtual hearing at least 15 minutes before the advertised start time** to ensure they are ready to start at the advertised start time. After the advertised start time has passed no registered parties will be allowed to join, except in exceptional circumstances, when permitted by the Chairman, as this could disrupt the meeting.
- All parties must only address the hearing when invited to do so by the Chairman.
- All parties must keep their microphones on mute unless they are speaking. The Chairman has the ability to mute all parties’ microphones.

- If a party wishes to interject, they should put their name in the messaging field. The chairman has the discretion to invite the party to make their comment at an appropriate stage in the hearing.
- All parties are asked to keep their comments as succinct as possible.
- If a party has a question for another party, this must be addressed to the Chairman who will have the discretion to ask the relevant party to respond.
- Parties wishing to make suggestions as to the conditions that may be imposed in the event of the application being granted should do so by reference to the schedule of proposed conditions set out in the Conditions Schedule annexed to the committee papers. In so doing, they should use the same numbering in that schedule. This is to ensure that there is ease of referencing the conditions by all the parties.
- To ensure the smooth running of hearings, a time limit will be placed on each party's submissions. This time limit must be adhered to but the Chairman has the flexibility to amend the time limit when it is considered appropriate to do so.
- When referring to the hearing papers, participants should give the page and paragraph number when appropriate.
- The Chairman has the discretion to amend these rules in any given case where they consider it is appropriate to do so.

### **Procedure**

1. The Chairman will open the meeting and introduce the members of the Sub-Committee and the other officers attending with the members, including the legal adviser, policy adviser and committee officer.
2. The Chairman will confirm the procedure that the hearing will follow.
3. The Sub-Committee members and officers will be asked to declare any interests they may have and any other procedural business will be transacted.
4. The presenting officer from the licensing service will introduce the application, giving a brief description of the application and introducing all the Parties in attendance for each application
5. Each party who has registered to speak, will be invited to make their representations and will be allowed **a maximum of 10 minutes each**. In order to ensure that the hearing is fair to all parties and is conducted in an orderly manner, the Chairman has the discretion to extend this time limit where it is appropriate for the determination of the application.
6. Parties will normally speak in the following order, (the order may change for other types of licensing applications):
  - a. The applicant
  - b. Responsible authorities
  - c. Other persons
7. The Chairman has the right to grant each party the opportunity to ask questions of each other for the purposes of clarification only where it is appropriate to do so. The Sub-Committee members will then be able to ask questions of the parties.

8. The legal adviser and/or policy officer may ask questions of the parties as they consider appropriate, including in relation to the conditions which should be attached to the application if the Sub-Committee is minded to grant the application.
9. Each party will have an opportunity to make a short closing submission each (not introducing any new evidence or case law) of no more than **5 minutes each**, in the following order:
  - a. Responsible authorities
  - b. Other persons
  - c. The applicant
10. The Chairman shall then **close the meeting** and all parties will leave the meeting. A Decision will not be announced at the end of the hearing unless there is a legal requirement to do so.
11. The Sub-Committee will deliberate in closed session and all parties will be advised of the outcome in a written Summary Decision. Unless otherwise required or permitted by Regulations, summary decisions will be made within a period of five working days of the last day of the hearing. The written summary of the decision (“Summary Decision”) will be sent to all the parties as soon as possible after the Decision has been made. The full Decision, setting out the reasons for the Decision, (Formal Notification) will be sent to the parties as soon as possible thereafter. The time limit for appealing will not commence until the Formal Notification has been sent to the parties.

Dated 15 April 2020

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Item No:	
Date:	9 July 2020
Licensing Ref No:	20/02820/LIPN - New Premises Licence
Title of Report:	94 Great Portland Street London W1W 7NU
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:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: msteward1@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>	10 March 2020		
<b>Applicant:</b>	Where The Pancakes Are Ltd		
<b>Premises:</b>	Where The Pancakes Are		
<b>Premises address:</b>	94 Great Portland Street London W1W 7NU	<b>Ward:</b>	West End Ward
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	This is an application for a new premises licence to operate as a restaurant with an outside seating area and seeks permission for on and off sales for the sale by retail of alcohol.		
<b>Premises licence history:</b>	As this is a new premises licence application, no premises licence history exists for this premises.		
<b>Applicant submissions:</b>	The applicant has provided a brochure and biography of the company and branding which can be seen at <b>Appendix 3</b> of this Report.		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors 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>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>		<p>Sunday before a Bank Holiday Monday: 23:00 hours to 00:00 hours.</p> <p>From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p>					

<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>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		<p>Sunday before a Bank Holiday Monday: 23:00 hours to 00:00 hours.</p> <p>From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p>					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		Sunday before a Bank Holiday Monday: 23:00 hours to 00:00 hours.  From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Ian Watson
<b>Received:</b>	7 April 2020
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> <li>To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday 10.00 to 23.30 hours, Friday and Saturday 10.00 and 00.00 hours and Sunday 10.00 to 22.30 hours. New Year's Eve to New Year's Day. Sunday before a Bank Holiday 10.00 to 00.00 hours.</li> <li>To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Thursday 23.00 to 23.30 hours, Friday and Saturday 23.00 and 00.00 hours. New Year's Eve to New Year's Day. Sunday before a Bank Holiday 10.00 to 00.00 hours.</li> </ol> <p>I wish to make the following representation</p> <ol style="list-style-type: none"> <li>The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.</li> <li>The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.</li> </ol> <p>The applicant has provided additional information with the application which is being addressed.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	

<b>2-B Other Persons</b>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	7 April 2020
<p>Late opening times          Outside seating till late having an alcohol licence Creating a lot of noise late at night and very early in the morning</p>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	25 March 2020
<p>I wish to make an objection on behalf of the 50 residents [REDACTED] regarding the proposed licensing application for Where The Pancakes Are Ltd, 94 Great Portland Street, directly opposite where we live. This is the second application for this site. Please refer to 18/07245/LIPN/Roast.</p> <p>Can you please confirm receipt.</p> <p>You may be aware the local residents made very many objections to the last application for these premises. Contacting people is now going to be exceedingly difficult as a result of the COVID-19 lock down. I therefore ask if this hearing can be postponed until such times as the residents are able to attend, as we did last time, as this applications impacts on hundreds of residents who live in close proximity to this site.</p> <p>I look forward to hearing from you in due course.</p> <p><b>The objectors full representation can be seen at Appendix 2 of this report.</b></p>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	7 April 2020
<p>I'm writing regarding application number: 20/02820/LIPN.          I live in the neighbourhood [REDACTED]. My [REDACTED]. It [REDACTED]. It is a very quiet part of central London and this is the main reason I chose this flat and this location.</p> <p>You may be aware that the windows in our building are single glazed and are mostly left open for ventilation. I am concerned that since [REDACTED] the proposed restaurant site I will hear the action in the restaurant, talking, moving chairs, people walking in and out and this noise will undoubtedly affect the quality of my life and the rest of the residents in the block.</p>	

There are a few additional concerns about the proposed business:

- a. opening hours: longer than the usual trading hours with late night opening and weekends. This is a major concern and it could change the street dynamics completely, with people attending the street late at night.
- b. Sale of alcoholic drinks is expected to be popular, with pancakes been a fantastic companion for it. Also considering the late opening hours which will most likely encourage drinking of alcohol.
- c. On and off sales of alcohol? This would potentially allow and encourage outside seating? Again, the noise lever is a big concern, chairs dragged, people talking loudly outside.
- d. Other concerns regarding noise: smokers standing outside, couriers and delivery vans. Since it's not completely clear what scale of business this application is for and what capacity is required, the noise concern could be multiplied as the numbers go up.
- e. Lack of conditions for this application: please consider setting conditions for this application to be in line with recent licence applications for Whisky Exchange 90-92 GPS 17/07371/LIPN ,Townhouse 88 GPS 17/11140/LIPN and Roast 18/07245/LIPN
- f. I do not recall receiving notification of this application in the usual procedure in a letter. This is not a fair procedure and it's not fair to the residents. Gladly it was discovered in time, allowing some of us to send this objection for your attention.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	7 April 2020

I have lived in 89 GPS W1W7LX for the last 30 years, I am 75 years of age my bedroom overlooks 94GPS, I live in flat and I am forced to open my single glazed windows for ventilation. As I directly overlook the restaurant site I will hear people talking/shouting arriving and leaving while I am in my bed. I have a severe respiratory condition and the noise and air pollution will impact on my life caused by the restaurant. I need my peace and clean air to help me sustain my further life.

The council has failed to send letters notifying me of this licencing application. This is unfair to me and my fellow residents. Also as understood the trading hours are far longer than the usual hence it will be a hinderance to my sleep and my daily wellbeing.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	30 March 2020

[REDACTED] these premises and the application for alcohol sales and late night refreshment will have a negative impact on the quality of my life due to the likely extra public nuisance it will cause. It will also harm the quality of life of my neighbours. Please refuse this application.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	6 April 2020

I have been a [REDACTED] the proposed Pancake restaurant.

I strongly object to this application. This is a very residential area and quiet in the mornings, evenings and the weekends. The corner of Great Portland Street and Langham Street will become more congested and noisy.

If a restaurant is be approved then there should be no windows that open to the street with no audible noise including no bay windows (like Caravan up the road) and no outside tables or seating.

In addition, in view of the residential area, food and alcohol should not be served until midnight and alcohol should only be served to customers who have a table and a meal and on no account should customers be allowed to take drinks outside. Lastly, drinks should only be available for diners and not for off the premises consumption.

Also there should be a restriction on the timing and frequency of deliveries to prevent noise nuisance from deliveries and the disposal of bottles.

The planning department has recently considered other applications in Great Portland Street (Whisky Exchange 17/07371/LIPN, Townhouse 17/11140/LIPN and Roast 18/07245/LIPN). I would ask that conditions be brought, as a minimum, in line with these recent applications.

I trust you will take into account the needs of local residents and maintain the relative calm of Great Portland Street.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	30 March 2020

I see on your weekly email the above application relating to 94 Great Portland Street. I would have expected a letter from you informing me of the above application - which directly affects me as a neighbour living immediately opposite the premises to which it refers. In our block of flats, we also have several elderly neighbours who have no access to email and internet, who would therefore be wholly unaware of this potential major impact to their lives. Westminster Council has a duty of care to inform all residents of significant changes to the lives of its residents - in this case residents of very long standing. As you can see, [REDACTED] [REDACTED] - [REDACTED].

I find it a very pleasant area in which to live which is busy in rush hour times, but restful and quiet in the evenings and at weekends.

I wish to raise my concerns about some of the stated points and some of the omissions in the application. For ease of reference, these points are numbered

1. While Great Portland Street ("GPS") is very near the centre of the West End, it is a largely residential district, with flats on both sides of the road which stretch into many of the

adjoining roads like Langham Street. Working and living in London means you appreciate the evenings and weekends when GPS is less busy and quiet. Yes, there is noise occasionally from public demonstrations and performances in the BBC open spaces, but these are not every day, seven days a week, as the above application is seeking. We do enjoy some peace and will not welcome disturbance from a busy licensed snack bar which is seeking to open to the public from 1000 to 2230-0000 seven days a week creating a huge hubbub from the interior, as well as possibly live and recorded music. The application suggests that it would be worse at Christmas, New Year, and all other holiday periods - which could mean the snack bar will be celebrating virtually non-stop in a multi-cultural city.

2. Even the "core hours" in Westminster's policy are inappropriately long for this area of residential property. I can understand that permission was given in the original planning application for commercial premises on the ground floor of this development, but the intention cannot have been to promote late night, possibly drunken, revelry so close to where many people live and sleep.

3. The application says nothing about tables and chairs for customers (and therefore music and noise) outside the restaurant, but it may well be included in subsequent applications; it seems to be a rising trend. There is currently little excess room for pedestrians on the pavement already - I cannot imagine what it would be like with tables filling the narrow pavement, on a road which is congested and busy during the day. I fear accidents will become a norm when there is no pavement on which to walk. 4. As far as I am aware, there is no rear access for trucks, so deliveries and rubbish collection will need to be made during the day, causing further major holdups. Often, the traffic in Great Portland Street is absolutely solid and the thought of more deliveries etc. is appalling. Unlimited approval will make the situation worse for all - especially if deliveries/collections are early morning or late evening to avoid the rush. In that case, it would create unacceptable and regular noise seven days a week at ungodly hours - as well as the added congestion in the street. This will affect not only the residents who live close by but a much wider circle of voters.

5. I note that many of the flats above the new commercial development on the same side of the street as the application premises - which are of a high quality - are not yet occupied, meaning that residents cannot voice their concerns. You are also unlikely to hear from transient and other short-term tenants in the immediate area - of which there are some - or from those away on long-term summer holidays. You will not hear from people living close by who have not spotted this application because they have no internet access and you have not sent them letters. None of us wish to see this area turning into one populated only by short-term tenants because permanent residents cannot stand the noise and disturbance. Short let tenants have little or no concerns about the area, about security, noise, and public nuisance. We have made sure that our block has no short-term tenants, meaning that all owners and residents have a long-term interest in the quality of life in Westminster and in particular in GPS where they live.

6. There is already a range of restaurants and bars in Great Titchfield Street and further North on GPS - I question whether there is a market for yet another one, let alone a snack bar selling pancakes and alcohol. There are material costs involved in setting up and running licensed premises - and the owners will want to maximise the use of any music allowed, as well as any other attractions they can muster within any planning consent to attract business. A hive of activity at all hours of the day and night is not unwanted by people who live here and want/need to sleep at night. I cannot see any measures to be put in place by the owners which will ameliorate this noise effectively.

7. If there were to be live or recorded music almost all the time the restaurant is open, then with people eating and drinking outside, and windows to the interior open, there will be noise problems for all who live locally - who will be unable to open their windows for the noise outside - which is wholly unacceptable, especially in this hot weather. The opening hours must be substantially limited in any licence approved.

8. I understand that the applicants are seeking a licence to sell alcohol at any time the establishment is open. Please bear in mind that the main substance of food served will be a pancake; serving strong alcoholic drinks with pancakes seems to me to be a licence for noise and rowdy behaviour. Any approval to sell alcohol anywhere in the area must be limited to 'sales of alcohol only with a full meal'.

The applicants in this case are also seeking "on" and "off" sales - something which is highly unnecessary, given the number of establishments already selling alcohol locally. I request 'on sales only' please

9. As far as I am aware, other restaurants in the immediate area have much more reasonable hours of operation and the hours of operation in this application must be similarly restricted. None of us wish to see "planning creep" turning a quieter area of London into another Soho or Berkeley Street; this application could be a first real step in that direction

10. Some aspects of the application appear to me to be vague - any approval must be clear on the limitations to a "total free market for any and all noise and alcohol".

11. I believe we will all suffer from the noise of pancake and drinks patrons - after a "healthy meal" - leaving late at night and saying goodbye to friends, the slamming doors of cars and taxis etc. Excited and possibly inebriated restaurant guests late at night are not associated with quiet residential streets. As I have mentioned before, the area can be very quiet at night and weekends - those who live in the area do not seek to change that; this is where we live!

12. I believe this application and any others for the area must have restrictions in line with, or even more restricted than, other recent applications e.g. for The Whisky Exchange (17/07371/LIPN), Roast (18/07245/LIPN), and Townhouse (17/11140/LIPN)

13. In conclusion, I believe this application is contrary to Westminster Council's Statement of Licensing Policy 2016, especially in terms of the proposed hours of operation.

I have asked Mr Richard Brown to represent me at the hearing.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	7 April 2020

[REDACTED] open my single glazed windows which I occasionally open for some fresh air.

[REDACTED] I will hear people talking/shouting arriving and leaving while I am studying. I also have a allergic cough condition caused by air pollution and hence will impact on my life caused by the restaurant. I need my area to be less polluted and have clean air to help me concentrate. More recently, Great Portland Street has become extremely commercial as a street which I am unhappy about.

The council has failed to send letters notifying me of this licencing application. This is extremely unfair to me and my fellow residents. Also as understood the trading hours are far longer than the usual hence it will be a hinderance to my education and wellbeing.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	7 April 2020

Introduction

I am writing to make a relevant representation in respect of the above application on [REDACTED]

I object on the basis that the likely impact of the application, if granted with its current wording, will be to harm the licensing objectives of 'prevention of public nuisance'.



I spent a lot of time and energy on opposing the previous license application granted for 94 Great Portland Street last year, including taking annual leave to attend meetings with the applicant and hearings. Therefore I'm very disappointed to see that the conditions for the previous license have not been included in the new application as a minimum starting point. I'm also disappointed that the comments from many local residents on the previous license application have not been included or considered. I hope that these can be referred to during the hearing.

#### Background

The area surrounding the premises is extremely residential. Opposite the premises is 89 Great Portland Street, a block of 18 flats with over 50 residents where most windows have single glazing.

range from families with small children to elderly couples who have lived here for decades. There are also many floors of residential units in all the neighbouring properties and all of the units above the premises will be residential once they're completed. When I made my decision to purchase the flat to settle down and start a family, we researched the surrounding commercial units to make sure that they are solely for retail units.

The premises are on a block on Great Portland Street that has only retail units and residential flats on it, and the block opposite the premises has only retail units, small offices and residential flats. The street is very quiet in the mornings, evenings and at weekends. There are no licensed premises that are restaurants or bars in the immediate vicinity and we are therefore protected from disproportionate noise in the evenings, late at night and weekends.

Please find attached a document with some photographs of the immediate area at different times of day including at the weekends and in the evenings, to give Members of the Licensing Sub-Committee and the parties an idea of the context in which the proposed licensed premises would be operating (please see attachment: Photos of local area for Application Reference 20 02820 LIPN .pdf).

I am very worried that the licence with its current scope and wording would drastically change the current situation and local community. The proposed restaurant would completely transform the nature of the area for local residents - from a predominantly residential area that is quiet in mornings/ evenings/ weekends to an area that is dominated by a very loud and busy restaurant/ bar causing a lot of intrusive noise, nuisance and extra congestion/pollution every day of the week from the early mornings to late at night.

#### Reasons for objections

##### 1. Off sales and outside tables & seating

I am extremely concerned that the application includes reference to off sales and envisages tables and seating outside the restaurant. It will cause a lot of noise and public nuisance that will affect over 50 residents in our building across the road (which has only single glazing) and many dozens more residents in neighbouring buildings. This is also combined with the sale of alcohol, which is associated with even louder behaviour.

There are no properties on this block of Great Portland Street with any outside tables and seating, and no properties on the block opposite the premises with outside tables or seating.

Further, the planning permission for outside tables and chairs was refused by the Council last year for both 94 Great Portland Street (ref: 18/06561/TCH) and the neighbouring premises 96-98 Great Portland Street (ref: 19/07353/TCH). In addition, the license at 88 Great Portland Street has a condition on the license that prohibits outside seating: "18. No outdoor seating at the front of the property will be permitted" (ref: 17/11140/LIPN).

The previous license for 94 Great Portland Street was reduced to on sales only and with no outside area (ref: 18/07245/LIPN).

If the license is granted then I would ask that these conditions are included - on sales only, restrict the license to the premises building only with no external areas, and no outside seating permitted.

## 2. Takeaways

I am concerned about public nuisance and noise from a takeaway service. Therefore I would ask that the following condition from the previous license is added back to the new license:

Licence 18/07245/LIPN at 94 Great Portland Street:

Condition 11. The premises shall only operate as a restaurant (iv) which do not provide any take away service of food or drink for immediate Consumption

## 3. Opening times and hours for licensable activity

The proposed hours for licensable activities are profoundly worrying for residents and will be a 'game changer' for this vicinity. They start many hours earlier and finish many hours later than retail units next door that have had licenses granted as well as for the previous license at 94 Great Portland Street.

If the license is granted, then it will make a very big difference to local residents if the opening and closing times are in keeping with the local area and context of a predominantly residential street. Specifically no longer than 9am - 11pm Monday to Saturdays, and closed on Sundays.

## 4. Queues on the street

If the licence is granted, then I would appreciate a condition that ensures any queues must be inside the premises so there are no people or groups gathering in the street that will disturb residents.

## 5. Noise audible outside the restaurant

I am concerned about the noise that will be audible from such a large restaurant, especially from any open windows or doors and from customers queueing. This will generate a lot of noise and it is not appropriate to expose the whole street to all this noise with hundreds of residents living nearby in many floors of flats around the premises.

If the license is granted, then I would appreciate that the wording matches the condition from the previous license (i.e. doors being closed at all times and not just after 21.00):

Licence 18/07245/LIPN at 94 Great Portland Street:

Condition 30. 'All external doors shall be kept closed at all times except for the immediate access and egress of persons. All windows shall be kept closed after 21.00 hours.'

## 6. Crowds and congestion in front of the premises

I am concerned about potential public nuisance due to noise from people drinking, talking or smoking in front of the premises, vehicles collecting customers, slamming car doors and horns following congestion. The dispersal of customers will also be a major issue given there will be a huge number of diners (100+ covers) all day who are able to drink alcohol, and can congregate in groups outside the restaurant before/after their meal and to get transport home. This noise

would reach many dozens of residents in the surrounding flats, which mostly have single glazed windows.

I am happy to see many of the conditions from the previous license included in the application.

Please can you ensure that the number of smokers does not exceed that granted before and at neighbouring properties, so that it's limited to 5 persons maximum.

Licence 17/07371/LIPN at 90-92 Great Portland Street, W1W 7NT:

AND

Licence 18/07245/LIPN at 94 Great Portland Street:

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.

## 7. Events

The proposed restaurant has covers for over 100 people. There are no other venues in the vicinity of the premises that support large events.

Events involve very large groups of people arriving, leaving, and loitering outside the premises during breaks, and these groups can also be served alcohol during the event.

Therefore I would be grateful if private events can be limited in frequency and timings through the use of Temporary Event Notices. I would also ask that there is a maximum number of people for the event. This would be similar to the licence for the premises right next door at 90-92 Great Portland Street, which includes the following conditions that I think could work well:

Licence 17/07371/LIPN at 90-92 Great Portland Street, W1W 7NT:

There shall be no private events for groups unless the premises is operating under the authority of a Temporary Event Notice.

When events are held in the [basement area of the] premises the maximum capacity shall not exceed 30 people, excluding staff.

## 8. Self-service

There is a condition from the previous license that is missing from the new application, and I think it's relevant to reduce public nuisance from alcohol-related activities:

Condition 15. There shall be no self-service of alcohol.

Statement of Licensing Policy 2016 ("the Policy")

The application engages a number of sections of the Policy. I would like in particular to refer to policy HRS1 and PN1.

HRS1 is the 'core hours' policy, which constitutes a policy that the hours for customers to be on the premises should be restricted to 10am to 11.30pm Mon-Thurs, 10am to midnight Fri-Sat and midday to 10.30pm Sun. Although I do not know what the times for the premises to be open the public will be, it would clearly be beyond 'core hours'.

In any event, I believe that even if the hours were amended to 'core hours', this would be much too late for this location. In particular, I believe that it would be contrary to policy PN1.

The criteria for policy PN1 is stated to be:

'The potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas of residential accommodation and where there is residential accommodation in the proximity of the premises.'

Para 2.2.11 states that: 'Playing of music can cause nuisance both through noise breakout transmission through the structure of the building and also by its effect on patrons, who become accustomed to high sound levels and to shouting to make themselves heard, which can lead to them being noisier when leaving premises. The later that music is played, the greater the potential for nuisance. Other major sources of noise nuisance are vehicles collecting customers; the slamming of car doors and the sounding of horns resulting from congestion and pressure for on-street parking space and the need for the servicing of premises. These noises can be particularly intrusive at night when ambient noise levels are lower.'

Para 2.2.12 states that: 'Residents are often subjected to nuisance from the noise of people on their way to and from premises, and loitering in the streets after they have left premises. This can affect residents even at some distance from the premises themselves, especially along routes to transport facilities, and to car parks and parking areas and on routes between late night premises of various types. The nuisance from noise depends on its nature and whether it is during the day, the evening or at night. Late night noise is often unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults but most of it is "high spirits". It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night. The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

The Policy therefore recognises the potential for the sorts of issues I have raised.

## Conclusions

I have sought advice from the Citizen's Advice Bureau, and they shared with us some very helpful case examples that set a reasonable precedent that when determining licence applications, the focus should be on evaluating what is 'reasonably acceptable' in a particular location (R (on the application of Hope & Glory Public House Ltd) v (1) City of Westminster Magistrates' Court & Ors [2011] EWCA Civ 31) and the scope of the licence and conditions should be looked at in a local context (Matthew Taylor v (1) Manchester City Council (2) TCG Bars Ltd [2012] EWHC 3467 (Admin)).

If the application is granted, I ask that the scope of the licence is limited and that robust safeguards are included on the licence to reflect the local area and limit the significant potential for nuisance and noise. In summary, these should include:

1. No seating outside
2. On sales only (no off sales)
3. No takeaway service
4. Restrict the opening times and licensable activity in line with nearby premises on Great Portland Street and the previous license for these premises, especially early mornings, late at night and on Sundays
5. No queueing outside the restaurant
6. No noise audible from the restaurant including no open doors and windows
7. If any private events are permitted, that they be limited in frequency and timings through the use of Temporary Event Notices
8. No self service

Many of these conditions are already imposed on licenses granted for these premises last year and premises next door at 88 Great Portland Street and 90-92 Great Portland Street, and therefore would be a reasonable step towards maintaining the neighbourhood and social

cohesion for local residents.

**Photographs supporting the representation can be seen at Appendix 2 of this report.**

**Name:**

**Address and/or Residents Association:**

**Received:**

7 April 2020

I manage

I am writing to you on behalf of the Leaseholders,

objecting the proposed licensing application for Where The Pancakes Are Ltd, 94 Great Portland Street.

From the picture attached you can see that the flats are directly opposite the site (view from the leaving room).

The reasons for their objection are as follows:

1. They have not received any letters notifying them of this licencing application. They were only made aware of it after being notified by

2. Late night closing hours.

Monday to Thursday - 23:30

Friday to Saturday - 00:00

There is a great concern about noise disturbance to our tenants and the neighbours.

We understand that the trading hours of the applicant's Southwark restaurant are much earlier, although it is located in a far busier area than Great Portland Street (GPS).

Monday, Tuesday and Wednesday 8am - 5pm

Thursdays and Fridays 8am - 9pm

Saturday 9am -9pm

Sunday 9am - 5pm

3. Serving alcoholic drinks late at night will cause further disturbance to the residents especially if there are seating outside.

4. This part of GPS is very residential and quiet in the mornings and evenings. Opening a restaurant opposite means delivery/rubbish trucks blocking the road, causing more traffic and noise.

5. My clients are concerned that the value of their property will go down as a result of restaurants opening in the area. There is enough disturbances from the BBC as it is.

6. Should this application be approved my clients are asking to bring the conditions in line with recent licence applications for Whisky Exchange 90-92 GPS 17/07371/LIPN , Townhouse 88 GPS 17/11140/LIPN and Roast 18/07245/LIPN

7. My clients are also asking to limit the trading hours, deliveries, no outdoor seating, no exterior furnishing and doors should be closed at all times.

We trust you will take into consideration the points presented to you by the residents and Leaseholders who are effected by this licensing application.



<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	8 April 2020

I am writing to object to the proposed license application. The application does not sufficiently consider the needs of local residents, whose quality of life would be adversely affected by public nuisance and noise increase at anti-social hours if the license were to be granted in full. Recent license applications have had considerably more strict conditions imposed upon them, and so this application would be unprecedented in its consequences for the area. This includes the previous application at 94 Great Portland Street (Roast 18/07245/LIPN), for which I spent considerable time submitting comments, attending meetings and joining hearings to ensure it protected local residents.

[REDACTED] Despite its central location, this area is very quiet in the mornings, evenings and on weekends. There are currently no restaurants or bars in the surrounding area, only retail shops, offices and a growing number of residential flats and families. I have sent some time-stamped photos that show how quiet and empty the street is.

We would like the licensing committee to uphold the conditions of the previous license (Roast 18/07245/LIPN) as a minimum to reduce public nuisance and noise for local residents from a large restaurant. This includes:

- 1) No outside tables & chairs.

This would drastically increase noise levels in a quiet residential area and harm our area's social cohesion. We ask that any license granted explicitly forbid both outside seating and open doors & windows.

2) Shorter hours for serving alcohol.

The proposed opening hours are too wide, and leave no days of respite for residents. In addition, the dispersal of customers late at terminal hours would create excessive noise. We would instead suggest weekday hours of 8am-10pm; Saturdays 1130am-630pm, closed Sundays, in keeping with other restaurants.

3) No off sales

4) No takeaways

5) No parties or events

6) No queuing outside.

**Further submissions from the objector can be seen at Appendix 2 of this report.**

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]

**Received:**

7 April 2020

On behalf of the Fitzrovia West Neighbourhood Forum, we formally write to Object to the premises licence application for the ground and basement premises at 94 Great Portland Street, London W1W 7NU.

You will be aware that we previously objected to the licensing application by a former applicant - Roast - for the same premises in 2018 (application ref. 18/02745/LIPN - copy of objection attached) and this objection was successfully established.

We find it incomprehensible that a firm whose principal objective is to make and sell pancakes for consumption on the premises is seeking a licence to sell cocktails and liquor over an extended day period as part of their offer. Clearly few will be drinking cocktails at breakfast or even at lunch nor are pancakes a fare consumed in the evening. Accordingly, we believe that this application represents subterfuge to mask what is a very limited food offer (normally associated with breakfast) but which is really in respect of a full-on drinking establishment which does not comply with the approved use of the premises.

You will be aware that there has been an explosion of applications in Fitzrovia and elsewhere in Central London to change the use of premises from A1 retail to A3 restaurants and drinking establishments over the last few years as a result of which the neighbourhood is under stress with the constant pressure for licensed premises to extend their hours; push for external seating to accommodate people drinking and smoking outside of the premises and with the greatest pressure on providing drinking establishments over eating establishments where the latter has a restriction on the number of persons who can be accommodated within the A3 restaurant premises.

The applicant has no experience in operating full-on drinking premises nor is their intended operation remotely like their other limited premises that they operate in South London or any other pancake establishment in London.

The Fitzrovia West Neighbourhood Forum acknowledge that the ground and basement premises of 94 Great Portland Street have an A3 use and therefore that a well-managed restaurant - not bar or drinking establishment - facility in this location adhering to standard hours

and high levels of management can function here.

We have copied this objection to our Ward Councillors and also to the Chair of the Licensing Committee.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	06 April 2020

[REDACTED], I am the full time concierge working for the [REDACTED]. I was informed by email about the new planning application at 94 Great Portland Street for this new Pancake House [REDACTED]. I then informed the residents I work for about this new application. Residents are not happy at all that they were not notified about this Pancake House application. 94 Great Portland Street is exactly opposite their sitting room windows, the residents are all professional respectful, hard working people who deserve their time to relax and unwind after their hard days work. I was at the previous council meeting regarding the previous application at the same location (Roast 18/07245/LIPN). [REDACTED] and the [REDACTED] would like the same conditions that were placed on the previous licence application (Roast 18/07245/LIPN) be put on the the new license application 'Where The Pancakes are' in order to reduce public nuisance and noise for local residents. For example, (No windows that open to the street with no noise audible including no bay windows, no outside tables or seating on this block (78-94 GPS) or the opposite block (79-95 GPS). Food and alcohol should not be served until midnight and only to customers who have a table and a meal. Customers should be restricted from taking any drinks outside. Drinks should only be available for diners and not for off the premises consumption, there should also be a restriction on the timing and frequency of deliveries, especially the disposal of noisy smashing bottles. Private functions or events should be limited in size, frequency and timings through using Temporary Event Notices. Residents ask that you please maintain the calm and peaceful nature of Great Portland Street. Thank you.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	30 March 2020

[REDACTED] and the application for alcohol sales and late night refreshment will have a negative impact on the quality of my life due to the likely extra public nuisance it will cause. It will also harm the quality of life of my neighbours. The evenings and weekends is the time we get some necessary respite from the hubbub of central london. This application will take that away from us. Please refuse this application.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	3 April 2020

[REDACTED] the proposed Pancake restaurant. [REDACTED].





I note that the council has failed to send letters notifying local residents of this application. We only saw the notice when passing by the building.

I strongly object to this application for a number of reasons. Firstly, this is very residential area and quiet in the mornings, evenings and the weekends. The corner of Great Portland Street and Langham Street will become more congested and noisy. In addition, there is already significant out of hours disturbance from BBC movement and building works - the restaurant will only add to this nuisance factor. Why does Portland Street need another restaurant when there is already ample provision in the area ?

If a restaurant is be approved (which is not my desired option ) then there should be no windows that open to the street with no noise audible including no bay windows (like Caravan up the road) and no outside tables or seating. In fact, there are no outside tables on this block (78-94 GPS) or the opposite block (79-95 GPS).

In addition, food and alcohol should not be served until midnight and only to customers who have a table or a meal, and customers should be restricted for taking any drinks outside. I note the Southwark branch of the restaurant is only open to 9pm. Why can't this be the end time for Great Portland Street ? Lastly, drinks should only be available for diners and not for off the premises consumption.

Also there should be a restriction on the timing and frequency of deliveries to prevent noise nuisance from deliveries and the disposal of bottles. If any private events are permitted, that they be limited in size, frequency and timings through the use of Temporary Event Notices.

The planning department has recently considered other applications in Great Portland Street (Whisky Exchange 17/07371/LIPN, Townhouse 17/11140/LIPN and Roast 18/07245/LIPN). I would ask that conditions be brought, as a minimum, in line with these recent applications.

I trust you will take into account the needs of local residents and maintain the relative calm of

Great Portland Street.	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	1 April 2020

Our association objects to this application as it would likely lead to an increase in public nuisance from noise in the area and negatively impact on the many residents surrounding the premises.

**Further comments received from the objector dated 4 April 2020:**

We'd also like to add these comments, following on from our two previous submissions.

Another important concession obtained by residents in the previous licence was that 'All external doors shall be kept closed at all times except for the immediate access and egress of persons. All windows shall be kept closed after 21.00 hours'. The condition proposed with this application is significantly watered down, to read 'The entrance door and all windows shall be kept closed after 21.00 hours except for the immediate access and egress of persons.'

Accordingly, we are concerned about the hours sought, and that the conditions submitted would in any event not promote the licensing objectives.

Due to Covid-19 fewer residents may see the premises notice. We would wish in due course to submit comments on on their behalf.

**Additional comments received from the objector dated 4 April 2020:**

We would like to submit these additional comments.

Our association along with numerous other residents, residents' groups and Councillors objected to a previous new premises licence in 2018 (ref: 18/07245/LIPN).

This corner site is in a quiet part of Great Portland Street, close to numerous residential accommodation on Great Portland Street and Langham Street. Residents engaged fully and at great length with the applicant at that time in an attempt to narrow the issues. The Licensing SubCommittee determined that a licence should be granted to less than the maximum core hours. Various conditions were added to address the residents' concerns.

Foremost amongst these conditions were a prohibition on off sales and outside tables and chairs (which was also refused by the planning authority). There is no reference in the application form to an area set aside for consumption of alcohol off the premises (as is required by law if such an area is contemplated) and so we assume that there is no intention to have outside tables and chairs. Nevertheless, the applicant's proposed condition 4 seems to envisage external tables and chairs as well as general off sales. In any event, such permission would in our view be outside the scope of the application

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	1 April 2020

Can I firstly say how appalling it is that this application is trying to be pushed through by the applicant during a national crisis when most people have high anxiety and will be truly distracted to voice the objections they would have definitely had to this application. They tried to pass the licensing for these premises previously and the number of objections were too great to pass it and now they are trying to do it when we are in the thick of the corona crisis. That is truly appalling and if this is passed- we as residents will make a formal complaint regarding the circumstances in which it was passed.

Late night drinks and noise will affect the many residents that are surrounding these premises. This is why we objected to it before. Nothing has changed! The only thing is that we are now all distracted with bigger worries to perhaps refuse this! Please refuse this as the timing alone is enough to challenge any approval legitimacy.

I hope you will consider this and empathise with our situation. Currently my mother has the virus bad and I have only done this as she kept telling me to do so. I must repeat. This is not a decent and fair time to try and pass this application.

Thank you very much for your help.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	30 March 2020

[REDACTED] proposed premises and the late night refreshment and application for alcohol sales will have a very negative impact on the quality of [REDACTED] to the degree of noise it will cause as well as the extra public nuisance from having drunk patrons. It will also harm the quality of life of my neighbours. Please refuse this application.

### 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> <p><u>For premises for the supply of alcohol for consumption on the premises:</u>  Monday to Thursday: 10:00 to 23:30  Friday and Saturday: 10:00 to midnight  Sundays immediately prior to Bank Holidays: Midday to midnight  Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u>  Monday to Saturday: 08:00 to 23:00  Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>
<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. Equality Implications

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

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

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

#### 4. Appendices

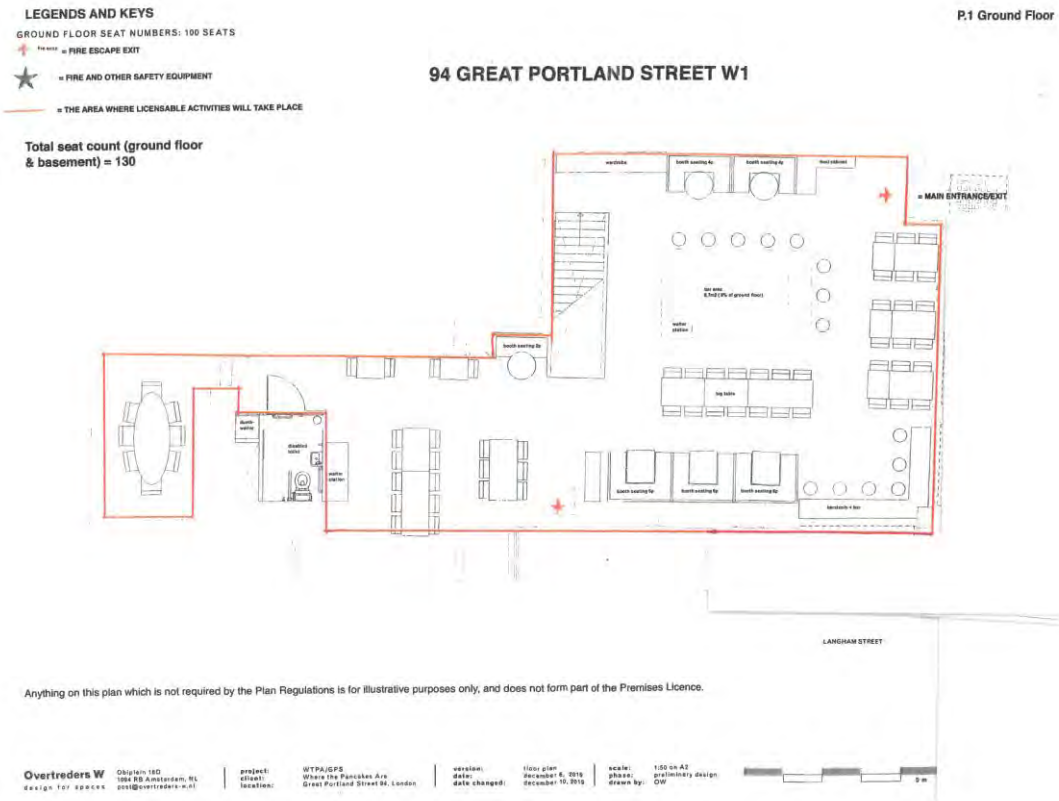
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Objectors supporting documents
<b>Appendix 3</b>	Applicant supporting documents
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Michelle Steward Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: msteward1@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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health Service Representation	7 April 2020
<b>5</b>	Representation 1	7 April 2020
<b>6</b>	Representation 2	25 March 2020
<b>7</b>	Representation 3	7 April 2020
<b>8</b>	Representation 4	7 April 2020
<b>9</b>	Representation 5	30 March 2020
<b>10</b>	Representation 6	6 April 2020
<b>11</b>	Representation 7	30 March 2020
<b>12</b>	Representation 8	7 April 2020
<b>13</b>	Representation 9	7 April 2020
<b>14</b>	Representation 10	7 April 2020
<b>15</b>	Representation 11	8 April 2020
<b>16</b>	Representation 12	7 April 2020
<b>17</b>	Representation 13	6 April 2020
<b>18</b>	Representation 14	30 March 2020
<b>19</b>	Representation 15	3 April 2020
<b>20</b>	Representation 16	1 April 2020
<b>21</b>	Representation 17	1 April 2020
<b>22</b>	Representation 18	30 March 2020





Anything on this plan which is not required by the Plan Regulations is for illustrative purposes only, and does not form part of the Premises License.

**Overtreders W** | Design for spaces  
Diploma 18D  
1988 (S) (not for sale)  
post@overtreders-w.nl

**project:** WTPA/SPS  
**client:** Where the Pancakes Ave  
**location:** Great Portland Street St, London

**version:** floor plan  
**date:** December 6, 2019  
**date changed:** December 10, 2019

**scale:** 1:50 or A3  
**phase:** preliminary design  
**drawn by:** OW

3 m

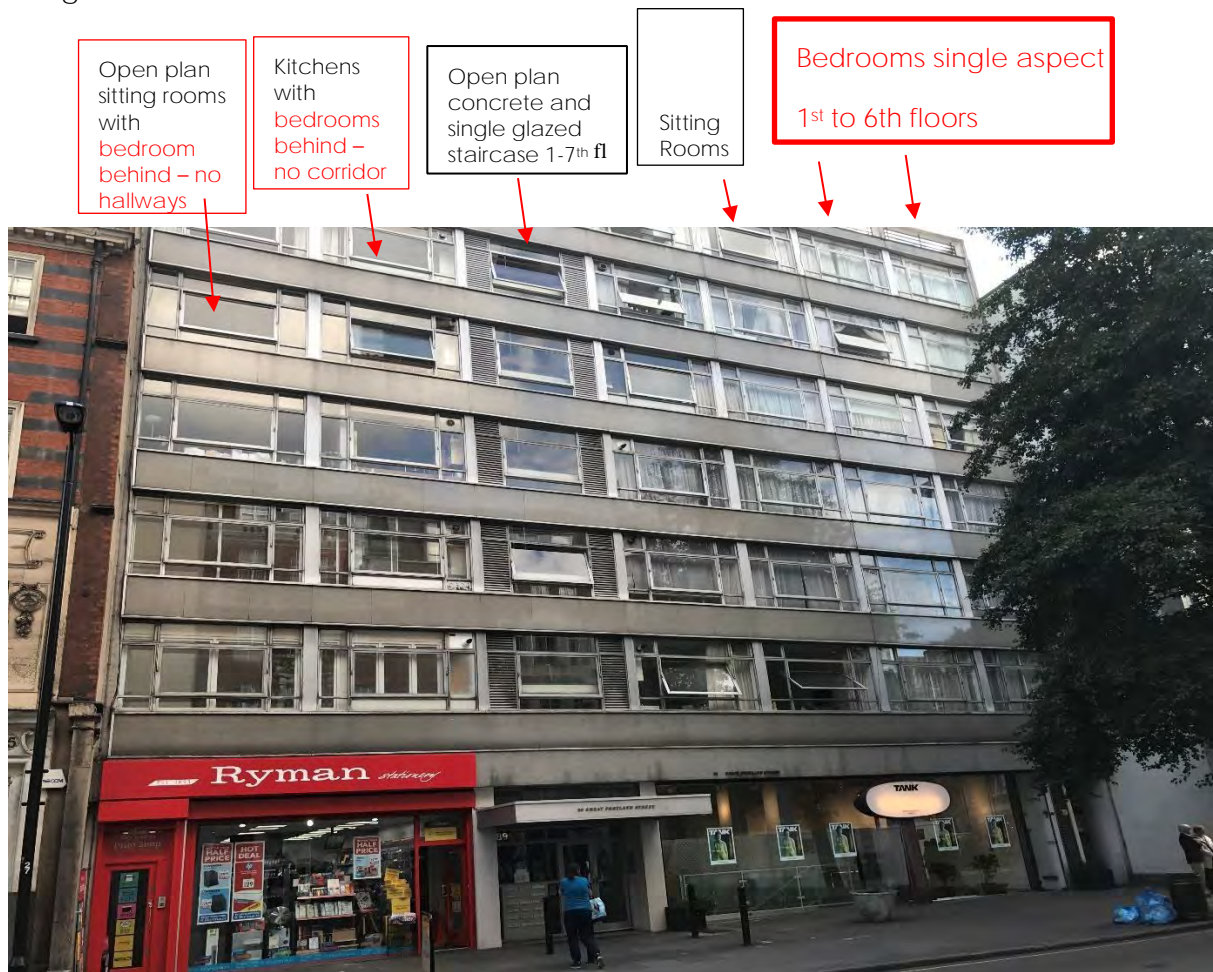
Dear Sir/Madam

Application for new premises licence under s17 Licensing Act 2003, ref: 20/02820/LIPN

Where The Pancakes Are Ltd, **94 Great Portland Street, London W1W 7NU ('the premises')**

Overview

I write to make a relevant representation concerning the above application for a new premises licence. I represent Portland Apartments Ltd which is the Management Company for 89 Great Portland Street situated almost opposite this site. I represent both the directors and leaseholders of the 18 flats above two commercial units. Here is our building: -



Front elevation 89 GPS W1W 7LX single glazed 1950's concrete construction over 7 floors showing positions of bedrooms and living spaces in flats on 1<sup>st</sup> – 6<sup>th</sup> Floors 24 rooms are single aspect

Currently 50 people live in the building ranging from a family with a young baby, students studying at university to working professionals as well as long term retired leaseholders with underlying health issues.



As it could be argued that taking photos of the surrounding streets during the coronavirus lock down is unfair, I include photos taken in 2018/2019 for traffic and footfall purposes.



Site of application - 94 Great Portland Street – as was



The flats above 94 Great Portland Street are still being refurbished. Therefore, these future residents of 17 flats at 36-40 Langham St are unable to make any objections to this application.

The proximity of 94 Great Portland Street from below the northern bedrooms of 89 GPS is: -

From 1<sup>st</sup> floor bedroom

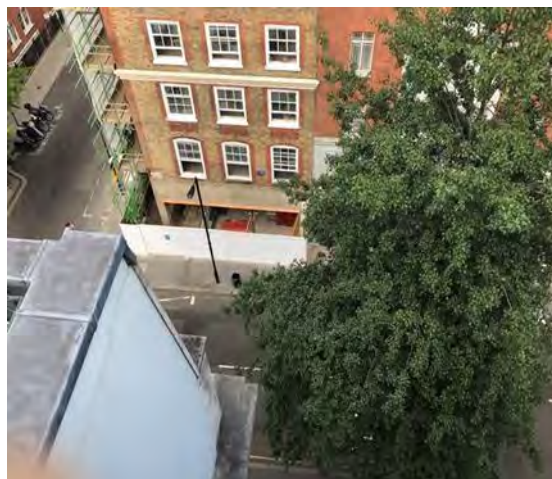


Saturday 2 November 2019 11:47am

From 4<sup>th</sup> Floor Bedroom



From the Roof (above bedrooms)



From front door of the block



Langham Street Opposite site – Joe and the Juice and residential flats above



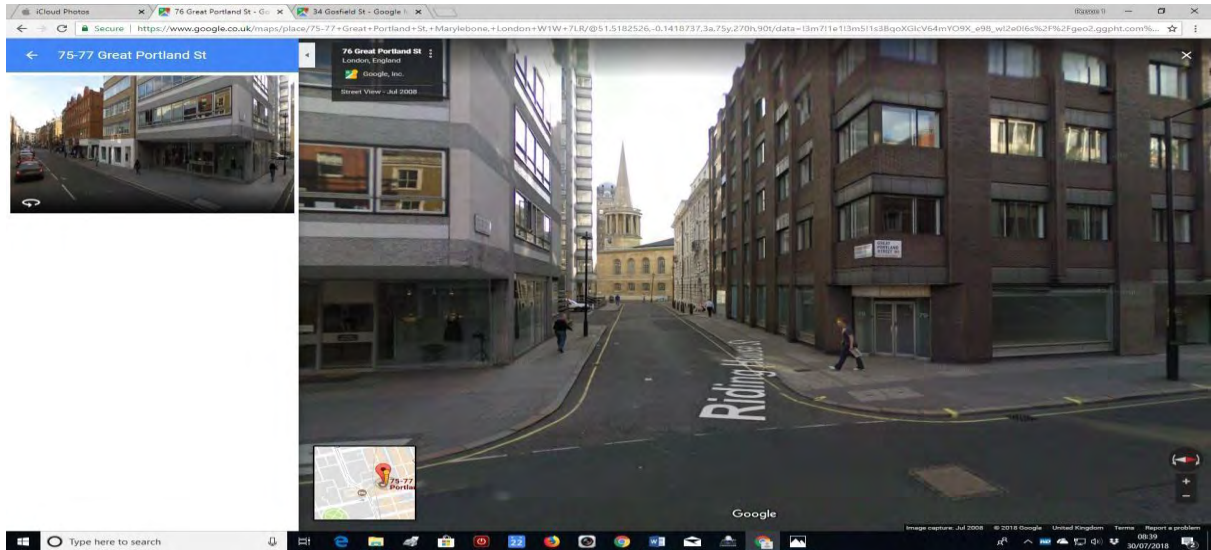
Saturday 2 November 2019 at 11:51 am - notice how quiet the streets are

Immediate area

Let me set the scene for you.

[REDACTED]

We live in a small residential enclave surrounded by a number of institutions and businesses. We have three residential blocks of [REDACTED] plus various residences in All Souls Place and Riding House Street. We have several commercial units including St Gorbain Showroom (commercial building materials) (#95) Tank Magazine (#91-93), Ryman Stationers (#87), Urban Living Interiors (# 85) Knomo (bag/case brand) (#83), Chemist (#79).



July 2008 Historic view or Riding House Street – to south of our flats

Radio 1, 1Xtra and 6 and the BBC receiving bay sit next to the [REDACTED] Flats to the north. There are Embassy buildings and All Souls Church on Riding House Street and private residents and All Souls buildings/residences in All Souls Place to the south. We overlook the BBC to the west. We have therefore always enjoyed quiet neighbours.



View from south end of building west

View from north end of building



View from roof looking down

All showing the quiet nature of the position of our flats to west



Showroom



Langham Street to BBC Piazza

Saturday July 28 2018 18:53:53



Saturday November 2 2019 12:16

Showing quiet nature of our block to the north

## Adjoining blocks

North - Empty ex BBC offices being refurbished - entire block – now being refurbished - GPS facia



Next block north - Wogan House - Radio 2



adj to Portland Place School, offices and commercial offices and shops

Block to East – Opposite our flats

The new flats across the road opposite 78, 80 88-94 Great Portland Street intersperses with social housing, private residential, office space and commercial units at ground level.

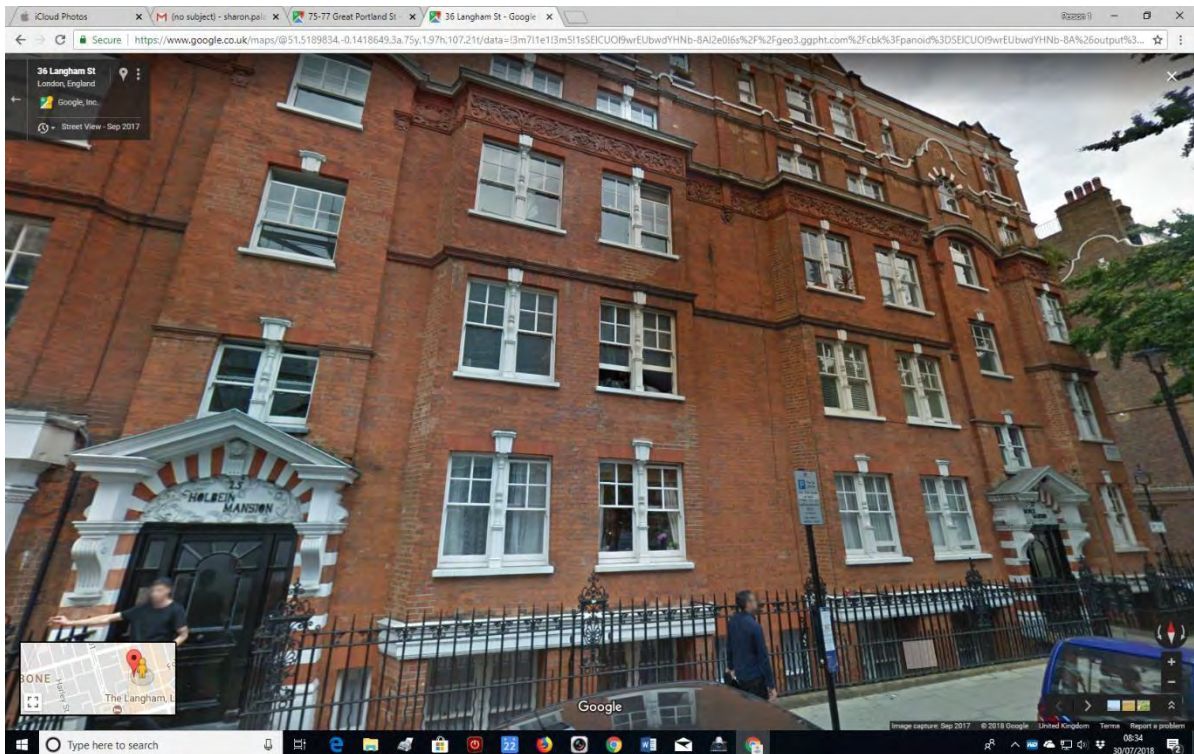


North side - the proposed 17 flats 36-40 Langham St above applicant's unit South side of block



Middleton Place – walk through from Riding House Street to Langham Street - residential

North East Block – Rembrandt House 100 Great Portland Street (GPS) flats, Holbein Mansions 25 Langham Street & Van Dyke Mansions 27 Langham Street - residential



Gosfield Street (mixed residential and commercial)



Block to South West – offices above commercial units at ground level



Velorution bike shops x 2 61 & 75-77 GPS Morrells DIY store



Pub being refurbished on corner ~#55-57 – no disturbance to 89 GPS in the past

### South West Block



July 28 2018 17.00.11

University of Westminster Library and offices plus commercial and garment units –  
Some of these buildings now being redeveloped 3/2020

### Great Portland Street North/South

██████████ is situated in a rare quite part of Fitzrovia. From Oxford Street to New Cavendish Street this area has historically been a 'Rag Trade' zone from 1960's with UK and International Clothing Companies having offices and showrooms for taking orders for their latest collections close to London's busiest clothing streets - Oxford, Regent and Bond Streets.

North of Margaret Street, footfall drops markedly out of office hours and the hubbub of Oxford Street evaporates into a quiet backwater of Central London with low levels of disturbance from such as Portland Place School and University of Westminster teaching buildings.

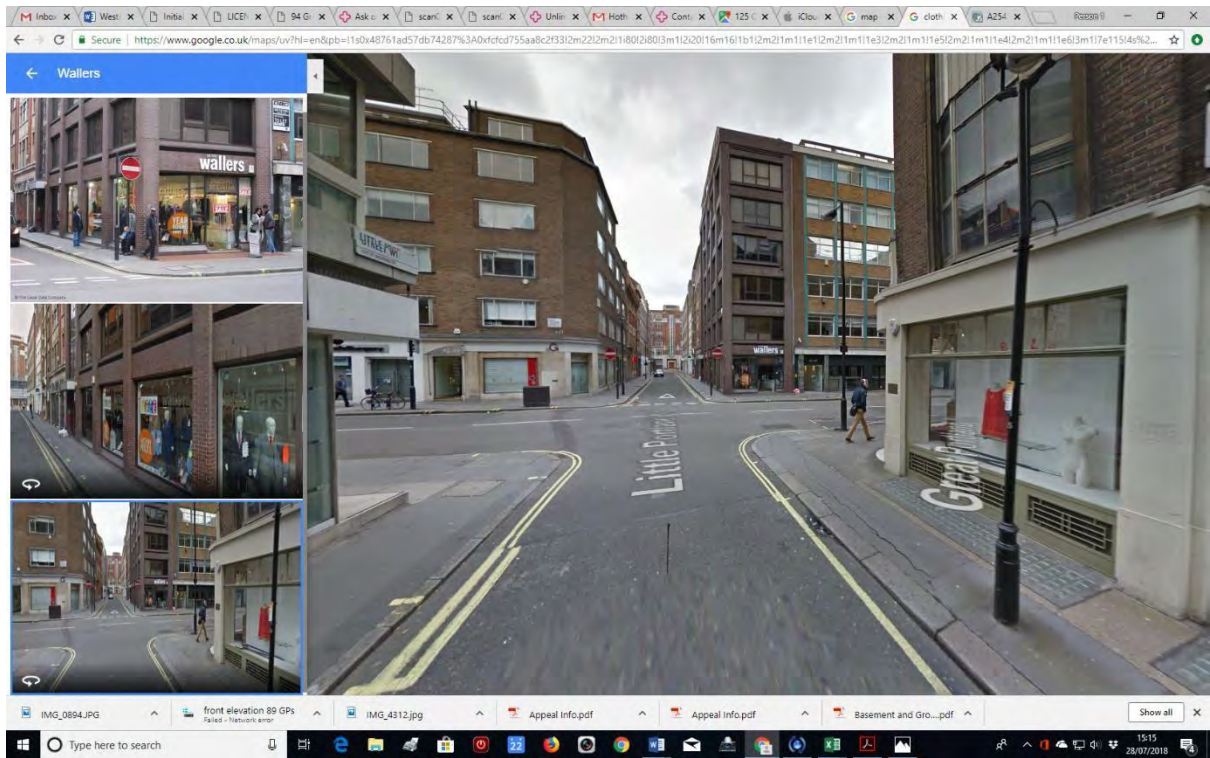
North of New Cavendish Street was known for office and furniture showrooms i.e. Bisley along with Portland Place School, Central United Synagogue, Portland hospital, media and printing businesses, banks and BBC buildings – Wogan House, a second BBC administration entire block now being renovated directly north from us into temporary



office space and further up the street what was the home of Radio 1 (now offices). Even John Lewis used to have its head office here before moving to Victoria Street.



Looking south to Oxford Street      Saturday 2 November 2019 11.52am



Three of four corner shops are still garment showrooms/businesses



Velorution Bike shop 75-77 GPS below offices and 79 GPS chemist with flats above

All these businesses/operations were/are all quiet neighbours as they predominantly worked 9-5pm Monday to Friday. See table of businesses past and present below p12.

It is true the area is exceedingly busy with traffic in the morning and afternoon rush hours, particularly whilst deliveries and rubbish collections are being made which regularly clog up traffic flow. However, in the evenings everything goes quiet when the office staff and school children/students go home.

## To the West

We overlook the new BBC extension of Broadcasting House, formerly the Egton Wing, now John Peel Wing, the top floors of Broadcasting House and All Souls Place. Construction was completed in 2005 and fit out in 2007. We are directly parallel to Portland Place which is populated by residential blocks, office blocks, the Langham Hotel, Embassy, Professional Bodies i.e. RIBA and Diplomatic properties, All Souls Church and of course the BBC - other than the occasional One Show music 'event' and protests starting at the BBC to gain television coverage all is quiet in the area around our flats, particularly later in the day after normal business hours.

## To the East

Great Titchfield Street/Bolsover Street which again has lots of offices, some residential, garment companies, cafes, media companies, hairdressers, designers, fitness companies, restaurants and gift shops.

## 78-94 Great Portland Street

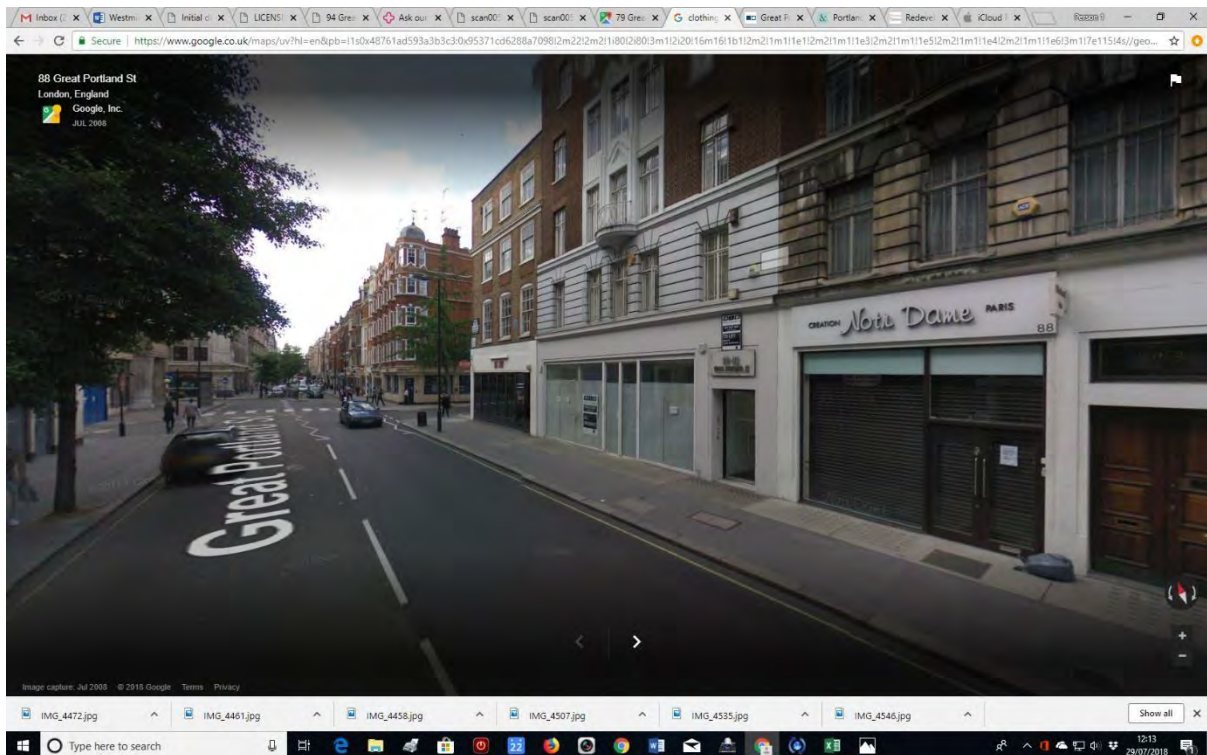
The block across the road for our block has been redeveloped over the last couple of years by Great Portland Estates PLC (78-92 GPS) and Central London Property Trust (94 GPS). The mix of usage has changed from offices and showrooms to residential (private and social), liquor store, nail bar, gym, clothing with café and the proposed restaurant with cocktail bar, loud music and outside seating.

Before redevelopment	Post redevelopment
78 ** – After Shock (clothing showroom/shop) offices upstairs	Clutch Outfitters and Café GF and flats above
80** – 80a Clothing shops - Office above	Office on GF tbc and 7 flats above
82** – Office Block	Now Define Gym with offices above
84 – Office Block	Residential above
86 – Office Block	Offices
88 – Creation Notre Dame Paris - showroom GF, Workrooms and offices above	Townhouse Nail Salon with social housing above
90-92 Velorution (cycles showroom) offices above	Whisky Exchange (alcohol off sales) with social housing above
94 ** Bust Stop Clothing showroom - offices above	Building works in progress. Pancake Restaurant, serving cocktails alcohol on and off sales licence application with 17 flats above

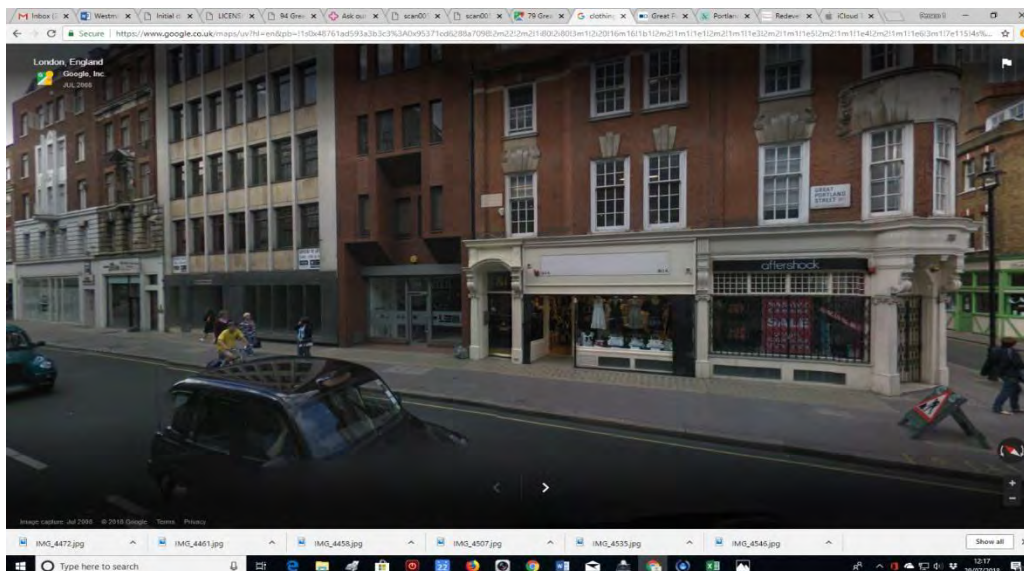
\*\* Grade 11 listed

94 GPS, a Grade II listed building, is the last element of the block opposite side of GPS to us to be developed. The building site caught fire on 17 February 2018.

Was 94 -88 GPS in July 2008



Was 84 – 78 GPS in 2008



Now 78 – 82 GPS



Now 86-92



Please note how quiet the streets are outside the rush hours

Our representation is based on: -

- A. the impact of this application being granted as currently presented on the promotion of the licensing objectives, particularly 'prevention of public nuisance'
- B. Evaluating what is 'reasonably acceptable' in a particular location
- C. This application is contrary to the Westminster City Council's Statement of Licensing Policy 2016

To confirm, no restaurant has ever traded on this site. The previous applicant, Roast Restaurants, failed to complete their build in 2018 ref 18/07245/LIPN.

### The application

1. The application is described as 'Restaurant' at 94 Great Portland Street giving no trading name

The floorplan drawings show: -

#### Ground floor

- dining area comprising of various of seating types - 102 covers
- food pass delivering food from LGF via 1 hoist
- Private dining room
- Disabled toilet

#### The basement

- dining area – unspecified 30 covers (at top of plan – plan requires reissuing)
- main kitchen
- side delivery staircase
- customer and staff WC
- prep area and dumb waiter
- child play area with sofas for 6
- existing vaults to be used as storage of dry foods

**Plans total 132 covers when EH and DS capacity is for only 130 covers - GF = 100 and Basement = 30**

Therefore, the ground floor plan requires amending to 100 covers.

#### Outside

- There is no proposed outside seating for food and drink on the plans
- Nor is there any visual supplied concerning the exterior look of the property as currently still an open building site as design could impact on our residents

2. Opening Hours
  - 8.00 to 23.30 Monday to Thursday
  - 8.00 – 00.00 Friday
  - 9.00 - 00.00 Saturday
  - 9.00 – 22.30 Sunday
3. Sale of alcohol is requested for consumption on and off premises
  - 10.00 to 23.30 Monday \* to Thursday
  - 10.00 to 00.00 Friday & Saturday
  - 10.00 to 22.30 Sunday \*
  - \* Seasonal variations - Sunday before a Bank Holiday Monday 10.00 to 00.00 hours
  - Non-standard timings – From end of permitted hours on New Years Eve to start of permitted hours on New Years Eve
4. Late night refreshment is requested – indoors and outdoors
  - 23.00-23.30 Monday to Thursday
  - 23.00-00.00 Friday and Saturday
  - Seasonal Variation - From end of permitted hours on New Years Eve to the start of the of permitted hours on New Years Day
5. Lack of conditions proposed

Much of this section of the Operating Schedule is ambiguous and aspiring. Some detail even appears irrelevant. The proposed conditions fail to reflect the way the premises are intended to operate.

The above proposition is going to wreck our home lives and that of our neighbours seven days per week

## Details for our objections

### Noise and public nuisance considerations for all local residents

#### 1. Sale of alcohol:

- o All alcohol should only be sold with food to avoid customers over drinking and leaving the premises inebriated, causing unnecessary noise and public nuisance
  
- o No off sales - No sales of alcohol off the premises at any time of day to stop noise traveling around the local area and disturbing the neighbourhood
  
- o Different operating conditions and times apply to off sales businesses such as agreed with the Whisky Exchange, next door at 90-92 Great Portland Street, W1 17/07371/LIPN E.G. Agreed operating hours are 10:00 to 20:00 Monday to Saturday and 10:00 to 18:00 on Sundays  
Local residents and visitors are perfectly capable of buying alcohol in either of the two off licences in the street or numerous local supermarkets. No one has any need to buy alcohol from a restaurant.
  
- o We have significant concerns regarding cocktails being served with what are light unsubstantial meals. Pancakes are hardly the most filling meal in the evening and unlikely to soak up the effects of a few cocktails. The cocktail list is of great concern as generally far stronger than: -
  - o wine 12.5 % ABV \*
  - o processo 11% ABV\*
  - o beer 5.3 % ABV & 4.8% ABV\*
  - o cider 6% ABV & 4.5% ABV\*

For example: -

- o Margarita can be 23% ABV and
- o Negroni 24% ABV

A couple of these cocktails with a very light meal is going to impact on residents living nearby when customers are leaving the premises.

\*ABV values taken from Where the Pancakes Are Drinks menu 23/3/2020 Attached

#### 2. Proposed terminal and closing hours:

- o Most of the local restaurants have traditional restaurant hours starting at 12.00 for lunch and 17.00-18.00 for dinner. There are some that open early for breakfast, but this appears to be in areas a little further away from us with a higher density of office rather than residential occupancy.



Local restaurants opening and closing times - March 2020

Great Portland Street – Near our flats

#	Restaurant	Opening Mon-Fri	Sat	Sun
110	Picture Fitzrovia (now closed)	12.00-14.30 18.00-22.30	12.00 -14.30 18.00-10.30	closed
113	Portland	12.00-14.30 18.00-22.00	12.00 -14.30 18.00 -22.00	closed
114	Sushi Atelier	12.00-15.00 18.00-22.00 (T-F) 12.00 - 15.00 18.00-21.00 (M)	12.00-15.00 18.00- 22.00	closed
152	Caravan	8.00 - 22.00	9.00 - 22.00	9.00 - 16.00
198	Demartino	12:00 – 22:30	12:00 – 22:30	closed
216	Honey and Smoke	Closed Monday T-F **11.00 - 22.30	**10.00 – 22.30	closed

\*\* Opening time later – used to be 9.30am for breakfast but abandoned

Great Titchfield Street

NB More offices and hotels around this corner so fewer residents to disturb

#	Restaurant	Opening Mon-Fri	Sat	Sun
61	ScandiKitchen	8.00 -19.00	10.00 – 18.00	10.00 – 17.00
65	Mac & Wild	12.00 -15.30 17.30-22.30	12.00 - 23.00	11.00 - 16.00
71	Bellaria	12.00 - 22.00 M-T 12.00 - 22.30 W 12.00 - 22.45 T-F	12.00 - 22.45	Closed Used to open 2018

Riding House Street

#	Restaurant	Opening Mon-Fri	Sat	Sun
14	Great Thai	11.00 -15.30 17-22.00	12.00 - 21.00	12.00-21.00

Foley Street

#	Restaurant	Opening Mon-Fri	Saturday	Sunday
21A	Bonnie Gill Seafood Shack	12.00-14.45 17.00-21.45	12.00-15.45 18.00-21.45	12.00 -15.45 18.00 - 20.45

Portland Place

#	Restaurant	Opening Tues-Fri	Sat	Mon & Sun
	Roux at the Landau Langham Hotel	7.00 -10.30am 12.00-14.30 17.30-22.00***	7.00-10.30am 12.00-14.30 17.30-22.00***	7.00-10.30am only

\*\*\* closing earlier - used to close at 22.30

Pubs in Great Portland Street

#	Pub	Opening Mon-Fri	Sat	Sun
128	Horse and Groom	12.00-23.00	Closed (used to open in 2018)	Closed
55	George	11.00-23.00	11.00-23.00	11.00 - 19.00

Notes

1. Restaurants closing earlier in this area than other busier parts of the West End
2. Many closed on Sunday. Even BBC's own Caffè Nero (Piazza) is closed on Sundays!
3. Please note some trading times have reduced since our similar list generated for the Roast application in 2018

- We believe current footfall is probably too low in the morning in this specific area for significant breakfast trade. Takeaway trade in Regent Street, pre work, is brisk of course. We have lots of traffic on the roads and people walking to where they need to get to. This part of Fitzrovia is in no way a shopping destination as you might consider Oxford Street or Marylebone High Street. Therefore, we request realistic terminal hours in line with the longer standing businesses who have learnt what demand there is from their local market and have reduced impact on us residents
- The evidence provided above shows we live in a small quiet residential enclave that has enjoyed being surrounded by silent establishments and offices for decades. We are quiet in the mornings, evenings and weekends. That is why we live here!
- What is very interesting is that despite being located in a really busy area, this applicant's **original pancake** restaurant in Southwark, has the following opening hours (or where until recently closed due to Coronavirus): -

Saturday 9am -9pm  
 Sunday 9am - 5pm  
 Monday, Tuesday and Wednesday 8am - 5pm  
 Thursdays and Fridays 8am - 9pm

- The early closing times above suggest pancakes are unable to be considered a substantial evening meal and there is no call for late opening. Begs the question why this company wishes to open later in a much quieter residential backwater with no passing footfall?
- There are very few pancake only restaurants in central London - Where the Pancakes are (Southwark) – above/applicant, My Old Dutch (Holborn, Chelsea and Kensington) and Creme de la Crepe (Covent Garden). ALL close earlier than times stated on this application. My Old Dutch has been trading since 1958 and would surely open later IF there was a market for later opening times. Breakdown below.

	Where The Pancakes Are		My Old Dutch			crème de la crepe
	Proposed 94 GPS	Southwark	Holborn	Chelsea	Kensington	Covent Garden
Mon - Wed	8.00 - 23.30	8.00 - 17.00	10.00 - 22.30	10.00- 22.30	9.30- 21.30	9.30- 20.30
Thursday	8.00 - 23.30	8.00 - 21.00	10.00 - 22.30	10.00- 22.30	9.30- 21.30	9.30- 20.30
Friday	8.00 - 00.00	8.00 - 21.00	10.00 - 22.30	10.00- 22.30	9.30- 21.30	9.30- 20.30
Saturday	9.00 - 00.00	8.00 - 21.00	10.00 - 22.30	10.00- 22.30	9.00- 21.45	9.30- 20.30
Sunday	9.00 - 22.30	9.00 - 17.00	10.00 - 21.30	10.00- 22.00	9.00- 21.45	9.30- 20.00

- These trading times again imply the eating of pancakes is deemed a snack / light meal rather than a substantial meal requiring late night openings.

- o Another concern is this restaurant might become an evening drinking destination for cocktails with cheap food. Again, this situation in no way represents any local restaurant nor what residents would ever wish for in the future
- o Most local restaurants close earlier than other parts of the West End. Please see the Local Restaurant breakdown showing opening and closing times of nearby restaurants in GPS and other adjoining streets on page 18 above. It is imperative we maintain the quiet nature of our living conditions and curb any activities that may spoil our Fitzrovia idyll. We therefore ask for restricted core hours trading
- o Late night refreshment – we request the committee refuse permission for any late night refreshment on any day of the year.
- o Bank holidays - We ask there is no change to normal trading hours on any bank holiday or days leading up to any bank holiday
- o New Years Eve – we ask the request for late night refreshment be refused, in particular any notion of: -

'from end of permitted hours on New Years Eve to start of permitted hours on New Years Day'

We have never had all night openings near our homes and would ask the Committee to deny this request. We have no wish to be living in another Berkeley Street scenario

- o We are most fortunate living where we do because it is so quiet. The upside is we can walk to thousands of restaurants, bars, clubs and pubs, if and when we want, and then return to the sanctuary of our homes. We therefore respectfully ask for trading hours reflects this area, and actual operating hours in this part of Fitzrovia, if a licence should be granted.
- o I have again contacted the BBC for occupation numbers which understandably they were unable to provide me for this purpose. However, a senior person in the business did confirm most staff live a long way away and head off straight to their buses or trains after work. What he was able to confirm was that occupancy declines steeply in the evenings/overnight and over the weekends which is reflected in many of the nearby restaurant opening and closing times. Please note the Caffe Nero in the BBC Piazza is closed on Sundays. The perceived pull of the BBC staff may have been overestimated in these proposed operating times.

We wish to highlight the differences in hours between this application and that of Roast 18/07245/LIPN as follows: -

- The proposed terminal hour for opening is slightly different (8am Mon-Fri, 9am Sat-Sun) than that granted to Roast (7.30 Mon-Fri, 9am Sat, 10am Sun).
- The proposed closing time is also slightly different (11.30pm Mon-Thurs, midnight Fri-Sat, 10.30pm Sun) than that granted to Roast (same, but 9.30pm Sun).

- The proposed time for sale of alcohol is different (11.30pm Mon-Thurs, midnight Fri-Sat, 10.30pm Sun) than that granted to Roast (11pm Mon-Thurs, 11.30pm Fri-Sat, 9pm Sun).
- The application is for sale of alcohol for consumption on AND off the premises. This clearly envisages outside tables and chairs. Roast's application was initially for on and off sales, but was reduced to on sales only, with no outside area.

It is true the two propositions are entirely different with pancakes being light meals and Roast offering traditional more substantial offerings. Therefore, we again urge the committee members to reduce the hours this pancake house trades.

3. Proposed off sales which implies outside seating – continual outside noise disturbing residents across the road and above:

Planning permission and licencing for off sales were denied for any outside tables and chairs for the previous application, Roast Restaurant Group in November 2018 18/07245/LIPN. This application is ambiguous as off sales are ticked on the application form as is late night refreshment inside and out. The residents surrounding 94 Great Portland Street spent an inordinate amount of time and effort objecting to the previous application for pavement eating which would blight all our lives. We ask the committee to uphold the decisions made by Councillors Mitchell, Freeman and Toki so there is no outside eating on this corner whereby preserving our quiet home lives.

As per the photographs and images on pages 2 and 3 which show how close our flats are to the proposed restaurant site. 6 floors of bedrooms literally face onto the restaurant and its entrance. Any tables on the pavement would be directly opposite/under our bedrooms and sitting rooms on the GPS side of the unit.

94 GPS used to be a fashion garment showroom 'Bus Stop' and offices above so there was no noise created or congestion made in the surrounding streets. We have never had any all-day all-evening outside seating in this part of GPS and therefore seek all outside seating is rejected.

Having x people sitting talking, drinking, laughing and smoking outside will generate noise both in GPS and Langham Street and will disturb us residents with bedrooms opposite an estimated 60% of any proposed tables.

What will happen in the winter? Will there be ugly, space hogging gas heaters on the pavement as well for pedestrians to negotiate?

What happens to the tables and chairs at 19.00, 20.00, 21.00, 22.00 or 23.00 or even midnight when everyone has stopped drinking? Someone stacks up the tables and chairs and moves them inside making even more noise late at night and again early in the morning? We have elderly residents and babies living at the front of our building. We have students and City workers who need their sleep and get up early every morning.

This consistent daily noise will have a direct impact on our day to days lives. This level of noise will be unacceptable to our residents.

It is a well-known fact that sound bounces off hard surfaces such as concrete and glass, be they external or internal surfaces. Noise currently reverberates around the BBC Piazza when events takes place where noise amplifies as a result of what is effectively a sound tunnel under the bridge between Radio 1 and Broadcasting House.

Our building is also all hard surfaces, which has proved to be a wind tunnel at the north end of the building - overlooking 94 GPS - and the anticipated noise will bounce round our premises too especially in the summer when residents are forced to keep windows open to cool down their living spaces. Many of the flats are single aspect.

It is unlikely there is enough space to have tables and chairs on the pavement and people walking past. The proposition of tables and chairs outside #94 GPS is in no way in keeping with this/our particular location.

We wish to remind the committee that Joe and the Juice, 96-98 Great Portland Street, opposite 94 GPS to the north, have no permission for outside furniture as a result of the residents above, opposite and diagonally opposite numerous objections.

How can we stop this business from telling customers 'in 10 minutes we are stopping selling alcohol outside so if you would like to place an order you need to do it now'? What is to stop customers ordering bottles of wine, cocktails and glasses/bottles of beer which could last another couple of hours? How can residents ensure neither of these behaviours ever happens during the life of the licence nor impacts on their lives?

7. Noise emanation from inside the premises:

All the residential property that surrounds 94 GPS – not just 89 GPS, and many of residents have yet to move in to their homes and have had no opportunity to comment on this application will suffer from noise from these premises and a maximum of 130 customers (?) at any one time. To stop any noise escaping from this business, windows and doors must be kept closed at all times. We assume the council will ensure air conditioning will be sufficient to deal with any heatwave without any windows or doors requiring to be propped opened at any time.

Please refer to **Para 2.2.11 PN1 Statement of Licensing Policy 2016 ("the Policy")**

Deliveries – made via spiral staircase

Not only is this proposition sound incredibly dangerous, it will also be very noisy for all local residents. What actions can the committee take to eradicate what is going to be ongoing noise for all the surrounding residents please?

Collection of Rubbish made via a spiral staircase are of grave concern to our residents, again for the consistent noise nuisance and safety concerns.

8. Smoking

- o What ways can this business have a smoking area if tables are disallowed?  
We ask smokers/vaping are restricted to no more than 5 people with a dedicated area with sand bucket for used butts with no permission to take drinks outside.

Neither are we residents used to inhaling cigarette smoke around our home and wish for clean air, as far as it can be with cars and lorries, to continue.

9. Dispersal of customers will be a major issue.

Customers will congregate, smoke and create noise out in the street before, during and after their visits, especially if drinking without eating or minimal eating. This will be under our bedrooms, sitting rooms and kitchens. This is particularly of concern in the evening, predominantly when dispersing up to 130 customers at any time during service and then staff leaving. This will again disturb all our residents and neighbours – in particular, young children, students and professional workers.

Please refer to **Para 2.2.12 PN1 Statement of Licensing Policy 2016 (“the Policy”)**

10. Differences in conditions between this application and that of Roast 18/07245/LIPN

Again, there are significant differences between this application and what was previously granted by the council for alcohol only being sold ancillary to bone fife substantial table meals. There are: -

Condition 9 on the current licence is not proposed – recording all refused alcohol sales. We request Condition 9 is amended to: -

*‘A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open’.*

Condition 10 on the current licence is not proposed – no paying for customers  
We ask Condition 10 is amended to: -

*‘There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises’*

Condition 11 on the current licence is proposed, but with (iv) in the condition omitted – no takeaway service. We request Condition 11 is amended to: -

*‘The premises shall only operate as a restaurant*

*(i) in which customers are shown to their table,*

*(ii) where the supply of alcohol is by waiter or waitress service only,*

*(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,*

*(iv) which do not provide any take away service of food or drink for immediate consumption,*

*(v) which do not provide any take away service of food or drink after 23.00 hours, and*

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the Premises part consumed and resealed bottles of wine supplied ancillary to their meal.'

Condition 14 on the current licence is proposed, but with Challenge 21 not Challenge 25. We request Condition 14 is amended to: -

*'A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram'.*

Condition 15 on the current licence is not proposed – no self-service of alcohol  
We ask Condition 15 is amended to: -

*'There shall be no self-service of alcohol'*

Condition 29 is proposed but without capacity figures. It seems from other documentation (the pre-consultation advice) that the proposed capacity would be higher.

*'No Licensable activities shall take place at the Premises until the capacity of the Premises (Ground Floor and Basement Floor) has been determined by the Environmental Health Consultation Team and the Licensing Authority has replaced this condition on the License with a condition detailing the capacity so determined. In any event the capacity for the Ground Floor shall not exceed 100 persons excluding staff and the capacity for the basement shall not exceed 30 persons excluding staff'*

Condition 30 on the current licence is amended in the application from *'All external doors shall be kept closed at all times except for the immediate access and egress of persons. All **windows shall be kept closed after 21.00 hours**'* to read *'The entrance door and all windows shall be kept closed after 21.00 hours except for the immediate access and egress of persons.'*

This noise issue is key to our residents' quality of life and that of residents above these premises and in Langham Street that all windows and doors are always kept closed other than when customers and staff are entering and leaving the premises. The din from 100 people talking will be heard by all our residents.

If there is no sound dampening planned within the premises, as no details have been supplied, we request all windows will be kept closed at all times as well.

Condition 35 on the current licence is proposed, but without a number specified. It is of the utmost importance to all residents overlooking this restaurant site that capacity numbers are specified.

- o The wording and drawing of the plans differ – please see page 14 above. For example, written on the top left-hand corner of the ground floor plan states 100 covers but the seating plan totals 102 covers. This also exceeds Environmental Health recommendations of 100 covers for means of escape purposes.
- o The plan for the basement suggests a children's play area. For clarity 1 child = 1 cover?

- o The basement has no recognisable seating plan. Can this be circulated please? The written seating capacity on the top left-hand corner of the basement plan states 30 covers but impossible to see where these seats are and how many as there could easily be another miscalculation in seating. Environmental Health has recommended 30 covers for means of escape though worryingly there appears to be a safety issue concerning: -
- o Emergency public exit via a working kitchen
- o an external spiral staircase – our understanding was this staircase was going to be a standard non spiral external staircase as this also has ramifications for deliveries, waste removal and generation of unacceptable noise nuisance
- o We request a meeting with the Environmental Health Officer to clarify these matters

Condition 37 on the current licence is not proposed.

We request Condition 37 is inserted as follows: -

*'No licensable activities shall take place at the premises until the licence holder has submitted an amended plan to the Licensing Authority removing the external seating area from the ground floor plan so as to restrict the licence to the premises building, at which time this condition shall be removed from the licence by the licensing authority*

This final condition is of paramount importance to all our residents and their quality of life. How would you like to be in bed, trying to get to sleep with both customers and staff making unacceptable noise below you seven days per week?

#### 11. Servicing these premises

There is no detail on servicing e.g. times for deliveries; collections of waste; etc.

- o There are ongoing issues with traffic congestion in Great Portland Street and Langham Street. There is noise from people sounding their horns and traffic jams are created by existing deliveries and collections, taxi pick- ups with doors banging etc so we have serious reservations about the impact of regular deliveries and waste collections to/from these new Premises and customers arriving and leaving by vehicles
- o We note all rubbish must be brought up from the basement to the ground floor by external spiral stairs. We believe this is going to be a daily noisy occurrence, as well as a serious safety issue, with bags and boxes of glass **and waste being 'bumped/dragged' up these stairs causing a regular** nuisance to residents late at night or early in the morning. We require assurances all movements of rubbish will be silent as the stairs (metal?) are so close to so many bedrooms and livings spaces.
- o We have grave concerns about early morning and late-night noisy collections of rubbish and deliveries of food and drinks which will disturb residents as we are in such close proximity to the delivery and collection area.

#### 12. Two licences have recently been granted to business opposite 89 GPS

- ✦ Whisky Exchange 90-92 GPS 17/07371/LIPN for off sales only.
- ✦ Townhouse 88 GPS 17/11140/LIPN for sales only with beauty services



We wish this application to be brought in line with conditions attached to these licences i.e. restricted core hours, terminal hour, noise controls.

Our overriding concern is that this application fails to fit into the local area as it is now and how it has been for decades.

**13. Any Licence granted is non - transferable to any other business**

A further concern is any future transfer of the Premises to a new proprietor. If, despite the various objections that have been made to this application, the Licensing sub-committee deems it appropriate to grant a licence to the applicant, it should be made a clear condition that this is personal to the proprietors of Where The Pancakes are Ltd and in no way attaches to the Premises, to ensure that any third party who may in due course have an interest in the Premises is required to make a full application for an appropriate licence for future intended operation of the Premises.

In conclusion

We and our neighbours spent an enormous amount of time objecting to the first application for this site with record numbers of residents

- a) objecting to licencing proposals
- b) attending the licencing hearing - even taking holiday entitlement to attend
- c) working together with our many neighbours to maintain our quality of life

We hope the Licensing Committee will bear in mind our previous efforts and remarks as contacting local residents in the current COVID 19 epidemic will be more difficult when 25% of the world's population is on lockdown.

We again wish to attend the committee meeting as this licence application could greatly impact on our residents' quality of life.

When determining licence applications, the focus should be on evaluating what is 'reasonably acceptable' in a particular location (R (on the application of Hope & Glory **Public House Ltd**) v (1) **City of Westminster Magistrates'** Court & Ors [2011] EWCA Civ 31). The scope of the licence and conditions should be looked at in a local context (Matthew Taylor v (1) Manchester City Council (2) TCG Bars Ltd [2012] EWHC 3467 (Admin)).

Please confirm receipt of this correspondence. We request this hearing is adjourned as this application is 'in the public interest' of the hundreds of local residents it will impact. We look forward to hearing from you with a hearing date in due course.

Yours faithfully,

Position: Representing the Leaseholders and Directors of Portland Apartments Ltd

**where** [the](#) [pancakes](#) [are](#)

**to find us** [story](#) [menu](#) [reserved](#)

**address**

Where the pancakes are....  
Arch 35a  
85a Southwark Bridge Road,  
London SE1 0NQ

**opening times**

**WEEKEND**  
Saturday: 9am - 9pm  
Sunday: 9am - 5pm

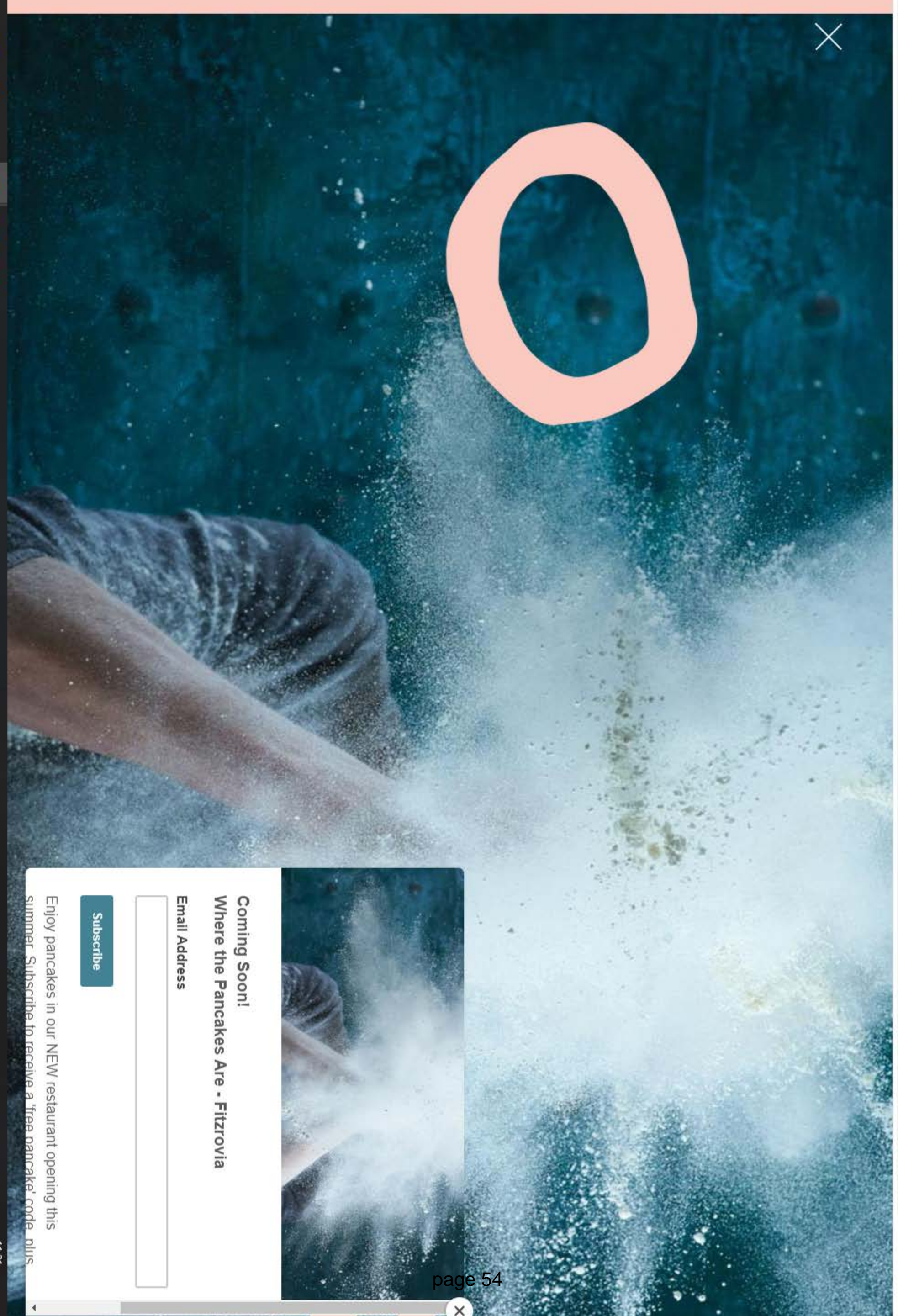
**WEEKDAYS**  
Monday, Tuesday and Wednesday: 8am - 5pm  
Thursday, Friday: 8am - 9pm

Bank Holidays opening times: 9am-4pm

**contact**

email address: [restaurant@wherethepancakesare.com](mailto:restaurant@wherethepancakesare.com)  
telephone number: 0207 407 8408

if you are interested in working for us please email your cv to:  
[patricia@wherethepancakesare.com](mailto:patricia@wherethepancakesare.com)



**Coming Soon!**  
**Where the Pancakes Are - Fitzrovia**

Email Address

**Subscribe**

Enjoy pancakes in our NEW restaurant opening this summer. Subscribe to receive a 'free pancake' code, plus...

# where the pancakes are

## buttermilk batter matters

Our batters are made fresh every day using highly nutritious ingredients. The organic flour blend includes buckwheat that, amongst many other attributes, lowers cholesterol and blood sugar levels. Equally, our high welfare eggs and buttermilk are a superb source of minerals, vitamins and proteins.

## 3-in-1 batter: vegan, dairy-free & wheat free

We are aware of the food sensitivities of many of our guests. As an alternative, we offer our 3-in-1 batter. It is vegan, dairy-free and wheat-free by using the key ingredients of organic rice & buckwheat flour, soy milk & chickpea water.

v – vegetarian    vv – vegan  
vo – vegan option    gf – gluten free

## buttermilk pancake mix & the purest maple syrup

our organic flour mix 575g £3.75  
our organic 3-in-1 flour mix 565g £3.75  
100% pure maple syrup 330g £9.50  
winner of Great Taste Award 2016  
choice of flour mix + maple syrup £11

## buttermilk pancakes

### savoury

- american**  
three pancakes, 100% pure maple syrup with a choice of blueberries or bananas + choice of bacon or halloumi or sausage
- 1000 baby greens (v,vo)**  
two pancakes griddled with baby leaves, cumin, spring onions, green chili, lime-coriander butter
- royal**  
two pancakes, Cacklebean Farm poached eggs, hollandaise, taragon, asparagus, with a choice of smoked salmon or smashed avocado
- wilshire ham or steady bacon**  
11.5
- boulder breakfast (vv,gf)**  
named after the happiest city in the US, the epitome of healthy and outdoors living
- two vegan pancakes, smashed avocado, roasted pepper & cherry tomatoes, green herbs & chickpea salsa, portobello mushroom, tahini-nigella dressing
- english breakfast**  
two pancakes, fried egg, Swaledale Butcher's streaky bacon and sausage(gf), roasted cherry tomatoes, portobello mushroom, baked beans, pure maple syrup
- vegetarian option: halloumi & roast pepper 13.5

### sweet

- simple (v,vo)**  
6  
two pancakes, with a choice of maple & butter or lemon & sugar or chocolate & toasted hazelnuts or sea salted caramel
- + banana**  
8
- banana praline marshmallow**  
9.5  
one or two pancakes, banana, hazelnut-sunflower-cocoa-nib praline, basil marshmallow
- choice of chocolate or sea salted caramel**  
/6.75
- forest berries (v,vo)**  
9.5  
one or two pancakes, forest berry compote, house cream, crushed violet meringue, toasted almond flakes
- hummingbird (v,vo)**  
9.5  
one or two pancakes, cinnamon poached pineapple, house cream, lime syrup & zest, pomegranate, toasted coconut
- pear caramel (v,vo)**  
7.5  
one pancake, thyme poached conference pear, lemon zest, house cream, almonds, salted caramel

## dutch babies

The Dutch Baby is an American interpretation of a centuries old German dish. Nothing to do with the Dutch – actually, it's very much a Yorkshire pudding look-a-like. Cooked in a cast iron skillet, this dish is baked for a good 20 minutes in the oven.

- english apple & blackberry (v)**  
11  
brambley & cox apples, toasted almonds, house cream or vanilla ice cream
- goats, cheddar, parmesan**  
13  
parmesan crisps, rosemary & thyme, radicchio and balsamic dressing
- mini danish dutch (v)**  
2.75  
cinnamon, raisins, pumpkin seeds

## more pancakes

- australian (v,gf)**  
11  
polenta corn fritters, creme fraiche, preserved lemon, avocado, mixed raw leaves
- pulled beef pastрами**  
13  
two pancakes, slow cooked brisket, cheddar, sauerkraut, 1000 island sauce, kale slow with toasted fennel seeds, home pickled cucumbers
- welsh rarebit**  
12  
two pancakes, welsh cheddar, mustard & ale fondue, roast tomatoes, grilled spring onion, salt vinegar crisps
- + a fried egg**  
13.5

Please note our kitchen handles many allergens and we therefore cannot guarantee the absence of dairy, nuts, sesame, gluten and others in our dishes. Before ordering, please speak to a member of staff about your requirements. All prices are inclusive of VAT at 20%. A discretionary 12.5% service charge will be added to your bill, 100% of which is distributed between all kitchen and service staff.

## rhubarb & ginger

## coffee

## wine & sparkling

## cocktails

choice of flour mix + maple syrup £11

Please note our kitchen handles many allergens and we therefore cannot guarantee the absence of dairy, nuts, sesame, gluten and others in our dishes. Before ordering, please speak to a member of staff about your requirements. All prices are inclusive of VAT at 20%. A discretionary 12.5% service charge will be added to your bill, 100% of which is distributed between all kitchen and service staff.

### rhubarb & ginger shrub soda

Babylonians, Romans, seafaring sailors and gold-rush pioneers all drank shrubs for sheer joy and to steer off illnesses. As naturally preserved and fermented foods are re-entering our diets, vinegar based shrubs are slowly finding their limelight.

rhubarb, ginger, raw apple vinegar & soda water £3

### shots & juices

- cold pressed green juice** 5  
apple, spinach, celery, ginger, lime with premium organic matcha shot
- cold pressed purple juice** 5  
carrot, apple, beetroot, pomegranate, ginger, lemon
- lime, maple & cayenne shot** 2.5
- home brewed lemon iced tea** 3
- fresh orange or apple juice** 3
- fresh lemonade, still or sparkling** 3
- coca cola or coke zero** 2.8
- milk by the glass** 1.75
- filtered still or sparkling water** 1

### coffee

- espresso or macchiato** 2
- double espresso or cortado** 2.5
- americano** 2.5
- latte, cappuccino, flat white** 3  
hot or iced, choice of milk
- spanish latte or spanish cortado** 3  
espresso, condensed milk, milk
- premium organic matcha latte** 3  
with oat milk
- turmeric ginger latte** 3  
with cinnamon, safflower & oat milk
- chai latte** 3  
with or without espresso
- beetroot latte** 3  
with oat milk

### hot chocolate & tea

- hot chocolate or mocha** 3.5  
with whipped cream
- xo hot chocolate** 7  
with XO patron tequila coffee liquor with whipped cream
- tea** 2.8  
english breakfast, earl grey, jasmine pearl, premium organic matcha tea
- infusions** 2.8  
fresh mint, lemon & ginger or camomile & hibiscus flower
- premium organic matcha tea** 2.8

### wine & sparkling

- Mirabelle (prosecco)** 125ml bottle 20.5  
Italy 7.5
- Le Choix de Voltaire** 7.5 20.5  
Vognier (white)  
France, 2016, 12.5%
- Philbert Du Charme** 7.5 20.5  
Pinot Noir (red)  
France, 2015, 12.5%

### beer & cider

- The Kernel Pale Ale** 5.5  
Bermansley 33cl 5.3% ABV
- The Five Points Pilsner** 5  
Hackney 33cl 4.8% ABV

We credit apple trees for producing the rather genius mother of all fruits and stubbornly believe that ciders are a perfect match with pancakes. The cider produced in the northern Basque region of Spain is our favourite.

- Isasteigi** 6.5  
traditional Basque cider 37cl 6%
- Urban Orchard** 5  
from within the M25 & supermarket rejects 33cl 4.5%

### cocktails

- mimosa** Mirabelle prosecco, OJ 7.5
- smokey maple old fashioned** 8.5  
bourbon, angostura, maple syrup
- breakfast cocktail** 8.5  
bourbon, OJ, maple syrup
- espresso tequila** 8.5  
espresso, vodka, xo patron tequila liquor, dash of milk
- bloody mary** 8.5
- margarita** tequila, cointreau, lime juice 8.5
- aperol spritz** 8.5  
Aperol, soda water, prosecco
- negroni** 8.5  
campari, gin, sweet vermouth
- lavender gin tonic** 8.5  
gin, lavender bitter, lemon, tonic
- gin garden** 8.5  
gin, st germain, apple juice
- mississippi mule** gin, cassis, lemon juice 8.5
- relatively green** 9  
vodka, cold pressed greens juice with a nod to Relative Insight, we will be donating £1 of every relatively green sold to the NSPCC



Please note our kitchen handles many allergens and we therefore cannot guarantee the absence of dairy, nuts, sesame, gluten and others in our dishes. Before ordering, please speak to a member of staff about your requirements.

**Application Reference: 20/02820/LIPN**

**For premises at 94 Great Portland Street**



Here are some photos of the local area surrounding the premises

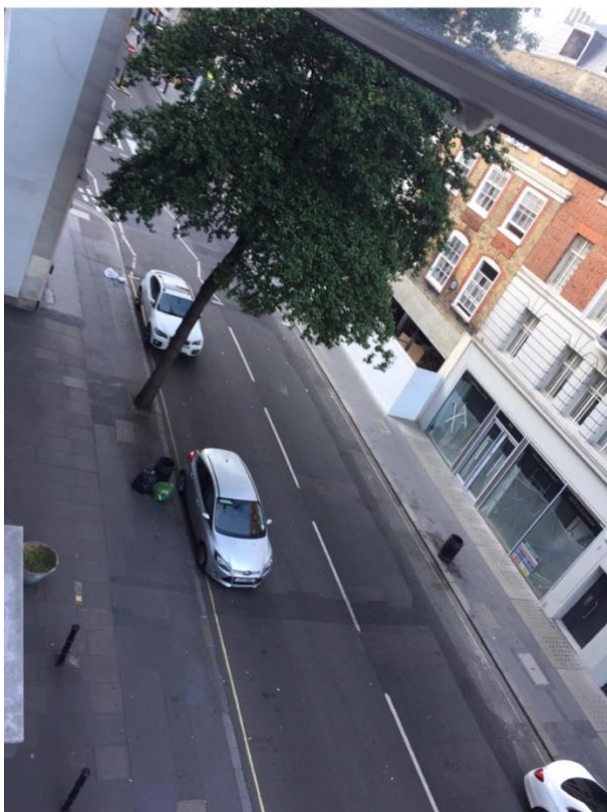


You can see the premises at 94 Great Portland Street in the top right of photos – it has the white boundary fence around it and looks like this from street level:



This area is extremely quiet on Sundays and most surrounding shops/retail are closed on Sundays. Also restaurants that are a few blocks away are also mostly closed on Sundays.

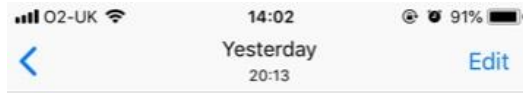
Sunday 24<sup>th</sup> June:



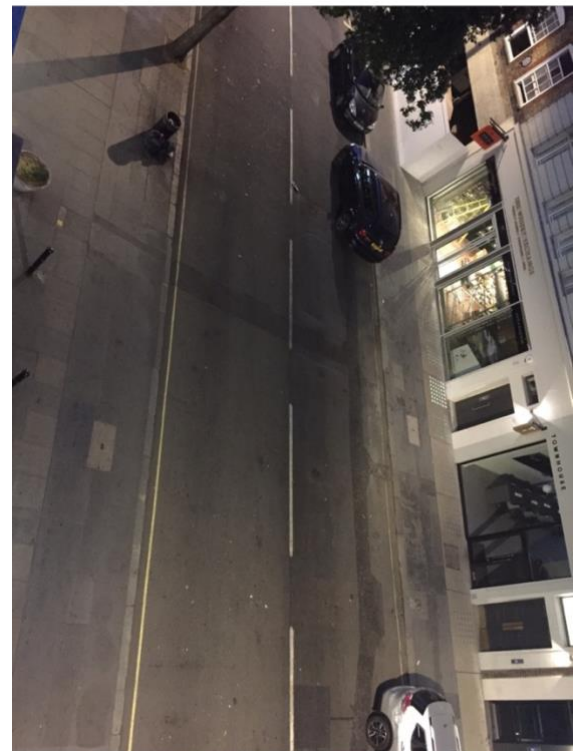
Sunday 22<sup>nd</sup> July:



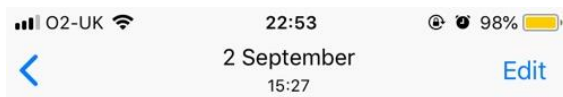
Sunday 19<sup>th</sup> August 2018:



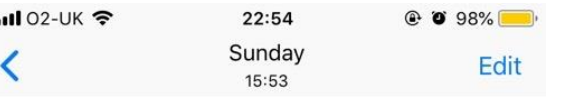
Sunday 1<sup>st</sup> July:



# Sunday 2<sup>nd</sup> September



# Sunday 9<sup>th</sup> September





O2-UK 22:54 98%  
Sunday 19:36 Edit



O2-UK 22:55 98%  
Sunday 20:47 Edit



This area is also very quiet during in the mornings and evenings all week/weekends.

**Monday 20<sup>th</sup> August 2018**

O2-UK 07:29 92%  
20 August 21:40 Edit



O2-UK 07:29 92%  
20 August 22:47 Edit



**Tuesday 10<sup>th</sup> July:**

< 10 July 20:58 Edit



< 10 July 20:57 Edit



**Monday 23<sup>rd</sup> July:**

< 23 July 22:48 Edit



**Thursday 19<sup>th</sup> July:**

< 19 July 07:32 Edit



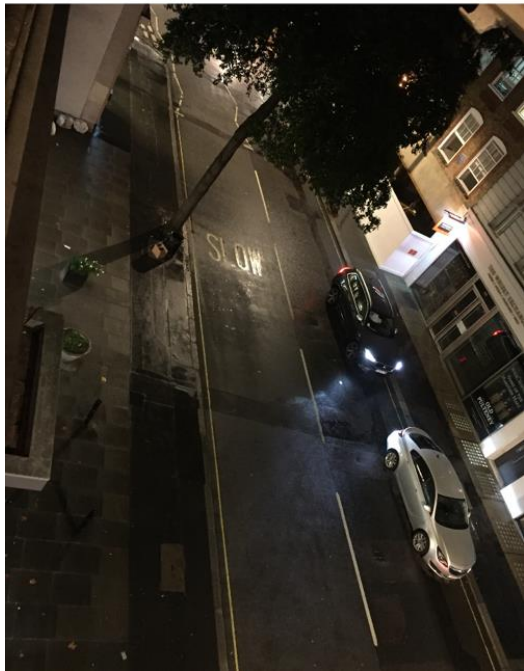
# Monday 10<sup>th</sup> September

O2-UK 22:55 98%  
Monday 20:35 Edit



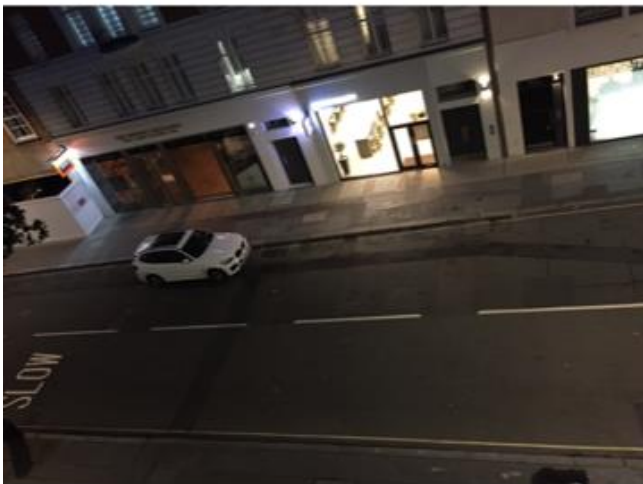
# Tuesday 11<sup>th</sup> September

O2-UK 22:57 98%  
Yesterday 23:20 Edit

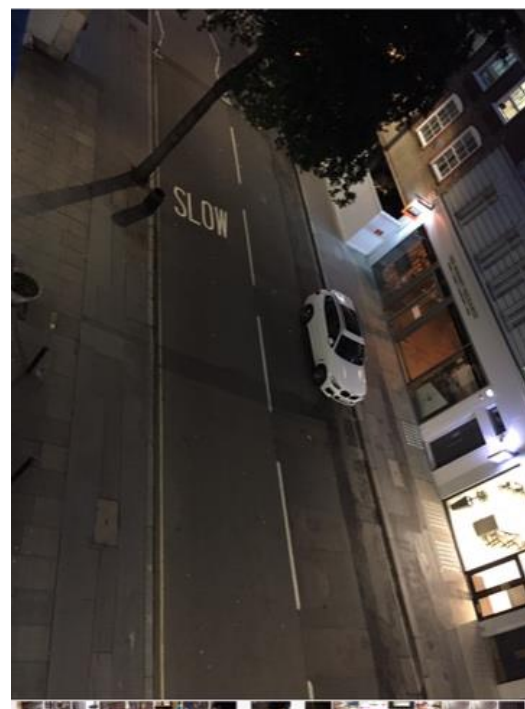


# Thursday 16<sup>th</sup> August

O2-UK 14:03 90%  
Thursday 20:54 Edit



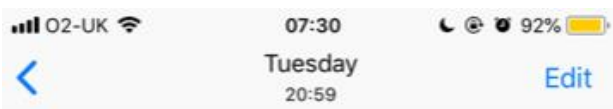
O2-UK 14:03 90%  
Thursday 20:55 Edit



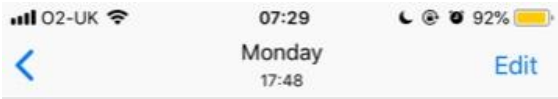
Tuesday 21<sup>st</sup> August 2018



Tuesday 28<sup>th</sup> August 2018



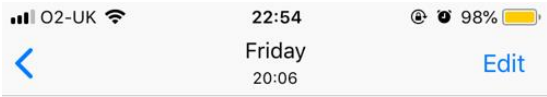
**Bank holiday Monday 27<sup>th</sup> August 2018**



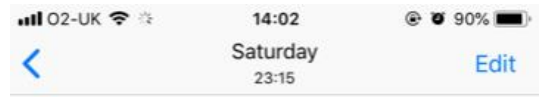
**Friday 20<sup>th</sup> July during the late evening (after 9pm) and night (after 1030pm):**

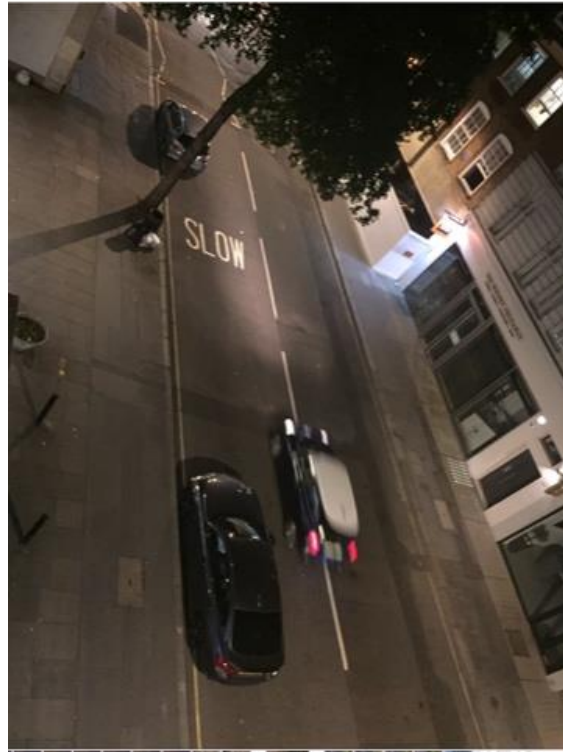
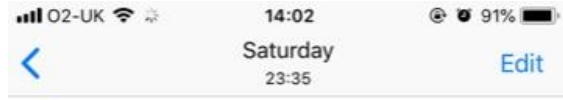
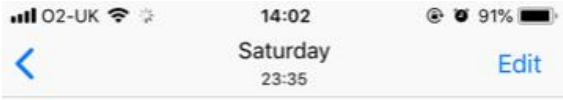


Friday 7<sup>th</sup> September

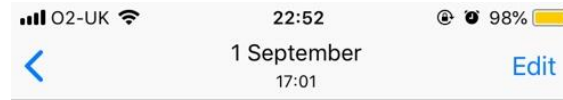
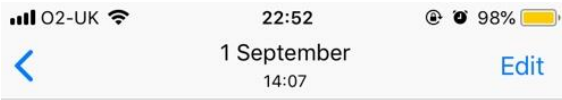


Saturday 18<sup>th</sup> August 2018 (23:15pm and 23:35pm):





Saturday 1<sup>st</sup> September

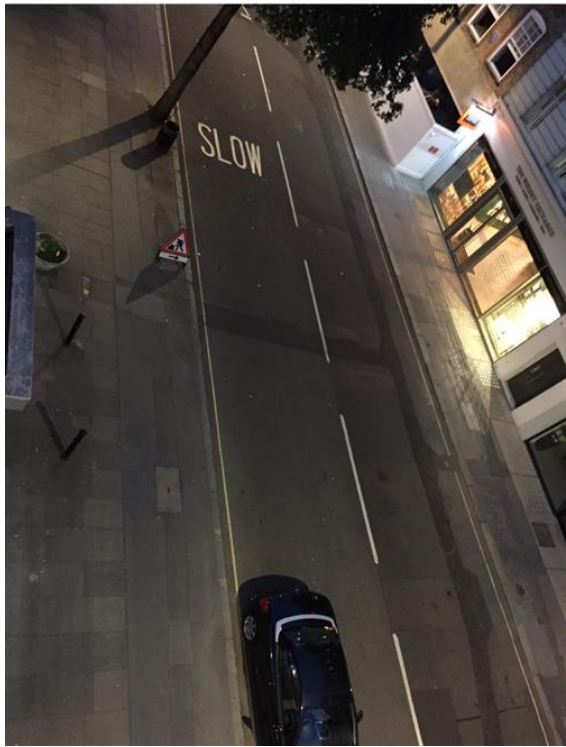


# Saturday 1<sup>st</sup> September continued

02-UK 22:52 98%  
1 September 17:57 Edit



02-UK 22:53 98%  
1 September 20:12 Edit



02-UK 22:53 98%  
1 September 20:28 Edit



02-UK 22:53 98%  
1 September 21:13 Edit





O2-UK 22:54 98%  
Saturday 22:35 Edit



O2-UK 22:53 98%  
1 September 23:59 Edit



Saturday 8<sup>th</sup> September

O2-UK 22:54 98%  
Saturday 22:46 Edit



O2-UK 22:54 98%  
Saturday 23:13 Edit



## Photos of the surrounding area of Great Portland Street

[REDACTED]



## Langham street to BBC piazza – street very quiet

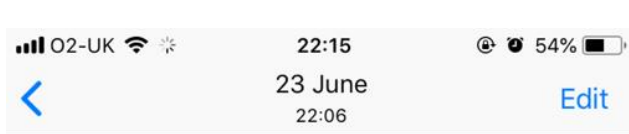


## 78, 80, 88-94 Great Portland Street – outside rush hour – street very quiet



**88 – 94 Great Portland Street**

**Saturday 23 June in the evening (22:06)**



## Photos of the surrounding area of Great Portland Street

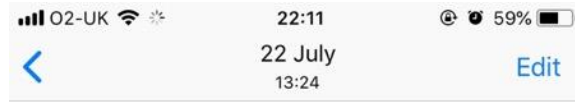
### 94 Great Portland street: Friday 27 June in the evening (20:04)



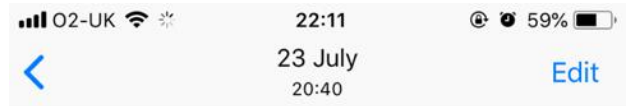
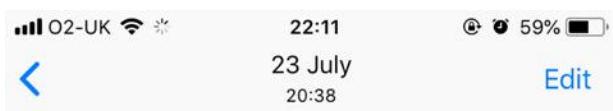
### Friday 20 July in the morning (07:43) and late evening (21:51)



**94 Great Portland Street**  
**Sunday 22 July in the afternoon (13:24)**



**Monday 23 July in the evening (20:40)**



Submissions from the applicant

## WHERE THE PANCAKES ARE

### SHORT BIO

Founder of WHERE THE PANCAKES ARE and self-taught cook Patricia Trijbits has been developing her delicious guilt-free pancakes and brand since 2014:

“Pancakes are a simple, honest and universally loved food - yet, where can we really go to experience the kind of dishes that fuse the ancient art of baking pancakes with modern food trends? That’s “WHERE THE PANCAKES ARE”

“Growing up in Holland as the daughter of a fishmonger, fresh and healthy eating was always centre stage. The soaring highlight of my childhood was our regular family evening meal at a local pancake restaurant - fast forward to studying in crêpes-heaven Paris and working in California (the cradle of food innovation) during the nineties and there is your answer to why I think pancakes are one of the best foods out there.”

Patricia lives in London with her husband and two children.

### BRIEF COMPANY BACKGROUND

WHERE THE PANCAKES ARE started in 2015 with a series of pop-ups and festivals. The launch on Shrove Tuesday of that year proved so successful that we quickly resolved to work towards a restaurant opening. Not in the least a challenging thing in London, to find an exciting central location. We opened our doors at Bankside’s Flat Iron Square in 2017 and immediately found a following far and wide, accompanied with critical acclaim. We have been on the London top ten brunch list in Conde Nast and Vogue since 2018.

The secret to our success lies in the quality and uniqueness of our food and in the modern space where locals, tourists and Londoners feel welcome and nurtured.

At Flat Iron Square, our small restaurant is part of a wider scene, a food market, music venue and outdoors gathering space. The area reflects the relaxed and informal nature of our own café-restaurant, but is different in that our business is an all-day table service starting with breakfast, ending with dinner. We are very excited about Great Portland Street as the food scene in Fitzrovia is burgeoning and attracts people who are looking for serious eating out options. With our classic yet innovative offer, we add to that dimension and cater to discerning locals and people from further afield. The corner building is a great space internally to create ample and relaxed seating spaces. We are keen to make use of the outdoors areas on GPS and Langham Street and have no doubt we will help create a safe area for pedestrians whilst bringing a positive ambience, respectful of the local residents.

The company is a private limited company and it’s mission is create an independent restaurant business in the wider UK as well as a strong food retail portfolio.

where

the

pancakes

are



06 November 2019

## GREAT PORTLAND STREET

a spatial concept by

**OVERTREDERS W**



# CONTENTS

3	• THE LOCATION: GREAT PORTLAND STREET
4	• PROGRAM OF REQUIREMENTS
5	• LAYOUT
7	• Ground floor
9	• Lower ground
10	• PROPOSAL ATMOSPHERE DESIGN
11	• Ground floor
12	• Lower ground

# THE LOCATION: GREAT PORTLAND STREET



new  
staircase  
with enough  
space to  
pass

entrance  
on Great  
Portland  
Street

semi open  
kitchen

large kitchen in  
the basement  
with dedicated  
batter station

new  
shopfront

## PROGRAM OF REQUIREMENTS

private room  
+  
event space

open  
all day &  
every day

varying  
seating  
arrangements

clear  
connection  
between lower  
and ground  
floor

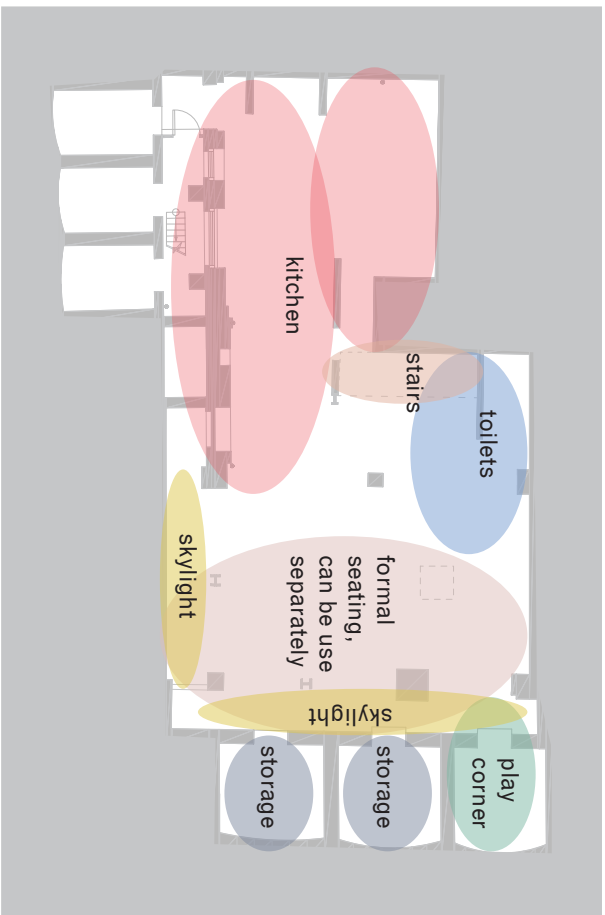
attractive  
for different  
audiences of  
all ages

informal  
& formal  
atmospheres

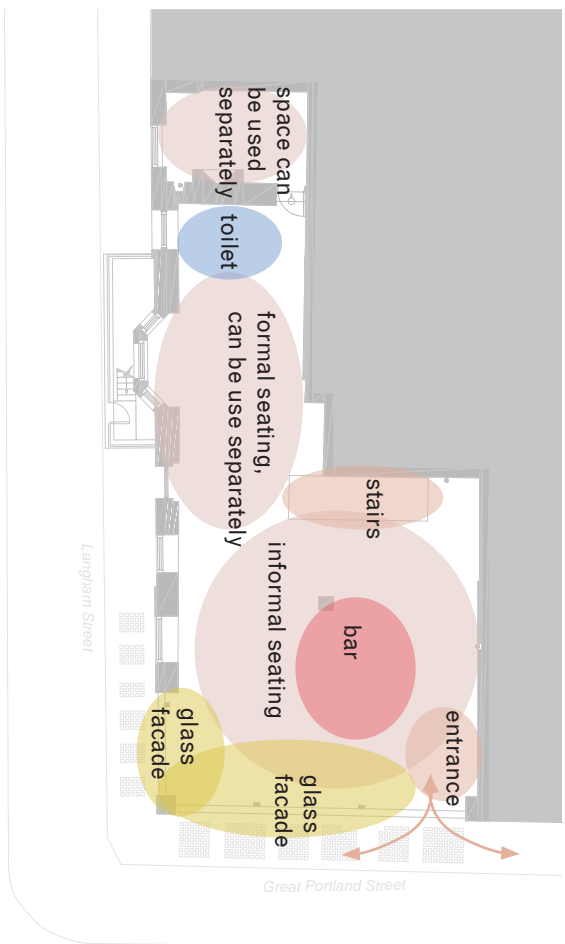
modern  
and relaxed  
atmosphere

# LAYOUT

# ZONES

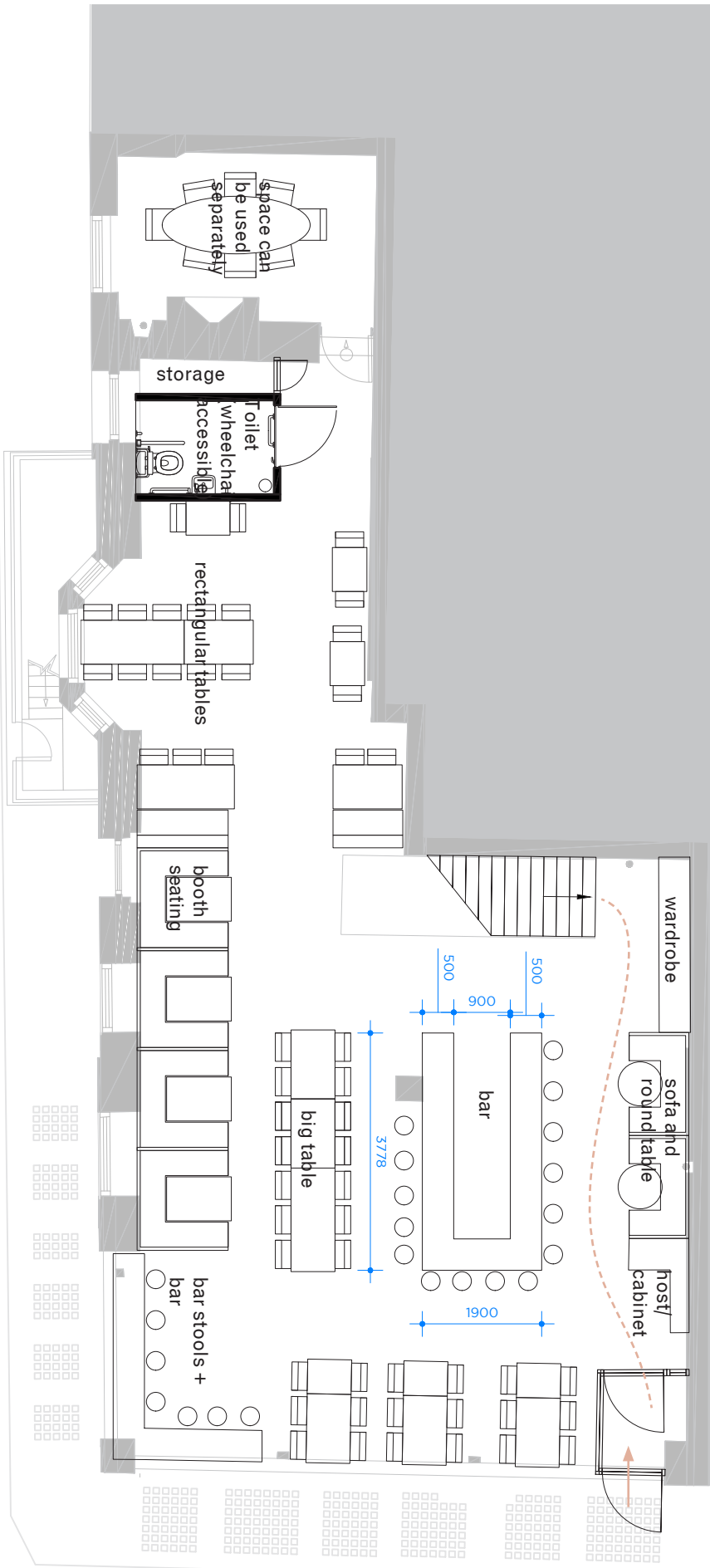


Lower Ground Floor



Ground Floor

# GROUND FLOOR

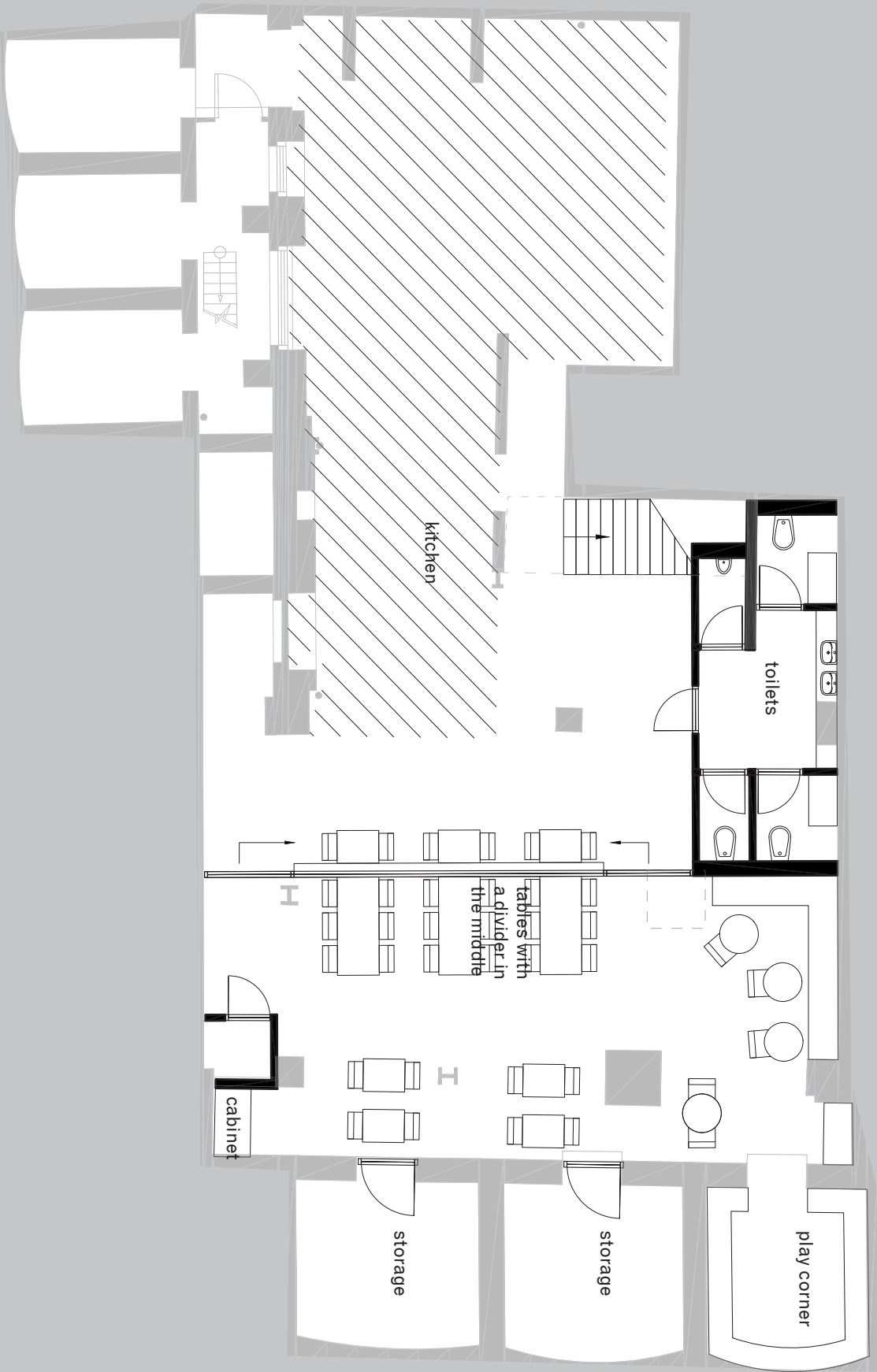


Langham Street

Great Portland Street

100 seats on this floor

# LOWER GROUND

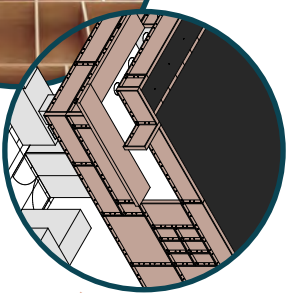
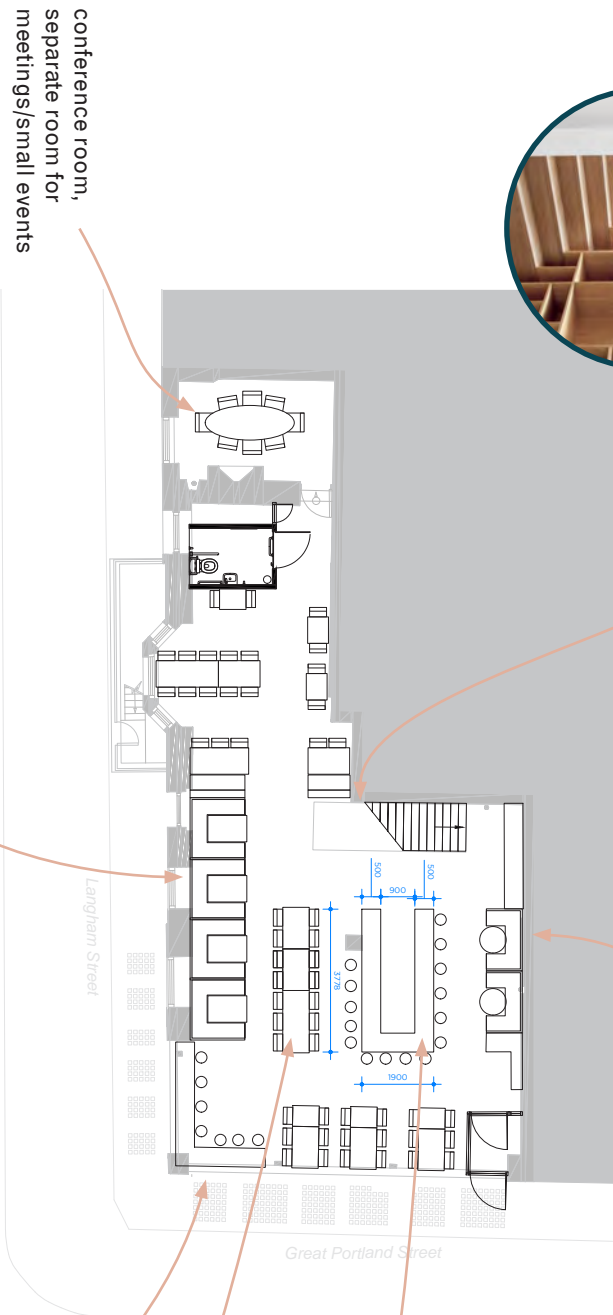


40 seats on this floor

# **PROPOSAL ATMOSPHERE DESIGN**



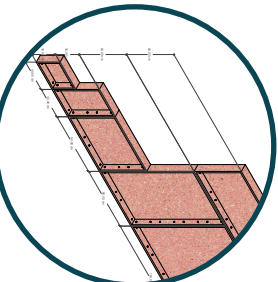
# GROUND FLOOR



special object: stairs from modular system of concession model with a wall that connects ground en lower ground floor



small booths with round table



special object: bar in the same style as stairs

conference room, separate room for meetings/small events



booths for five people



bar table with bar stools, with a view to the street

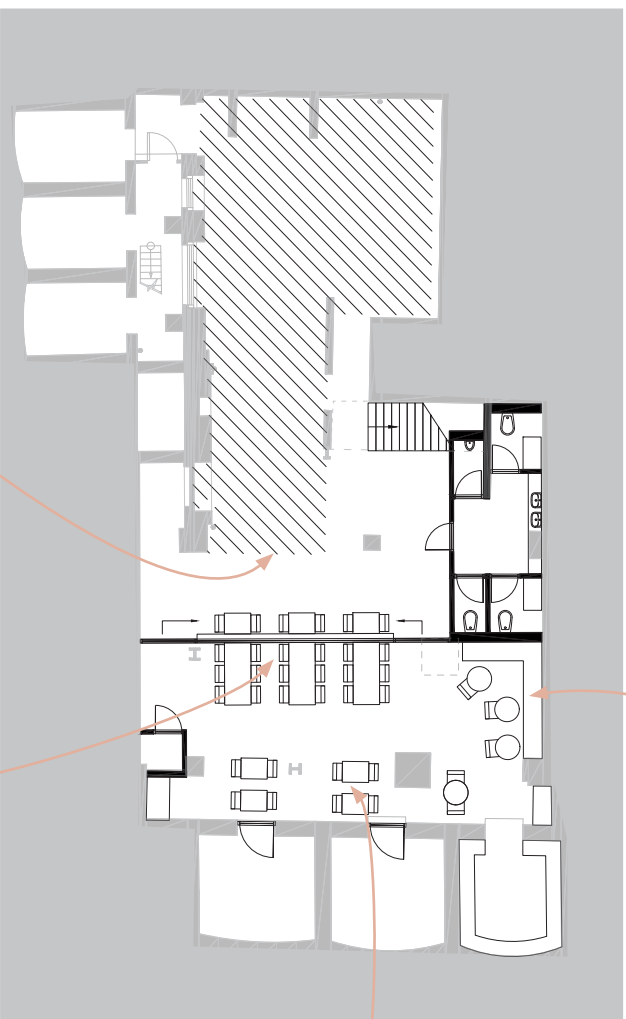


big table with an inviting informal atmosphere

# LOWER GROUND

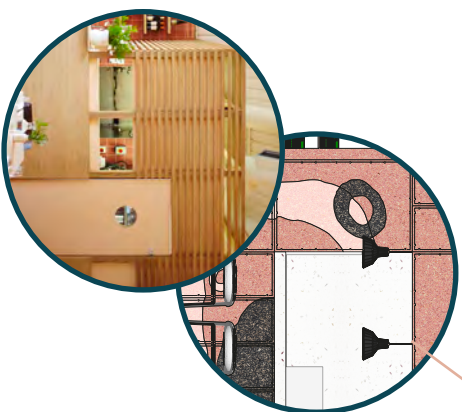


informal sofa with round tables next to this sofa there is a old coal storage space room where kids can play



tables under the skylight with soft daylight from above

special object: a wall around the kitchen which varies in openness to make a visual connection with the kitchen



transparent wall as room divider so that daylight can enter the kitchen

There is no licence or appeal history for the premises.

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

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

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

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

### Mandatory Conditions

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

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

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

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

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

## Conditions consistent with the operating schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. 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
  - g. any refusal of the sale of alcohol
  - h. any visit by a relevant authority or emergency service.
12. Except for persons seated in the external tables and chairs area, all sales of alcohol for consumption 'Off' the premises shall be in sealed containers only and shall not be consumed on the premises.
13. The premises shall only operate as a restaurant:
  - i. in which customers are shown to their table,
  - ii. where the supply of alcohol is by waiter or waitress service only,
  - iii. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - iv. which do not provide any take away service of food or drink after 23.00, and
  - v. where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

14. 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.
15. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
16. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

17. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. 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.
19. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. 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.
22. 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.
23. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
24. A dedicated telephone number for the designated premises supervisor or duty manager shall be maintained to be used by any one person who may wish to make a complaint during the operation of the premises which shall be provided to the Local Authority; interested residents and local businesses and ward councillors. Any changes in the number should be notified to those parties within 7 days of the change.
25. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and 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. 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.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. The entrance door and all windows shall be kept closed after 21.00 hours except for the immediate access and egress of persons.
30. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
31. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to xx persons at any one time.



32. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.30 hours on the following day.
33. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 09.00 hours on the following day.
34. No deliveries to the premises shall take place between 20.00 and 08.00 hours on the following day.
35. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an ordinary manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
36. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
37. 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.
38. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
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.
40. No Licensable activities shall take place at the Premises until the capacity of the Premises (Ground and Basement Floor) has been determined by the Environmental Health Consultation Team and the Licensing Authority has replaced this condition on the License with a condition detailing the capacity so determined.

**Conditions proposed by the objectors and agreed with the applicant so as to form part of the operating schedule:**

41. There shall be no self-service of alcohol.
42. All external doors shall be kept closed at all times except for the immediate access and egress of persons. All windows will be kept closed after 21.00 hours.

**Conditions proposed by the Environmental Health**

None

**Conditions proposed by the Police**

None



Resident Count: 204

Licensed Premises within 75 metres of 94 Great Portland Street, London, W1W 7NU				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/03669/LIPVM	The Whisky Exchange	90 Great Portland Street London W1W 7NT	Shop	Monday to Saturday; 10:00 - 20:00   Sunday; 10:00 - 18:00
17/11140/LIPN	Townhouse	Basement And Ground Floor 88 Great Portland Street London W1W 7NT	Hairdresser or beauty salon	Monday to Sunday; 07:00 - 23:00
19/03209/LIPDPS	Yorkshire Grey Public House	46 Langham Street London W1W 7AX	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00

20/00591/LIPV	Fugazzina	Basement And Ground Floor 104 Great Portland Street London W1W 6PE	Shop	Monday to Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30
16/07226/LIPDPS	Assorti	14 Riding House Street London W1W 7HR	Restaurant	Monday to Sunday; 12:00 - 23:00
20/03540/LIPT	LABORATORIO PIZZA	Basement And Ground Floor 110 Great Portland Street London W1W 6PQ	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
19/14252/LIPDPS	The Grange Langham Court Hotel	31-35 Langham Street London W1W 6BU	Hotel, 3 star or under	Monday to Saturday; 10:00 - 00:30   Monday to Sunday; 00:00 - 00:00   Sunday; 12:00 - 00:00
19/05536/LIPCH	Mac And Wild	Ground Floor 65 Great Titchfield Street London W1W 7PS	Restaurant	Monday to Thursday; 09:00 - 00:00   Friday to Saturday; 09:00 - 00:30   Sunday; 09:00 - 23:30   Sundays before Bank Holidays; 09:00 - 00:30
16/09925/LIPCH	Scandinavian Kitchen	Basement And Ground Floor 61 Great Titchfield Street London W1W 7PP	Restaurant	Monday to Sunday; 08:00 - 23:00

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Item No:	
Date:	9 July 2020
Licensing Ref No:	20/03120/LIPN - New Premises Licence
Title of Report:	Odeon Luxe West End 38A Leicester Square London WC2H 7DX
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: <a href="mailto:jdonovan@westminster.gov.uk">jdonovan@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	18 March 2020		
<b>Applicant:</b>	Odeon Cinemas Limited		
<b>Premises:</b>	Odeon Luxe West End		
<b>Premises address:</b>	38A Leicester Square London WC2H 7DX	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	This is an application for a new premises licence which intends to operate as a cinema on the south side of Leicester Square.		
<b>Premises licence history:</b>	This is a new premises application and therefore no Premises Licence history exist.		
<b>Applicant submissions:</b>	The application follows pre-application advice ref: 20/00055/PREAPM. A copy of this report can be found at <b>Appendix 2</b> along with additional information provided by the applicant following the Licensing Authority representation.		

1-B Proposed licensable activities and hours							
<b>Plays:</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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>			N/A				

Films				<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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>			N/A				

Live Music				<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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>			N/A				

<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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

<b>Performance 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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

<b>Anything of a similar description to that falling within (e), (f) or (g)</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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

<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>	05:00	05:00	05:00	05:00	05:00	05:00	05:00
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

<b>Sale by retail of alcohol</b>				<b>On or off sales or both</b>			On
<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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

<b>Hours premises are open to the public</b>							
<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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service ( <i>Withdrawn 15 April 2020</i> )
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	23 March 2020
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are making a representation against this application.</p> <p>The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>My concerns relate to the supply of alcohol 24 hours of the day. Given the location of the venue, Police would not want customers leaving the cinema late at night having consumed alcohol. This makes them vulnerable. I guess the question that needs to be asked is what is the necessity of screening movies throughout the night?</p> <p>I look forward to hearing from you soon.</p> <p><b>Following agreement of additional conditions, the Metropolitan Police Service withdrew their representation on 15 April 2020.</b></p>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Dave Nevitt
<b>Received:</b>	14 April 2020
<p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.</p> <p>The hours sought for Licensable activities are beyond the 'Core Hours' as defined by the City Council's Licensing Policy. The premises is located in a Cumulative Impact Area.</p>	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Karyn Abbott
<b>Received:</b>	15 April 2020
<p>I write in relation to the application submitted for a new premises licence for 38A Leicester Square, London, WC2H 7DX.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> </ul>	



- Protection of children from harm

The application seeks the following:

- **Plays, Films, Live & Recorded Music, Performance of Dance, Anything of a similar description to e,f or g,**  
Monday to Sunday 00:00 to 00:00
- **Late Night Refreshment**  
Monday to Sunday 23:00 to 05:00
- **Supply of Alcohol On Premises**  
Monday to Sunday 00:00 to 00:00
- **Opening Hours to Public**  
Monday to Sunday 00:00 to 00:00

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and PVC2.

At present, the operating hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption on the premises and other licensable activities, the Licensing Authority encourage that the applicant reduce the hours to be within Westminster's Core hours;

#### **Supply of Alcohol On the Premises**

Monday to Thursday 10:00 to 23:30

Friday to Saturday 10:00 to 00:00

Sunday 12:00 to 22:30

#### **Other Licensable activities**

Monday to Thursday 09:00 to 23:30

Friday to Saturday 09:00 to 00:00

Sunday: 09:00 to 22:30

The Licensing Authority note that the applicant has proposed in the operating schedule to an area shaded green on the ground floor plans.

*18. On the ground floor of the premises licensable activities in the area shaded green shall only be used for pre-booked functions.*

The Licensing Authority has reviewed these plans and is unable to find this area and would like the applicant to provide further details and consider submitting a new plan to show where this area is situated. The Licensing Authority would also like further submissions into how these pre-booked events are managed, controlled and how often these will be happening. There is also no reference to the pre-booked events within condition 19 that has been proposed which entails contradicts each other.

It is also noted the applicant has proposed in the operating schedule condition 19 below.

*19. No sale of intoxicating liquor shall be made except to:*

- a) persons admitted to the premises by purchasing a ticket*
- b) employees and bona fide guests of Odeon Cinema Limited*
- c) persons for whom admittance payment has been made.*

The Licensing Authority would like further clarity on this condition.

Firstly, part b '*employees and bona fide guests of Odeon Cinema Limited*'. The Licensing Authority encourage the applicant to provide further submissions on how the bona fide guests

will be operated and controlled and is there a limit to the number of guests?

Secondly part c of the condition '*c) persons for whom admittance payment has been made*'. The Licensing Authority would like a further explanation as to what this part of the condition means and what is the admittance payment made and how long in advance does this need to be made.

The application and operating schedule currently falls within Westminster's PVC2 Policy. Applications will be granted subject to other policies in this Statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority looks forward to further information from the applicant, which the Licensing Authority will be able to fully access the policy implications of this application as it is, in part, unclear from the current operating schedule. The applicant may wish to consider withdrawing this application and re-submit to clarify some of the points above.

Please accept this as a formal representation.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<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> <p><b>For premises for the supply of alcohol for consumption on the premises:</b></p> <p>Monday to Thursday: 10:00 to 23:30            Friday and Saturday: 10:00 to midnight            Sundays immediately prior to Bank Holidays: Midday to midnight            Other Sundays: Midday to 22:30</p> <p><b>For premises for the supply of alcohol for consumption off the premises:</b></p> <p>Monday to Saturday: 08:00 to 23:00            Sundays: 10:00 to 22:30</p>
<b>Policy PVC2</b>	Applications will be granted subject to other policies in this Statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

### 4. Equality Implications

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

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

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

## 5. Appendices

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

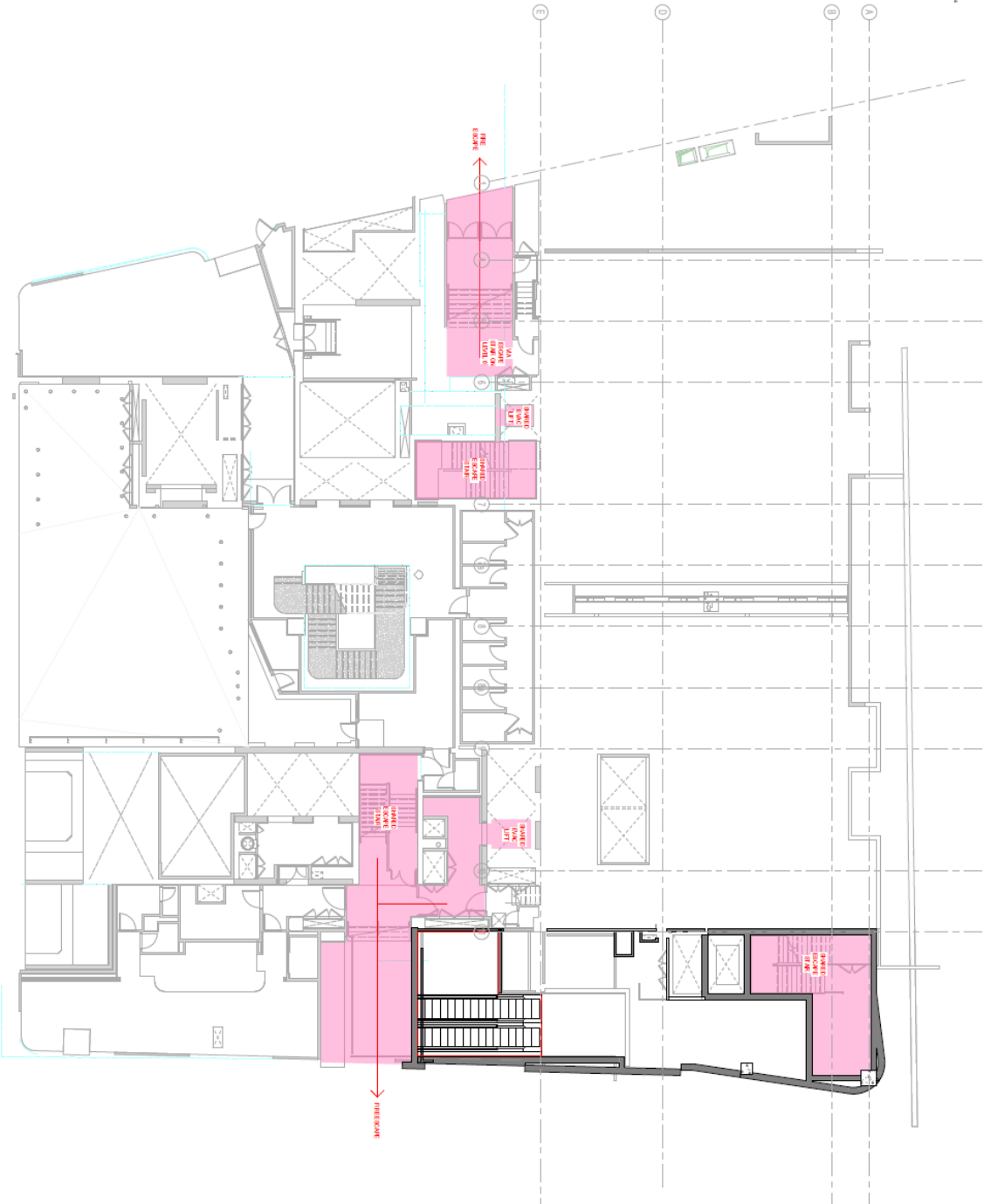
<b>Report author:</b>	Miss Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: jdonovan@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service Representation <i>(Withdrawn 15 April 2020)</i>	23 March 2020
<b>5</b>	Environmental Health Service Representation	14 April 2020
<b>6</b>	Licensing Authority Representation	15 April 2020

1	DATE	15/03/2018
2	DESCRIPTION	CONCRETE
3	BY	AW
4	CHKD BY	AW
5	DATE	15/03/2018
6	DESCRIPTION	CONCRETE
7	BY	AW
8	CHKD BY	AW
9	DATE	15/03/2018
10	DESCRIPTION	CONCRETE
11	BY	AW
12	CHKD BY	AW
13	DATE	15/03/2018
14	DESCRIPTION	CONCRETE
15	BY	AW
16	CHKD BY	AW
17	DATE	15/03/2018
18	DESCRIPTION	CONCRETE
19	BY	AW
20	CHKD BY	AW



**LIBRARIUM FLOOR**

\*NOTES TO BE READ IN CONJUNCTION WITH EXISTING WORK PERMITS

**EXISTING**

- 1. Existing Structure
- 2. Existing Structure (to be removed)
- 3. Existing Structure (to be retained)
- 4. Existing Structure (to be replaced)
- 5. Existing Structure (to be replaced with new)
- 6. Existing Structure (to be replaced with new)
- 7. Existing Structure (to be replaced with new)

**NEW**

- 1. New Structure
- 2. New Structure (to be replaced)
- 3. New Structure (to be replaced)
- 4. New Structure (to be replaced)
- 5. New Structure (to be replaced)
- 6. New Structure (to be replaced)
- 7. New Structure (to be replaced)

**PROPOSED**

- 1. Proposed Structure
- 2. Proposed Structure
- 3. Proposed Structure
- 4. Proposed Structure
- 5. Proposed Structure
- 6. Proposed Structure
- 7. Proposed Structure

**THESE ARE THE PROPOSED WORKS TO BE UNDERTAKEN BY THE CONTRACTOR**

**WORKS TO BE UNDERTAKEN BY THE CONTRACTOR**

**WORKS TO BE UNDERTAKEN BY THE CONTRACTOR**

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**WORKS TO BE UNDERTAKEN BY THE CONTRACTOR**



EXISTING WORK (TO BE RETAINED)

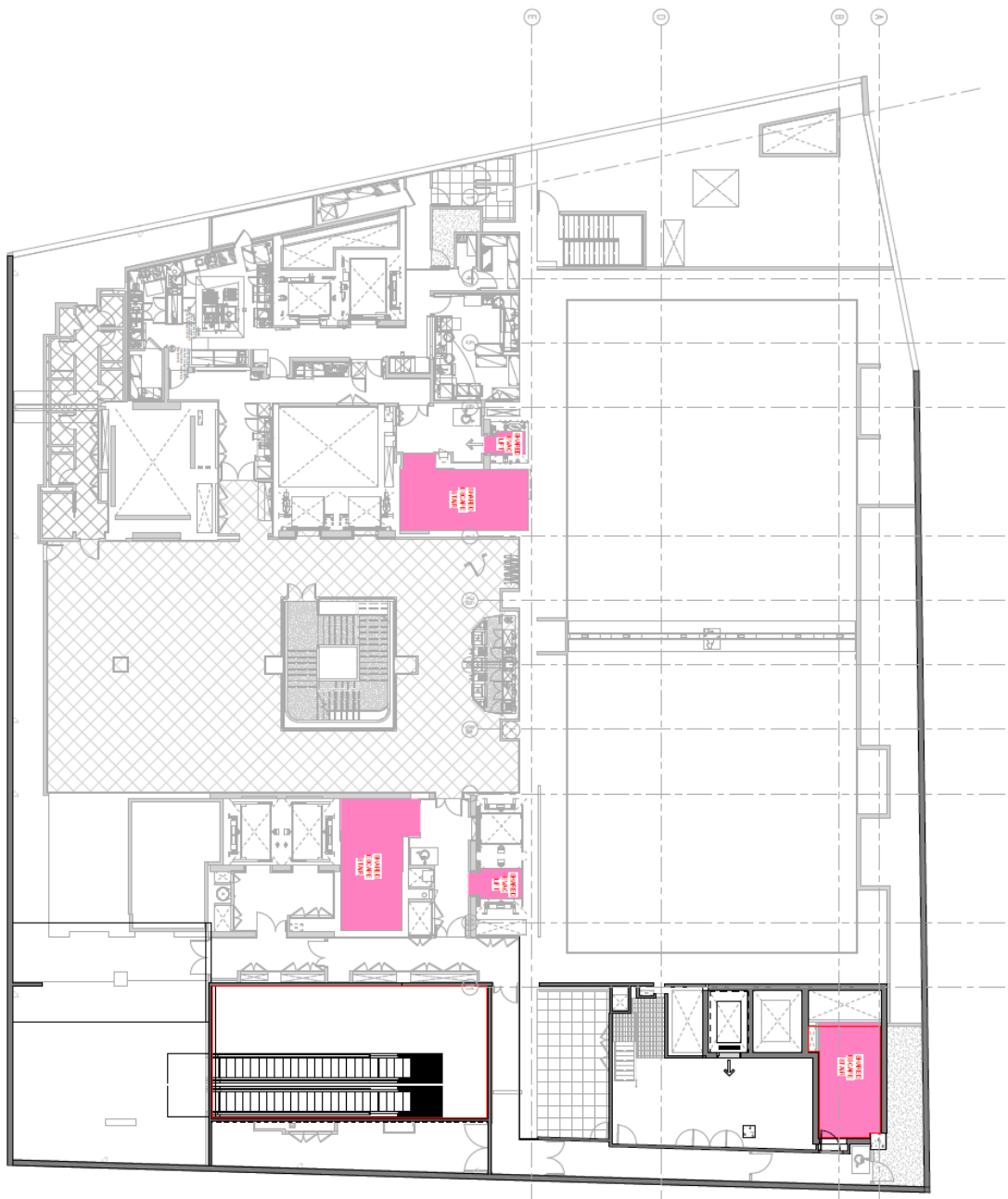
Level 00, Librarium Plan

24/05\_18/03

AW

OWS EWA - A - 15703

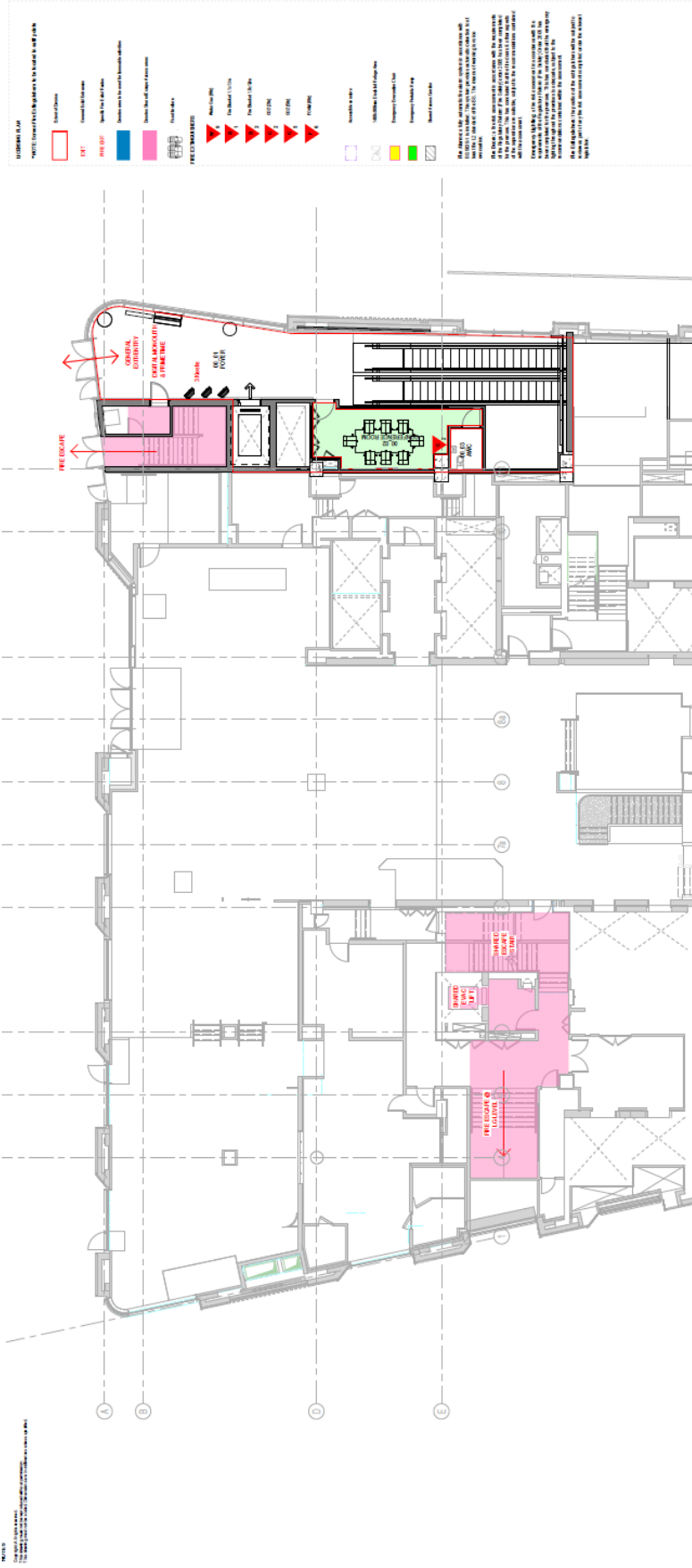




SYMBOLS	
[Pink Box]	Level 1 Office
[Blue Box]	Level 2 Office
[Green Box]	Level 3 Office
[Yellow Box]	Level 4 Office
[Grey Box]	Level 5 Office
[Red Triangle]	Level 1 Office
[Red Triangle]	Level 2 Office
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[Red Triangle]	Level 59 Office
[Red Triangle]	Level 60 Office

NO.	REVISION	DATE

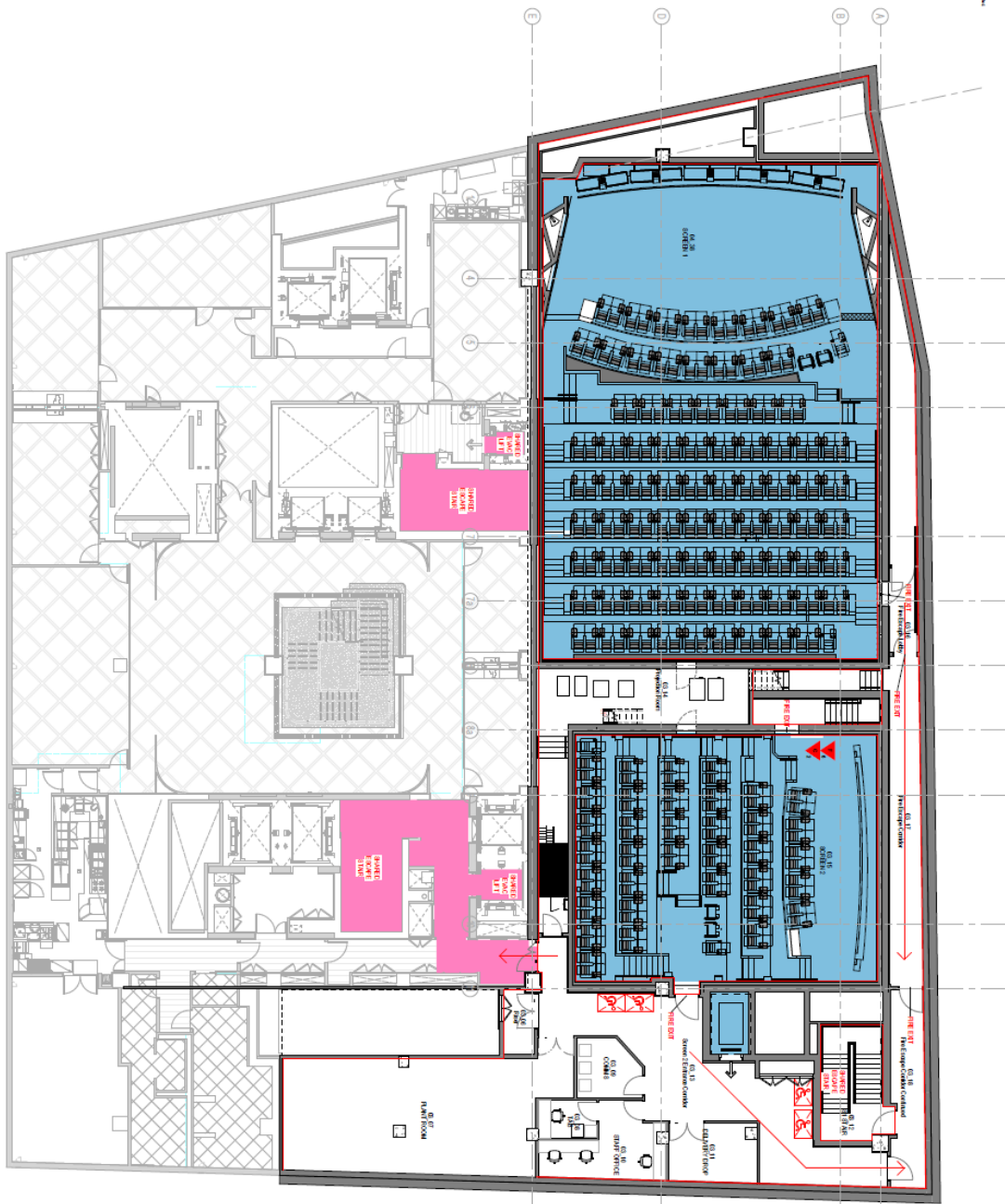
**elliswilliams**  
 CONSULTING ENGINEERS  
 2465, 16704  
 OME-EM-A-1804



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NO.	REVISION	DATE
01	ISSUE FOR PERMIT	20/12/18
02	ISSUE FOR TENDER	20/12/18
03	ISSUE FOR CONTRACT	20/12/18



**GENERAL NOTES**

1. REFER TO ALL DRAWINGS IN THIS PROJECT FOR REFERENCE.

2. REFER TO ALL SPECIFICATIONS AND SCHEDULES FOR MATERIALS AND FINISHES.

3. REFER TO ALL NOTES AND COMMENTS FOR CLARIFICATION.

4. REFER TO ALL DIMENSIONS FOR SIZES AND LOCATIONS.

5. REFER TO ALL LEVELS FOR ELEVATIONS.

6. REFER TO ALL LEGENDS FOR SYMBOLS AND NOTATION.

7. REFER TO ALL TITLES AND CAPTIONS FOR IDENTIFICATION.

8. REFER TO ALL DIMENSIONS FOR SIZES AND LOCATIONS.

9. REFER TO ALL LEVELS FOR ELEVATIONS.

10. REFER TO ALL LEGENDS FOR SYMBOLS AND NOTATION.

11. REFER TO ALL TITLES AND CAPTIONS FOR IDENTIFICATION.

12. REFER TO ALL DIMENSIONS FOR SIZES AND LOCATIONS.

13. REFER TO ALL LEVELS FOR ELEVATIONS.

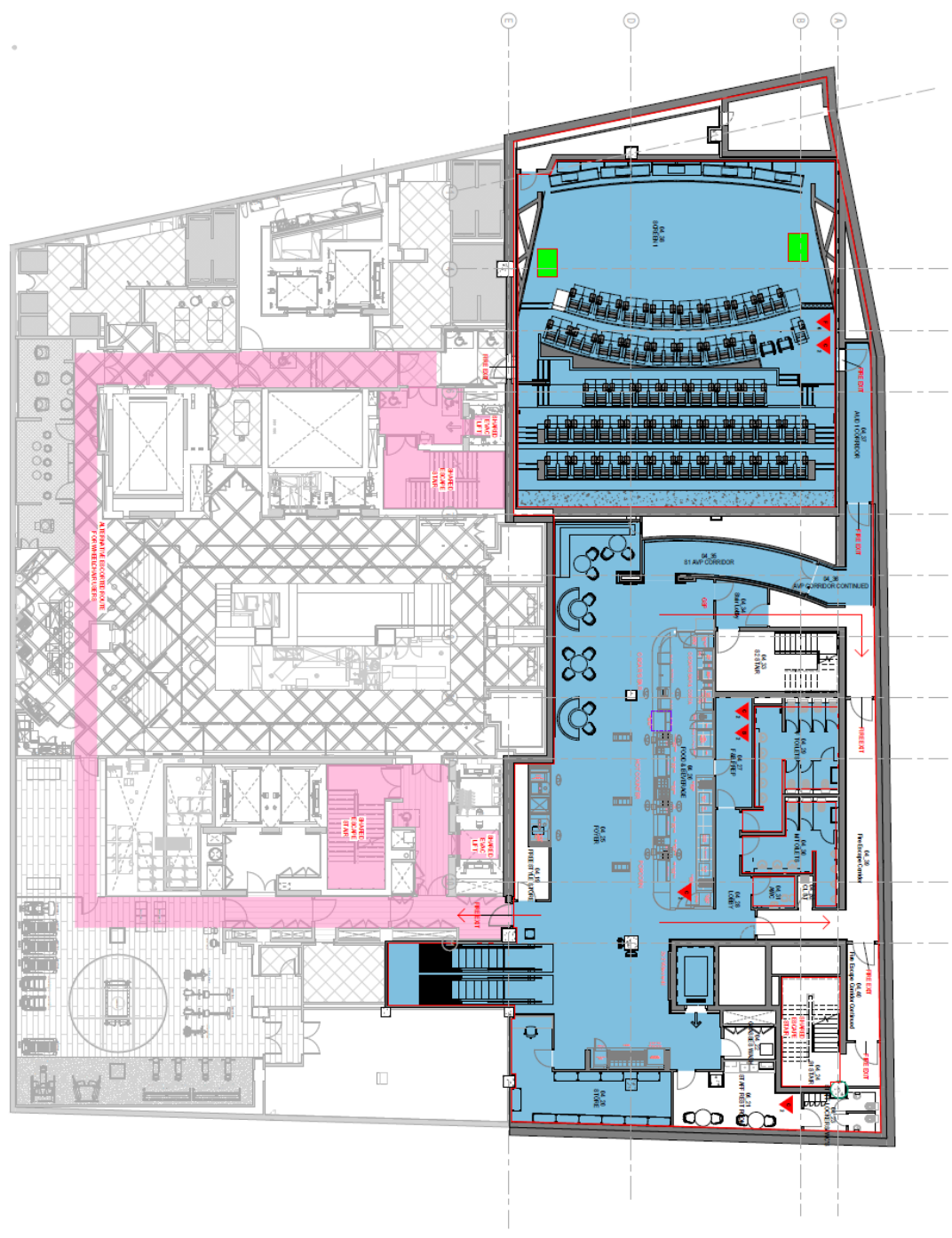
14. REFER TO ALL LEGENDS FOR SYMBOLS AND NOTATION.

15. REFER TO ALL TITLES AND CAPTIONS FOR IDENTIFICATION.

**ells williams**  
 ARCHITECTS

20181201-001  
 Level 03, Lobbies Plan  
 2465, 16701  
 OME-EMW-22-BJ-DM-A-18701

NO.	DATE	REVISION
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**LEGEND**

**GENERAL**

- 1.10 - 1.15: Lobbying Plan
- 1.16 - 1.20: Existing
- 1.21 - 1.25: After Hours Development
- 1.26 - 1.30: Fire Egress
- 1.31 - 1.35: Fire Exit
- 1.36 - 1.40: Fire Exit
- 1.41 - 1.45: Fire Exit
- 1.46 - 1.50: Fire Exit
- 1.51 - 1.55: Fire Exit
- 1.56 - 1.60: Fire Exit
- 1.61 - 1.65: Fire Exit
- 1.66 - 1.70: Fire Exit
- 1.71 - 1.75: Fire Exit
- 1.76 - 1.80: Fire Exit
- 1.81 - 1.85: Fire Exit
- 1.86 - 1.90: Fire Exit
- 1.91 - 1.95: Fire Exit
- 1.96 - 1.100: Fire Exit

**FINISHES**

- 1.101 - 1.105: Lobbying Plan
- 1.106 - 1.110: Existing
- 1.111 - 1.115: After Hours Development
- 1.116 - 1.120: Fire Egress
- 1.121 - 1.125: Fire Exit
- 1.126 - 1.130: Fire Exit
- 1.131 - 1.135: Fire Exit
- 1.136 - 1.140: Fire Exit
- 1.141 - 1.145: Fire Exit
- 1.146 - 1.150: Fire Exit
- 1.151 - 1.155: Fire Exit
- 1.156 - 1.160: Fire Exit
- 1.161 - 1.165: Fire Exit
- 1.166 - 1.170: Fire Exit
- 1.171 - 1.175: Fire Exit
- 1.176 - 1.180: Fire Exit
- 1.181 - 1.185: Fire Exit
- 1.186 - 1.190: Fire Exit
- 1.191 - 1.195: Fire Exit
- 1.196 - 1.200: Fire Exit

**NOTES**

1. The Lobbying Plan is shown in blue.
2. Existing finishes are shown in yellow.
3. After Hours Development is shown in pink.
4. Fire Egress is shown in red.
5. Fire Exit is shown in red.
6. Fire Exit is shown in red.
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19. Fire Exit is shown in red.
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**eliswilliams**  
ARCHITECTS

2465, 16700  
OWE-EWA-ZZ-BK-DR-A-16700

Level Bk. Lobbying Plan  
2465, 16700  
OWE-EWA-ZZ-BK-DR-A-16700

**Pre-Application Advice report**



**City of Westminster**

Office Name: Dave Nevitt  
 Designation: EHO  
 Date: 05.02.2020  
 Contact number: 020 7641 3188  
 Email: [dnevitt@westminster.gov.uk](mailto:dnevitt@westminster.gov.uk)  
 Uniform Reference: 19/17147/PREAPM

Trading name of business and Address: <b>ODEON CINEMAS: MARBLE ARCH &amp; LEICESTER SQUARE</b>		
Reference Number if Applicable: <b>19/17147/PREAPM</b>		
Licence: <b>N/A</b>	Applicant: <b>Suzanne Davies</b> <sd@cliftondavies.com>	Cumulative Impact Area: <b>WEST END &amp; EDGWARE ROAD</b>
Type of Business: <b>CINEMAS</b>		
<p><b><u>PROPOSED:</u></b></p> <p><i>2 new cinemas</i></p> <p><b><u>EH COMMENTS &amp; ADVICE:</u></b></p> <p>Both sites are located in Cumulative Impact Areas and applications for Premises Licences will therefore be subject to the following Policy as set out in the City Council’s Licensing Policy:</p> <p><b><i>‘Theatres, cinemas, other performance venues, and qualifying clubs in the Cumulative Impact Areas Policy - PVC2</i></b>  <i>Applications will be granted subject to other policies in this Statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.’</i></p> <p><b><u>2.5.33 of the Policy states:</u></b></p> <p><i>‘Bars are a normal feature of performances venues but they should be ancillary to the overall use of the premises as a performance venue. The hours of the operation of the bar will usually be those related to the times the premises are open for performances and should not extend later than the hours of performances. Any more general use of these bars in Cumulative Impact Areas will only be granted as an exception to policy which will have to be argued for on grounds that it will not add to cumulative impact in the Cumulative Impact areas and will promote the licensing objectives and the overall aims of the Statement of Licensing Policy of promoting a variety of non alcohol led activities’</i></p> <p><b><u>2.5.36 of the Policy states:</u></b></p>		

*'The council as the Licensing Authority accepts that these types of uses are unlikely to be linked with crime and disorder, and generally have less impact on residents than other licensable activities. The substitution of these types of uses in the Cumulative Impact Areas in place of pubs, bars and alcohol led music and dance venues will be likely to promote the licensing objectives.'*

**The applicant would like to apply for hours for Licensable activities that are significantly in excess of the Core Hours as defined in the Licensing Policy. As an operator, the applicant has experience in operating their cinemas beyond the Core Hours and has done so without complaint or cause for concern. The Odeon Cinema at 24-27 Leicester Square operates under Licence ref:19/11008/LIPVM which includes the following Conditions:**

*14. The primary use of the premises shall remain as a cinema otherwise the licence shall cease to have effect.*

*18. No sale of intoxicating liquor shall be made except to:*

- (a) persons admitted to the premises by purchasing a ticket, or*
- (b) employees and bona fide guests of Odeon Cinemas Limited, or*
- (c) persons for whose admittance payment has been made.*

*19. No unaccompanied children under the age of 12 years to be admitted to film performances commencing after 20:00 hours.*

*20. No unaccompanied children under the age of 15 to be admitted to film performances commencing after 22:00.*

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

*25. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.*

*In this condition, permitted hours means:*

- (a) Monday to Sunday from 09:00 to 00:00*
- (b) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).*

*26. Performance of Plays shall take place in the main auditorium only and plays ancillary to films elsewhere from 00:00 to 23:59.*

*27. On not more than 12 occasions per year films may be exhibited between the hours of 03:00 and 09:00 hours. On those occasions at least ten working days notice shall be given to the City Council's Environmental Health Consultation Team and the Borough Police Licensing Unit.*

*28. On the 12 occasions when films are exhibited between the hours of 03:00 and 09:00 hours Late Night Refreshment may be provided from 03:00 to 05:00 hours.*

**I recommend that the applicant includes a number of suitable conditions in the**

Operating Schedule from the WCC list of 'Model Conditions' in order to show how the premises will operate in a way that does not add to cumulative impact. The applicant should include conditions along the lines of those set out above. Such conditions need not be identical to those attached to 19/11008/LIPVM but should clearly boundary and define how the licensable activities are provided beyond the Core Hours.

The application will need to be adjudicated at a Hearing of the Licensing Sub-Committee and it is likely that the Ctee will wish to be satisfied that the premises can be operated late at night without adding to Cumulative Impact. The Responsible Authorities or Committee may wish to suggest alternative wording to the above Conditions.

The applicant should also include Conditions detailing the SIA provision at each site (MC05 & 06)

Other helpful Conditions would include: MC01 & MC02, MC13, MC21, MC37, MC47, MC48, MC49, MC50, MC57, MC72-MC78.

The proposed cinema in the West End CIA is located at Basement level with a main entrance/reception and small foyer at GF level. The film screening and food and drink areas are to be located entirely at BMT level. Access to licensable activities at the premises is only via the GF entrance.

The Marble Arch site, however, will have much more of a shop front with a café on the GF and clearly visible to passers-by. Whilst the applicant may seek longer hours for licensable activities in relation to the other floors I recommend that the application limits the licensable activities on the GF to the 'Core Hours' as defined in the City Council's Licensing Policy so that it is not likely to be used as a 'fast food' premises in it's own right.

The applicant is advised to submit a suitably detailed set of plans so that the Public Safety implications of use of the premises by patrons can be fully assessed. This should include information about Means of Escape (e.g. widths of doors, passageways, and staircase, fire separation and protection of escape routes, emergency lighting).

Based on the plans already seen the District Surveyor makes the following Comments:

#### **District Surveyor Comments**

##### **Means of Escape - General**

- With regard to the Leicester Sq Venue it appears there are two core staircases providing exit provision from the basement. We would recommend that the widths to these stairs are in line with the Technical Standards for Places of Entertainment. If a different approach is taken we would ask for full details of occupancy calculations for

further comment. Both stairs should be lobbied from all risk areas to ensure that a storey exit only needs to be discounted and not the whole staircase.

- With regard to the screen exits at Leicester Sq we would request clearer plans showing the dedicated routes from each screen and their prescribed widths. We can then comment fully on the capacities proposed.
- With regard to the Marble Arch Venue it is slightly unclear from the current plans provided just how many protected staircase there are serving the premises. It appears there may be three in addition to the main entrance/exit stair. We would recommend that the widths to these stairs are in line with the Technical Standards for Places of Entertainment. If a different approach is taken we would ask for full details of occupancy calculations for further comment. The stair enclosures should be lobbied from all risk areas to ensure that a storey exit only needs to be discounted and not the whole staircase, unless this is justified in a fire strategy document.
- For both venues there will need to be a method statement in place with regard to disabled access and egress. It appears there are dedicated refuge areas in the Marble Arch scheme but non shown on plan for the Leicester Sq venue. We would ask that the method statements for each venue clearly highlight the strategy for disabled ingress and egress with the required amount of evacuation chairs provided to suitably exit the venues in the required time. It is the venues responsibility to evacuate disabled patrons and this cannot be passed onto the fire brigade therefore the method statement should also detail staff training and appropriate roles and responsibilities in any evacuation.
- With regard to the new seat layouts in the auditoriums proposed across both venues we would request scale plans asap so we can assess and advise. Key things to consider would be appropriate numbers of seats in each row and appropriate seatway widths. We would refer to the requirements of the Technical Standards for Places of Entertainment as detailed below in Table 1.

Table 1 – *Maximum number of seats in a row*

Recommended maximum number of seats in a row		
Seatway width mm	Maximum number of seats in a row	
	Gangway on one side only	Gangway on both sides
300 to 324	7	14
325 to 349	8	16
350 to 374	9	18
375 to 399	10	20
400 to 424	11	22
425 to 449	Not more than 12 seats if escape only possible in one direction	24
450 to 474		26
475 to 499		28
500 or more		Limited by travel distance

Notes:

1. No seatway should be less than 300mm wide
2. A seatway in front of a block of seating should be regarded as a gangway if it exceeds 900mm in width – see Recommendation C2.28 of Technical Standards for Places of Entertainment (Tech Standards)
3. Seatways at the front of balconies should not exceed 530mm in width if a barrier of less than 1100mm high is provided – see section D2 of Tech Standards.
4. This table does not apply to seating in boxes

- With regard to the proposed foyer/bar/dining areas at both venues it is recommended that full details of the layout for this area are submitted so we can assess and respond fully. These areas will be multi-functional and the appropriate number of exit routes will need to be provided for the capacities proposed for the spaces in their own right and the floor space capacities should be calculated based on the proposed uses. See Floor Factor table 2 below for example guidance also on calculating appropriate floor space figures.

**Table 2 – Floor space factors example**

Area	Overall available public area M <sup>2</sup> (approx)	Capacity at 0.5 M <sup>2</sup> per person (club/dancing)	Banquette style seating at 0.45m per person	Capacity at 1.0 M <sup>2</sup> per person (dining)	Max operational capacity
Foyer Bar	150 (eg)	$80 \div 0.5 = 160$	$20 \div 0.45 = 44$	$50 \div 1 = 50$	254

**NB: Any additional infrastructure introduced that imposes upon the available floor space as detailed in the plans above should be measured and the appropriate corresponding number taken off the maximum capacity**

**General Fire/Public Safety Considerations for both venues to support any application**

- Confirmation of the viewing angles proposed should be provided. The maximum viewing angle for cinema screens should generally be 35 degrees between the top of the screen and a line taken from the eye parallel to the seat (eye taken as 1065mm above floor and 150mm in front of backrest). Where this is not possible we would need justification and recommend that children do not occupy affected seats as they are most susceptible to neck strain.
- Gangways in the screens should be generally 1100mm wide except where they are intended for use by not more than 60 people, which may be not less than 900mm. If they are to be used by people with impaired mobility however they should be at least 1000mm in all cases.

- Handrails should be provided on walls adjacent to stepped or sloping gangways. Handrails should be provided on both sides of any stepped gangway where the rake exceeds 1 in 2 (25 degrees above the horizontal). These should clearly be discontinuous across the end of each row of seats to allow access to the gangway. It is suggested that in general handrails are considered on both sides to assist the frail and infirm.
- Means of escape from the premises should be based on a simultaneous evacuation upon activation of the fire detection and alarm system. It is not clear what the specification of the alarm system is but it is recommended that an L1/2 standard alarm would be suitable and the provision of a voice alarm would assist given the proposed capacities.
- All protected exit routes to be provided with 30 minutes fire separation to other parts of the premises.
- All Fire doors protecting escape routes will be provided with intumescent strips and smoke seals and all fire doors will comply with the relevant provisions of Table B1 of ADB.
- Every escape route (other than those in ordinary use) will be marked by emergency exit signs complying with BS 5499: Part 1 and these will be located in accordance with the recommendations of BS 5499: Part 4

In general terms the proposals appear adequate but would expect to see copies of fire strategies if produced and fire risk assessments when appropriate so we can assess and give further feedback.

It should be ensured the following condition is attached also to support any special effects use at the two premises:

The following special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises.

- a. dry ice and cryogenic fog;
- b. smoke machines and fog generators;
- c. pyrotechnics including fireworks;
- d. firearms;
- e. lasers;
- f. explosives and highly flammable substances;
- g. real flame;
- h. strobe lighting.

In addition the following normal works condition should be attached to both applications and the following plans condition:



- 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.

**THE MATTER MAY NEED TO BE ADJUDICATED AT A HEARING OF THE LICENSING SUB CTEE AND THE APPLICATION WILL BE DETERMINED ON ITS MERITS IN RELATION TO THE CITY COUNCIL'S LICENSING POLICY. IT WILL BE FOR THE APPLICANT TO SHOW HOW THE LICENSING OBJECTIVES WILL BE PROMOTED.**

**Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.**

## **Applicant's response to Licensing Authority's representation**

**From:** [REDACTED]  
**To:** Abbott, Karyn: WCC; Donovan, Jessica: WCC; Licensing: WCC  
**Subject:** Odeon Luxe West End - Premises licence application  
**Date:** 27 April 2020 11:58:45

Dear Karyn

I write with reference to your email of 15th April in connection with the application for a new premises licence for the proposed Odeon Luxe West End ("OWE"), 38A Leicester Square. I have now had the opportunity to discuss the contents with my client and I have set out the responses below.

### **Proposed hours**

The applicant proposes a 24 hour offer at the cinema located in the heart of the West End. The cinema is located primarily in an underground site sharing the block with the adjacent new hotel. For the avoidance of doubt it is not intended that the cinema will operate to the maximum hours each day of the week. The applicant seeks maximum flexibility given the nature of the entertainment provided.

As will be appreciated, the times that films are presented will vary depending on the film which is being shown. However, the nature of film offers has significantly changed in a challenging business environment. By way of example, popular films that enjoy a substantial fan base are released "one minute past midnight" so that fans can enjoy their favourite movies as soon as possible on the day of release. A second example is that when a blockbuster is released eg James Bond, Star Wars etc, there is extremely high demand for tickets and as such cinemas will hold round the clock, consecutive screenings of the film.

Accordingly, applying for the core hours for licensable activities would not assist the applicant in being able to provide the full offer that it would like to be able to for guests. Whilst for the majority of the time films would not be shown on a "rolling" or "one minute after midnight" basis, there are many occasions during the year when such flexibility is required.

### **Plans**

I have arranged for an amended plan to be produced with a clearer indication of the area shaded green on the ground floor of the premises which I will forward under separate cover for your assistance.

The ground floor will primarily be used for guests to be able to collect or purchase tickets prior to going into the lower floor where the screens will be situated. The remaining area on the ground floor is to be used as a meeting/conference space and may be hired out as such. Food or drinks which will be supplied will be part of a hire package arrangement and will fall under the reference in condition 19 c) to "persons for whom admittance payment has been made."

### **Condition 19**

Condition 19 currently operates as a condition on the premises licence for Odeon Leicester Square which assists operationally to ensure members of the public cannot purchase alcohol without purchasing a ticket or without falling into one of the other categories included in the condition. Given that issues do not arise for the police or any other of the Authorities at that venue in part due to this condition, it was felt prudent to include the same as part of this application.

The inclusion of condition 19 (b) anticipates employees of Odeon attending the cinema who have the benefit of a concession directly from Odeon Cinemas Limited for them and their guest to enjoy a film without payment (albeit that they also fall within category 19 (a)). Staff must produce their valid film card for identification purposes and they will then be issued with a ticket. Tickets cannot be purchased in advance, they can only be obtained on the day of viewing. The tickets issued have a barcode for staff indication purpose which indicates the category of person attending ie an employee of Odeon or a guest of an employee. An employee is limited to inviting 12 guests over a three month period. Such concessions are not usually taken up in large numbers and mostly comprise couples or family members. The numbers involved make up a very small element of attendance and therefore do not impact the capacity at the venue to any great extent. The overall numbers permitted would obviously be determined by the capacity of the premises.

The condition also anticipates a situation where senior management may wish to provide corporate hospitality at the venue in the form of hosting a meeting or private screening to a handful of guests. This would happen on an extremely infrequent basis and identification of those attending would be required by Duty Management before attendance would be permitted. The inclusion of condition 19 (c) anticipates a situation where a couple attend the cinema together and one has bought the tickets and the other would like to buy a drink for them both ie admittance has been paid for on behalf of the latter by the former (the latter does not comply with condition a) because they have not purchased a ticket but they have had one purchased on their behalf.)

**Please note Condition 19 has now been superseded by the agreed Condition 37.**

### **Cumulative impact**

The premises intend to operate as a cinema which is a form of entertainment recognised by Westminster City Council's ("WCC") Licensing Policy as a form of entertainment which is unlikely to adversely effect cumulative impact. According to Paragraph 2.5.36 " The Council as the Licensing Authority accepts that these types of uses are unlikely to be linked with crime and disorder and generally have less impact on residents than other licensable activities". This is reflected in this application by the withdrawal of the representation to the application by the police and based on the actual experience of the Odeon Cinema already located in Leicester Square and which is not a source of concern to the police or to any of the other responsible authorities.

A cinema used to be located on this site again which did not pose any difficulties for the Authorities. The capacity proposed for this site is 245 which is a significantly reduced capacity than the number permitted at the cinema previously located on this site which was 1332. In addition following the closure and extensive refurbishment of the OLS, those premises re-opened with a reduction in capacity of approximately 1000 due to the improved facilities available to guests.

Whilst it is recognised that the applicant seeks hours beyond those of core hours it is contended that the provision of a cinema is a form of entertainment which would not add to cumulative impact despite this and indeed the nature of the offer, as opposed to a public house or bar etc being located in the heart of Leicester Square is such that it is likely to promote the licensing objectives as recognised by WCC's licensing policy at Paragraph 2.5.36 "The situation of these types of uses in the Cumulative Impact Areas in place of pubs, bars and alcohol led music and dance venues will be likely to promote the licensing objectives." Such form of entertainment encourages families and all age groups into the heart of Leicester Square which, like theatres, assists with minimising the impact of alcohol led venues.

The premises are not alcohol led, the provision of alcohol is an ancillary service for guest of the cinema, in the same way that it is at the theatre. Only those who have purchased a ticket and

other limited categories of person may purchase alcohol. On average guests purchase one or two alcoholic drinks and substantial food is available at all times. The principal purpose for resorting to the premises is to watch a film and not to drink such as is the case for a destination venue like a pub. Disturbance due to guests being inebriated would not be tolerated by the applicant and staff are trained extensively to ensure such does not happen. Importantly too, other guests also would not tolerate such behaviour as it would disturb enjoyment of the film, so it is essential that the film experience is not interrupted and staff are accordingly extremely vigilant to maintain the applicant's reputation as a provider of top quality film entertainment.

Additionally, as noted earlier, a small area on the ground floor of the premises will be used for the collection and purchase of tickets and for conference/meeting facilities. The bar servery will be located in the lower levels of the building and will therefore not be visible to members of the public passing the premises which again distinguishes the premises from other venues. I trust that this has addressed the issues raised in your email but should you have any further queries please do not hesitate to contact me.

Kind regards  
Suzanne Davies  
Director  
Clifton Davies Consultancy Limited  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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There is no licence or appeal history for the premises.

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

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

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

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

**Mandatory Conditions**

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

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. 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.



## Conditions consistent with the operating schedule

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
11. 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.
12. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
14. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (X) persons.
15. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
16. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
17. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
18. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association — Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the licensing authority.
19. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
20. 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.

21. 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.
22. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
23. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
24. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
25. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
26. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.
27. On the ground floor of the premises licensable activities in the area shaded green shall only be used for pre-booked functions.
28. Licensable activities permitted under this licence shall be ancillary to the main specified function of the premises as a cinema.
29. The primary use of the premises shall remain as a cinema otherwise the licence shall cease to have effect.
30. Substantial food and non-intoxicating beverages, including water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises when alcohol is available for sale.
31. There shall be no sales of food or hot drink for consumption off the premises after 22.00.
32. There shall be no off sales of alcohol.
33. No drinks shall be served in glass containers at any time. Notwithstanding this requirement, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events.
34. The premises licence holder shall operate a radio scheme at the premises
35. No unaccompanied children under the age of 12 years to be admitted to film performances commencing after 20.00 hours
36. No unaccompanied children under the age of 15 years to be admitted to film performances commencing after 22.00 hours

**Conditions proposed by the Licensing Authority and agreed with the applicant so as to form part of the operating schedule.**

37. The sale of alcohol shall only be to:

- (a) Persons who have purchased or who have been given a ticket to view the showing of a screened event or performance at the premises on that day or who are attending a private, pre-booked event to which members of the public are not admitted. A register of persons attending a private, pre-booked event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.
- (b) Employees & bona fide guests of Odeon Cinemas Limited.

**Conditions proposed by the Licensing Authority**

38. On not more than 12 occasions per year films may be exhibited between the hours of 03:00 and 09:00 hours. On those occasions at least ten working days notice shall be given to the City Council's Environmental Health Consultation Team and the Borough Police Licensing Unit.

**Conditions proposed by the Police and agreed with the applicant so as to form part of the operating schedule**

39. The SIA security requirement will be risk assessed and signed off by a senior member of the management on a weekly basis or as necessary. A written record will be kept and shall be provided to the Responsible Authorities upon request.

**Conditions proposed by Environmental Health**

None



Resident Count: 58

<b>Licensed premises within 75 Metres of 38A Leicester Square, London, WC2H 7DX</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
16/08044/LIPN	Leicester Square Gardens	Leicester Square London WC2H 7LE	Theatre	Monday to Thursday; 12:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 10:00 - 23:00
19/07574/LIPDPS	Leicester Square Area	Leicester Square London WC2H 7LE	Park / Open Space	Monday to Sunday; 00:00 - 00:00
14/07329/LIPDPS	Salt N Pepper Grill	32 Orange Street London WC2H 7HQ	Restaurant	Monday to Saturday; 10:00 - 00:30   Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 00:00   Sunday; 12:00 - 23:00
19/04516/LIPDPS	Odeon Cinema	11-18 Pantom Street London SW1Y 4DP	Cinema	Monday to Sunday; 09:00 - 08:00
19/16490/LIPDPS	Thistle Trafalgar Square, The Royal Trafalgar	Royal Trafalgar Thistle Hotel Whitcomb Street London WC2H 7HG	Hotel, 4+ star or major chain	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
19/13424/LIPDPS	All Bar One	Concession Communications House 48 Leicester Square London WC2H 7LT	Wine bar	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 07:00 - 22:50   Sundays before Bank Holidays; 07:00 - 00:00
18/13972/LIPRW	TWG Tea	Development Site At 5 Swiss Court And 48 Leicester Square London	Restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank

				Holidays; 12:00 - 00:00
16/10259/LIPVM	McDonald's	Development Site At 5 Swiss Court And 48 Leicester Square London	Restaurant	Monday to Sunday; 05:00 - 03:00
20/00932/LIPDPS	Busaba	32 - 34 Panton Street London SW1Y 4EA	Night clubs and discos	Friday to Saturday; 10:00 - 01:00   Sunday to Thursday; 10:00 - 00:30
18/09120/LIPDPS	Radisson Hampshire Hotel	31-36 Leicester Square London WC2H 7LH	Hotel, 4+ star or major chain	Monday to Sunday; 00:01 - 00:00
18/09315/LIPN	Studio 88 (Shadow Licence)	Sub-Basement, Basement Part And Ground Floor Part Clareville House 47 Whitcomb Street London WC2H 7DH	Miscellaneous	Monday to Tuesday; 09:00 - 01:30   Wednesday; 09:00 - 02:30   Thursday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 00:00
19/16475/LIPCHT	The Piano Works - West End	Clareville House 47 Whitcomb Street London WC2H 7DH	Night clubs and discos	Monday to Tuesday; 09:00 - 01:30   Wednesday; 09:00 - 03:30   Thursday to Saturday; 09:00 - 02:30   Sunday; 12:00 - 00:00
15/05963/LIPDPS	8 Till Late	23 Whitcomb Street London WC2H 7HA	Shop	Monday to Friday; 07:00 - 23:00   Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:00



## Licensing Sub-Committee Report

Item No:	
Date:	9 July 2020
Licensing Ref No:	20/03127/LIPN - New Premises Licence
Title of Report:	Royalty House 72-74 Dean Street London W1D 3SG
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@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>	20 March 2020		
<b>Applicant:</b>	Soho Works Limited		
<b>Premises:</b>	Royalty House		
<b>Premises address:</b>	72-74 Dean Street London W1D 3SG	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises will offer a campus style environment to support the diverse and varied business and employee needs for the Creative Industry in London. The premises encompass basement, ground, second and third floors (first floor is not being included in the licensed area) and will operate as a work/office space with ancillary events spaces. The premises will be managed by Soho House and Co.		
<b>Premises licence history:</b>	This is an application for a new premises licence and therefore has no licence history.		
<b>Applicant submissions:</b>	Since submission the applicant has removed regulated entertainment (film, live music, recorded music and performance of dance) from the application and amended the application hours from 07:00 to 01:00 Monday to Saturday and 08:00 to 00:00 on Sunday for all floors, to the hours set out below. Further supporting documents from the applicant appear at Appendix 4		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment: (Basement)</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	N/A
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>			The premises may remain open for the sale of alcohol 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.				
<b>Late Night Refreshment: (Ground, Second and Third Floors)</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	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>			The premises may remain open for the sale of alcohol 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.				



<b>Sale by retail of alcohol: (Basement)</b>				<b>On or off sales or both:</b>			On the premises
<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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>			The premises may remain open for the sale of alcohol 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				
<b>Sale by retail of alcohol: (Ground, Second and Third Floors)</b>				<b>On or off sales or both:</b>			On the premises
<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>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			The premises may remain open for the sale of alcohol 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				

<b>Hours premises are open to the public</b>							
<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>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:0	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>			None				
<b>Adult Entertainment:</b>			None				

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Dave Nevitt
<b>Received:</b>	16 April 2020
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p><b>The premises are situated in the West End Cumulative Impact Area as stated in City of Westminster's Statement of Licensing Policy.</b></p> <p>This representation is based on the Operating Schedule and the submitted plans for the following floors:</p> <ul style="list-style-type: none"> <li>• Basement (drawing number 1024_SH_LIC_B1 rev B and dated 03/02/20)</li> <li>• Ground (drawing number 1024_SH_LIC_00 rev B and dated 03/02/20)</li> <li>• First (drawing number 1024_SH_LIC_01 and dated 13/02/20)</li> <li>• Second (drawing number 1024_SH_LIC_02 rev A and dated 03/02/20)</li> <li>• Third (drawing number 1024_SH_LIC_03 rev B and dated 03/02/20)</li> </ul>	

The applicant is seeking the following on the **basement, ground, second and third floors**:

1. To allow the Supply of Alcohol 'on' the premises Monday to Saturday 07:00-01:00 hours and Sunday 08:00-00:00 hours.
2. To allow Late Night Refreshment 'indoors' Monday to Saturday 23:00-01:00 hours and Sunday 23:00-00:00 hours.
3. To allow the provision of the following regulated entertainment 'indoors': Films, Live Music, Recorded Music and Performance of Dance, Monday to Saturday 07:00-01:00 hours and Sunday 08:00-00:00 hours.
4. To allow the above provisions from the end of New Year's Eve to the start of New Year's Day.

I wish to make the following representation in relation to the above application:

1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the cumulative impact area, it may also impact on Public Safety.
2. The provision of Late Night Refreshment may cause an increase in Public Nuisance in the cumulative impact area.
3. The provision of Regulated Entertainment may cause an increase in Public Nuisance in cumulative impact area, it may also impact on Public Safety.
4. The non-standard timings may cause an increase in Public Nuisance in the cumulative impact area.

The applicant has proposed conditions within the Operating Schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.

**The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the cumulative impact area and may impact on Public Safety.**

<b>Responsible Authority:</b>	Licensing Authority
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<b>Representative:</b>	Angela Seaward
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<b>Received:</b>	17 April 2020
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I write in relation to the application submitted for a new premises licence for Royalty House, 72-74 Dean Street, London, W1D 3SG.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority has considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

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

The application seeks the following Licensable Activities:

Films, Live and Monday to Saturday – 07:00 till 01:00

Recorded Music, Sunday – 08:00 – 00:00

Performance of dance

Late Night Refreshments Monday to Saturday – 23:00 till 01:00

Sunday – 23:00 till 00:00

Sale by retail of Alcohol Monday to Saturday – 07:00 – 01:00

Sunday – 08:00 – 00:00

Opening Hours Monday to Sunday – 00:00 – 00:00

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1, PB2 and MD2.

At present, the hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption on and off the premises, Westminster's core hours are as follows:

Monday to Thursday: 10:00 – 23:30

Friday and Saturday: 10:00 – 00:00

Sunday: 12:00 - 22:30

For premises for the provision of other activities, Westminster Core hours are as follows;

Monday to Thursday: 09:00 - 23.30

Friday and Saturday: 09:00 - midnight

Sundays: 09:00 - 22:30

The Licensing Authority would encourage the applicant to consider reducing the hours for licensable activities to be in line with those of Westminster's Core Hours Policy, HRS1. Applications for hours outside the core hours set above will be considered on their merits, subject to other relevant policies with particular regard to the policy points raised under HRS1.

The premises intends to operate as a work/office space with ancillary events and currently falls within Westminster's PB2 Policy. In paragraph 2.5.23 the licensing authority considers that the grant of new licences for pubs and bars in the Cumulative Impact Areas should be limited to exceptional circumstances. The provision of a bar within workplace solely for the use of those working there, and their invited guests, will generally be regarded as an exception to the policy not to grant new bars in Cumulative Impact Areas. Regard will be had to other policies in this Statement and the hours of operation of the workplace, the hours and extent of the use of the bar and the effect on the cumulative impact in the Cumulative Impact Areas.

However the application also requests the provision of film, live and recorded music and performance of dance which raises a concern with the licensing authority as to why a place of work would require a licence until 1am and ask to provide regulated entertainment. The licensing act regulations 2005 state that 'regulated entertainment these provisions are provided for the purpose (at least partly) of entertaining an audience which has to be held on premises made available for the purpose of enabling that activity and must also either take place in the presence of a public audience, or where that activity takes place in private, be the subject of a charge made with a view to profit'. Therefore the licensing authority encourages the applicant to provide further submissions on what type of events will take place, if there is any advertisement of events and why a terminal hour of 1am is being sought.

The licensing authority is concerned that due to the nature of the licensable activities and hours applied for, that the operation of the premises will become more of an entertainment venue rather than a work place and therefore policy MD2 will apply. 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.

The licensing authority acknowledges the condition offered, that 'Licensable activities shall not be provided otherwise to directors, partners, employees of Soho Works Ltd, tenants and members of the premises and their bona fide guests' therefore the licensing authority encourages the applicant to provide further submission to advise how this will be managed and recorded and if there is a limit on how many guests are to be permitted. It is also noted that there is a refreshment station on the ground floor by the front desk, therefore the licensing authority encourage the applicant to provide further submissions on how this as

this area will be managed and controlled and what types of provisions will be available in this area.

As the operating schedule does not currently provide specific restrictions to the way in which alcohol is consumed at the premises, the licensing authority also encourages the applicant to provide further submissions into how the areas will be controlled and managed, specifically how the alcohol will be served (i.e. by waiter/waitress service), and whether there is any limitation to the specific types of alcohol on sale.

I look forward to receiving the applicant's further submissions, please accept this email as a formal representation

<b>Responsible Authority:</b>	Metropolitan Police Service ( <b>withdrawn 10 June 2020</b> )
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<b>Representative:</b>	Brian Hunter
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<b>Received:</b>	31 March 2020
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I am in receipt of the above application, and have read both the application and the attached operating schedule, which are accepted, however we the Metropolitan Police as a responsible authority are making a representation against it in the prevention of crime and disorder.

The hours requested are outside policy, the premises are located within the cumulative impact zone, and area associated with high crime, and I believe that the hours requested could contribute to it.

**Following the amendments proposed by the applicant, the Metropolitan Police Service withdrew their representation on 10 June 2020**

## 2-B Other Persons

<b>Name:</b>	[REDACTED]
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<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
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<b>Received:</b>	14 April 2020
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As a resident in [REDACTED] for the last 24 years, I have never come across an application which would be so likely to disturb the lives of the residents of the street in contravention of the policy which I thought protected us from this kind of thing. I cannot see why an office needs a drinks licence from 7 until 1 or why it needs a licence for music/dance. Both of these elements are bound to encourage drunken and noisy behaviour on the street, and will doubtless also add to the fouling of house doorways. I would thus like respectfully to suggest that the application be rejected.

<b>Name:</b>	[REDACTED]
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<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
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<b>Received:</b>	14 April 2020
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We live a short distance away in [REDACTED] and, having endured sleepless nights, unimaginable stress and a lack of enforcement from the council's noise pollution department, I urge you to decline this application otherwise other residents will be forced to endure what we have in the flat directly above the Vanity 'gentleman's' club.

The grounds of objectives 1 and 3 of the Licensing Act are of prime motivation in lodging this objection; namely the prevention of crime and disorder and the prevention of public nuisance (which includes noise and loss of residential amenity).

This application, other than seeking an unprecedented 18 hours a day liquor license, outside core hours in both the morning and at night, fails to outline other strategic details such as capacity and type of events.

Surely this translates to a 24/7 operation which will only lead to round-the-clock unwanted behaviour and noisy activity in and around our streets.

Bearing in mind Soho is already recognised as a Stress Area because of noise levels and spiralling crime adding another 500+ people with essentially unlimited access to alcohol will have dire consequences and certainly impact on the residents' quality of life in Soho.

Instead of turning the area in to a free-for-all with noisy lap dancing clubs and other equally odious activities which seeks to demean and exploit women, isn't it time for Westminster to regain tighter control of the regulation of its licenses and stop outside enterprises coming in to our village in the belief it's a free-for-all for enterprises like the one above.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	14 April 2020

I live just a short walk away, on [REDACTED], and respectfully request this application be declined; and do so on the grounds of objectives 1 and 3 of the Licensing Act: 1. The prevention of crime and disorder; 3. the prevention of public nuisance (which includes noise and loss of residential amenity).

This application does not state capacities including for events. It seeks an incredible 18 hours a day liquor license, outside core hours in both the morning and at night. This appears to be open 24 hours a day seeking the full range of regulated entertainment, thus likely to result in increased levels of unwanted behaviour in the local streets at both day and night.

Soho was declared a Stress Area in 1993 due to noise levels, crime and the general decline in the urban environment. I feel that adding another 500+ people with essentially unlimited access to alcohol would cause more crime, and create more noise in the street late at night & in the early hours, negatively affecting my quality of life.

Already today, I routinely find people doing all sorts of illegal and/or disgusting things just in front of my doorstep: we could do with stricter regulation of licenses, let alone carefully preventing excessively broad new mandates such as the one mentioned above.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	15 April 2020

I am a resident of [REDACTED] and object strongly to this application. I have studied it carefully and it does not have enough information or clarity as to the new use of the premises. It is vague on numbers. It is impossible to see why office space needs such extensive hours for alcohol, dance, music, film, theatrical performance etc. There are serious concerns about noise. There is no information on deliveries or refuse disposal in the already very busy Richmond Mews.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	15 April 2020

In effect, the proposals in this application are for a 'change of use' of Royalty House, as explained in points 1, 2 and 3 below. No further license action should therefore be taken by WCC; instead, the applicant should be invited to submit a Planning Application for 'Change of Use'.

If, despite these points, the license application is considered, then it should be rejected for the reasons given at points 4 and 5 below.

If despite these points, the licence application is not rejected, then points 6 and 7 **below** should be addressed as part of, and included within, the licence.

- 1. Inadequacy of the application.** There is not enough information in the application to be able to form a complete view about the extent of the nuisance and disturbance likely to be caused. The application manifestly fails to follow the Government Guidance issued under s182 of the Licensing Act 2003. The applicant makes no attempt to show that they understand the risks associated with their proposed operations. As the building is in a Cumulative Impact Area, applicants are expected to demonstrate an understanding of how the CIA policy impacts on their application, to set out the measures that they will take to mitigate the impact and to describe why they consider the application should be allowed as an exception to the policy. The application does none of that.
- 2. Good neighbours:** Soho House, the parent company, has usually tried to be a good neighbour for the residents of Soho, by consulting them on new plans in advance and by taking account of points made by them. Not in this case. There has been no consultation with any neighbourhood organisation, nor with individual neighbours. The application may satisfy the letter of the law, but it certainly does not satisfy its spirit as the law clearly expects there to be considerable community involvement in such applications.
- 3. Change of use:** The proposal itself is not really for an office at all – it would turn Royalty House into a private club, albeit dressed up as an office. Offices do not open for 24 hours; offices are not for entertainment with live and recorded music, films and dancing; and offices do not have an 18 hour alcohol license. Offices are for working. Royalty House would become, in effect, a private club (even enabling overnight stays – like a hotel). The licensing rules should thus be the same as those that apply to a private club – with any alcohol license application being for WCC's 'core hours'.

WCC has a policy to refuse applications for new alcohol licenses in Cumulative Impact Areas for premises that offer facilities for music and dancing – such as proposed in this application. WCC has stated that premises which promote such private functions, associated with alcohol - as here, are very likely to adversely affect Cumulative Impact Areas, not least as they are likely to be associated with crime, disorder and public nuisance, and to have insufficient control over their members to be able to promote the licensing objectives. There is no reason for WCC to consider this application as an exception to the Cumulative Impact Area policies.

Claiming that Royalty House would remain as an office (even if there were to be continuing office use) is merely a device for getting round WCC's policies on CIAs. The one exception to the policy not to grant new bars in Cumulative Impact Areas is for the provision of a bar within a workplace solely for the use of those working there and their invited guests. That exception was designed with an expectation of 'normal' office hours; to claim an office of

24 hours and so look to take advantage of this 'exception' clause to the CIA is disingenuous in the extreme, misleading – and perhaps even mendacious. In essence, this proposal first needs Planning Permission for a change of use of Royalty House to become the private members 'club' that this proposal clearly implies. A planning application would allow wider considerations to come into play than can be done for a License application. The applicant should not be able to play one against the other and approach the issue in this crab-wise manner. WCC should not give any form of license to premises that do not have planning permission for those functions.

**In the light of points 1, 2 and 3 above, no further license action should be taken by WCC, but the applicant should be invited to submit a Planning Application for 'Change of Use'.**

If that is not agreed, then unless explicit reasons were given to counter the above points, I think this would amount to a dereliction of duty by WCC. But if, nevertheless, the license application is considered, then, as an affected resident, I would make the following objections,

- 4. The Soho Cumulative Impact Area and Stress area:** The proposal is contrary to WCC's licensing objectives for Soho: it does not PROMOTE the licensing objectives, which is a policy requirement of WCC; instead, it risks undermining them.
- 5. Public nuisance, crime and disorder:** There is currently zero noise from the Royalty House office building. The 40 or so residents living in Soho Lofts in Richmond Mews, including me, would be seriously affected by the noise and disturbance likely to arise from the proposed activities in Royalty House. There would be a reduction in 'our living amenity and in our environment', in two ways. First, the proposals would increase that nuisance from noise, not just from activities inside the building, but also from the open courtyards and from people leaving, often drunk, late at night into Richmond Mews. Public nuisance is also often simply the result of numbers – especially when mixed with alcohol. Second, the proposals are likely to result in extra deliveries and waste collection for Royalty House to cater for the new facilities. Richmond Mews is already often blocked with such vehicles and the noise is terrible.

**For these two reasons, 4 and 5, the application for a license should be rejected.**

If that is not agreed and it is decided that some form of license should be given to the applicant, this would be a bad judgement that would adversely affect many local residents. But in those circumstances, I would propose the following additional points should be addressed as part of the license.

- 6. Ancillary:** The concept of 'ancillary use' is vague – which makes it difficult to be specific in raising objections (presumably part of the point?). If the proposed facilities and entertainment are to be truly 'ancillary', then any license needs to set out how that is to be ensured, by **defining what is meant by 'ancillary'** along with a clear outline of how this will be **monitored and then controlled**. For example, the specified size of the 'refreshment stations' should form part of the license as should the area around them within which alcohol can be consumed.

In terms of the licensing hours, the purpose of WCC having a 'core' licensing hours policy is to provide some protection to local residents by trying to minimise disturbance to neighbours. There is no reason for any alcohol license for Royalty house to be other than for **'core hours'**; there are no 'exceptional' circumstances. As noted above, an 'exception' for a bar within a workplace was designed for more 'normal' office hours – to claim 24 hour office hours as a way to take advantage of this 'exception' is at least disingenuous and probably mendacious.

To ensure that the various events are truly ancillary, there should be **limits on the number, frequency, size (attendees) and timings of all events of any type**. It is

worrying that the applicant stresses that the furniture shown is 'indicative' as this means that it could all be removed to make, for example, dance floors everywhere. It is also unfortunate, to put it mildly, that there is no indication of what the first floor is to be used for – and why does it have no 'indicative' furniture – is it to be a dance hall, a skittles alley, a brothel? Clarification on this point as well as limits on the numbers of events should be a condition of a license.

Public nuisance is also often simply the result of numbers – especially when mixed with alcohol. There thus needs to be **clarifications about the numbers and 'categories' of people who will be present**, variously referred to as directors, partners, staff, employees, members, tenants, customers, guests etc. These terms need clear definitions and then limits on the numbers of each category. There also needs to be some form of committee process to 'admit to membership', so that it cannot be done at the door at the moment.

7. **Conditions:** The applicant offers some conditions in the application; these are fine, as far as they go; in addition, the following points should be added to the conditions. All the resulting conditions should form part of the license and be **required and actively and rigorously enforced, for example**, a breach of any one condition more than two times should be sufficient for the license to be revoked.
- a. Limits set for the numbers of members (under whatever term) and guests allowed in the building at any one time
  - b. No noise from inside the building to be audible outside the building AT ALL (not just that it should 'not cause a nuisance' as that is too subjective, difficult to define and almost impossible to enforce – as evidenced by other places nearby eg 100 Wardour St).
  - c. No use of the Richmond Mews exit after 11.00 at night or before 7.00am in the morning – and not as a smoking exit at all (this is already required for Soho House)
  - d. The incident log referred to in item 7 should include "(i) any complaints received about noise – of any form and from any source connected with the building"
  - e. All deliveries should be required to be from Dean St. (as is already required for Soho House)
  - f. All refuse storage should be inside the building and its collection should be by one of the operatives already collecting in Richmond Mews
  - g. No alcohol should be allowed to be taken to the first floor nor into either of the courtyards at any time
  - h. There should be no use of the courtyards at all after 11.00pm or before 7.00am
  - i. Item 9: Add: "Failure to observe this condition (leaving the premises quietly) shall result in immediate suspension from membership"
  - j. Item 11 is meaningless as there is no 'close of business'; replace with "11.00pm"

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	15 April 2020

After reading the terms of the licence, I'm very concerned about the use of the premises. The building I live in has two entrances. One on [REDACTED] and one [REDACTED]. During late hours I try to avoid the Dean St side when I'm with my 3 year old son. Mainly because of people unpredictable behaviour when they are drunk. So I'm forced to use the Mews side. My concern is we will have a similar issue on this side. It will attract more unsocial behaviour, causing a mess of the mews which I have been working hard with Westminster and Viola to get it in a clean and attractive state. Without this licence, we still experience some unruly behaviour. People using it to conduct sexual activity, take drugs, empty the bins, urinate on the side of walls. I believe this will increase these types of



unsocial behaviour. Let's not forget to mention the noise it will cause for the neighbours living on this side. Hope you can take these points into consideration when deciding. I genuinely fear for my sons safety.

<b>Name:</b>	██████████
<b>Address and/or Residents Association:</b>	██████████ ██████████

<b>Received:</b>	15 April 2020
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I have lived in ██████████, for twenty years. ██████████  
██████████ directly opposite Soho House.  
I write in order to lodge my objection to the proposed development of Royalty House, just a few doors down from Soho House.  
In the time I have lived on ██████████ there have been few periods when a new development, or extensions to old developments, have not been in train. Some noise and inconvenience are to be expected in this part of London, and I and most of the residents of Soho Lofts have done our best to accommodate ourselves to them. But there are reasons - some born of experience - to fear the consequences of the proposed development of Royalty House.  
That the Mews is already finding it hard to cope with the traffic each new business attracts, is common knowledge to residents and authorities alike. Rubbish, too, is an ongoing problem, along with the hazards to health its accumulation creates.  
And then there is the noise. It is axiomatic that alcohol contributes considerably to noise levels. Why a new development of office spaces requires an extended alcohol licence, or indeed any alcohol licence at all, is hard to understand. It is virtually a guarantee that the office space will be rowdier than offices spaces normally are.  
Of equal concern is the plan Royalty House has put forward to have two open courtyards. Our experience of living opposite the Soho House club is that the majority of noise comes from their open courtyard. If I open my windows or sit on my balcony I can sometimes hear whole conversations. Every laugh is amplified. Every expression of excitement, every altercation, the same. On some evenings I have to abandon sitting on my balcony altogether. On hot nights I can only get peace by closing my windows.  
Soho House freely acknowledges this disturbance and understands its cause. It is five years now since Antoine Melon, the then UK Director of Soho House visited our terrace and having heard the noise for himself assured us that every means of mitigating it - walling the garden; thick canvass umbrellas; and anything else acoustic experts could devise - was being explored.  
Whatever was tried, didn't work. This conversation remains ongoing with Beth Gallagher, Soho House's Global Development Manager. In August last year she assured us that proposals for a lightweight pergola structure over both the courtyard and the upper terrace were being discussed with Westminster Council.  
Since there is no prima facie reason to doubt the sincerity of Soho House's desire to live peaceably with its neighbours, the only conclusion to be drawn from the absence of progress, is that no progress is possible. Once there is a courtyard, there will be noise, and once there is alcohol there will be even more of it.  
Not because I am a killjoy but because I want to go on enjoying the life and vitality of Soho, I urge the council to consider the damage this proposal will do. Soho is a special case. It's why so many of us have chosen to live here. But none of us chose the living hell of intrusive commotion and cacophony.

<b>Name:</b>	██████████
<b>Address and/or Residents Association:</b>	██████████

<b>Received:</b>	15 April 2020
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I am a resident of [REDACTED] and strongly object to this application. It is a small, quiet mews which would suffer dreadfully. The application doesn't really give any real indication of what they actually intend to do

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	15 April 2020
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I write to object to the proposed changes to the use, configuration and licensing of Royalty House.

[REDACTED] which is already under stress from deliveries, building works, and noise from the existing venues that use the Mews, The Mews has been over-run with rubbish, discarded building materials and become unofficial home to a large group of homeless people.

Allowing another major venue to utilise the Mews will result in traffic congestion and yet more noise.

Historically we have been disturbed on multiple occasions by the noise of music, crowd noise from open terraces at 78 Dean Street, deliveries at all hours and so on.

I hope that the planning team will take into careful consideration the fact that Soho Lofts is a large residential block in the midst of all this where people need to be able to sleep.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	14 April 2020
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I am the owner of and resident in [REDACTED], which overlooks Richmond mews. I wish to lodge an objection to the proposed changes to Royalty House, whose back entrance gives onto Richmond Mews.

Hitherto, Royalty House has been a normal office block, operating during normal office hours. This application is for 24- hour opening with an alcohol licence from 7am to 1am and for live and recorded music, dancing and other events as well as open courtyards on either side of the building.

My objections are as follows:

1. Given the application to provide alcohol and entertainment, the building is surely changing its use and, therefore, requires a Change of Use Application.

2. The courtyards: Two open courtyards already exist in the Soho House building at 76, Dean St. The original designs were abandoned as the sight lines made the occupants visible from our apartment. The management of Soho House have acknowledged many times - in writing - that the courtyards are a noise nuisance and have been promising - in writing- to cover them in since 2015.

This is a quote from the latest communication from Beth Gallagher, Global Development Manager, on August 21st. 2019  
"Noise from the terraces

Issue: It was promised shortly after opening that we would help to reduce the impact of the noise from our terraces. A number of solutions were proposed including a green wall and a retractable canopy.

Action: We presented proposals for a lightweight pergola structure over both the courtyard and upper terrace, we are discussing these proposals with Westminster Council and will keep you updated as this progresses."

There has been no progress. We are already unable to inhabit our terraces in the evening because of noise from that building and the addition of TWO new open courtyards will obviously make things far worse.

3. We, and other residents of Soho Lofts are in on-going dispute with the club over the amount of noise from deliveries and rubbish in Richmond Mews, which contributes to the proliferation of rats and other vermin. Yet more food waste and noisy emptying of bins in the early hours cannot but worsen the already bad situation. Please take into account that Richmond Mews is our FRONT entrance.

We who chose to live in Soho are well aware of and love the environment we inhabit but to turn an office into yet another purveyor of alcohol and entertainment is an unnecessary and unthinking imposition on those of us who come here not to be entertained, but to live.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]

<b>Received:</b>	17 April 2020
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I write to object to the above licensing application. I do not believe it meets the four licensing objectives.

With respect to the third licensing objective - the prevention of public nuisance including the loss of residential amenity - it falls short of meeting these standards. Dean St and the surrounding area is residential - residential premises and licensed premises intermingle with one another along the street and in side streets close by Dean St. The application seeks a license well beyond core hours for well above 400 people, although from the application it is unclear exactly how many people would potentially be served and what the basis for entry would be - this points to a broader problem about the lack of information in the application which makes understanding what precisely they plan for it to be like difficult, which is in itself highly problematic. A liquor license is sought for mostly 18 hours a day, in the early morning and late at night. Soho is already an area of cumulative impact and a stress area. I understand that the Soho Society and Meard & Dean St Residents' Association is making a detailed submission. In it they point to the fact that Council documents themselves, including the "Planning & Licensing Committee Report of June 20th 2000: Revision of part of the policies for the Management of the Entertainment industry in Westminster including interim A3 Policies 'Stress Areas'." highlight that "2.1 'The Areas marked as... Soho (etc) in the plans attached as Appendix 1 be approved... as areas where residential amenity is under severe pressure and late night activity is at saturation levels.'" Other Council documents highlight the challenge to residents in the area. In other words, the Council note themselves that residential amenity is already under strain. In this context, the above application - a significant one seeking to serve lots of people until very late at night - would significantly erode residential amenity further still and should be rejected.

I mention the issue with a lack of information about the application. I note too that the application states that 'The premises will be managed by Soho House and Co.' It is somewhat disconcerting however that there isn't a company with that name registered with Companies House. On top of that, there is no significant operational management plan. It adds to the feeling of significant inconsistencies and insufficient information or transparency with the application. Application should seek to answer questions and be transparent, but this one clearly falls short of these standards. This is problematic from the

point of view of enabling residents and the community to understand what is being proposed but also from the point of view for the Committee which is seeking to understand whether licensing objectives can be met.

There are considerable concerns about licensing objective number 1 regarding the prevention of crime and disorder. As is documented, in Soho robberies occur mostly at night and peak during midnight and 4am. On this basis, it can be reasonably assumed - given a late night application until 1am is sought - it would add to the challenge police already face, and that Soho Angels have been set up to seek to tackle.

The application does not meet the objectives and should therefore be rejected

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	16 April 2020

My name is [REDACTED], I have been a resident of [REDACTED] [REDACTED] for twenty-two years, and I am writing to comment on, and object to, "Licensing Application" number 03127 for Royalty House on Dean Street in Soho.

I put "Licensing Application" in inverted commas because although it presents itself as an application for a liquor licence for an office building, it doesn't take long in reading it to draw the conclusion that it's actually a licensing application for a totally different business: an entertainment venue, most likely a private members' club. To my mind it should actually be a planning or change of use application, not a licensing application.

The problem is not just the range of activities described as taking place in the offices: 24 hours a day live and recorded music, dancing, films and entertainment, and 18 hours a day consumption of alcohol. They also describe the building in ways that make it feel as though Royalty House has in their imagined future already been torn down and replaced by something else - a building with "two courtyards" that it doesn't yet have.

Their ultimate agenda seems so clear that this "licensing application" actually feels disrespectful to the licensing process and those who operate it. At one point the applicants switch from talking about office workers or employees and use the term "patrons". It's as if they don't want to go to the trouble and expense of putting in an actual planning application for their real business objective without being certain of getting the ultimate prize of a liquor licence. And so the licensing application is dressed up as if for the current office building.

It seems clear to me that in 2020 no-one rents an office in Soho with the proviso that their employees must be able to drink alcohol through the day and on into the late evening. I'm a film producer and in 1997 I rented several rooms in Royalty House to edit the film "Notting Hill". At no point did anyone, employee or visitor, ever drink or request anything more stimulating than a black coffee. In fact, as an employer I would say that an 18 hour alcohol licence would be a negative rather than a positive in the choice of which building to rent offices in.

However, if this alternative reality Royalty House - an office building with extensive and all-hours entertainment facilities and alcohol available for employees, friends and 'patrons' - were indeed to be considered for a license, I would cite the many risks associated with extensive alcohol use combined with music, dancing and entertainment, and urge that it not be given a licence under Westminster Licensing Act 2003 as a building within the Soho Cumulative Impact Area.

All of us in [REDACTED] would be detrimentally affected to a serious degree by an alcohol-fueled level of noise, both during the day and most seriously at night. From inside Royalty House, from its open courtyards, and from inebriated revellers leaving the building in Dean Street and potentially also in Richmond Mews.

We already have a late evening problem in Richmond Mews with people thinking a dark cul-de-sac is the perfect place to relieve themselves or to do drugs, as well as a serious daytime problem with deliveries, bottle and rubbish collection, and commercial vehicles blocking our garages and making it difficult to access our front door safely on foot. This licensing application, if approved, would pile on more problems.

In short, I'm certain that the living amenity and environment of Soho residents in general would be seriously detrimentally affected by giving Royalty House the alcohol licence they are applying for, and I urge you to reject it.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	17 April 2020

See full representation at appendix 1

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	17 April 2020

I object to the application made for development/ licensing plans to royalty house on Dean street.

Not am I only confused as to its potential use as a mixed space of offices and entertainment but also it's application for an 18 hour liquor license. My partner and I live nearby and it will be a noise nuisance to residents until after 1am considering most drinking venues are closed at midnight on the street.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	16 April 2020

I strongly oppose the application.

I live in [REDACTED] and the WeWork entrance here. The above application concerns the same building, I take it, but the Dean Street side. The application involves offices and work spaces open 24 hours a day, it seems, with considerable numbers coming and going - and apparently some bars euphemistically termed 'refreshment stations', with alcohol being served throughout potentially from 7.00 am to 1.00 am, late night entertainment, amplified music et al.

These are meant, though, to be offices (sorry, 'work spaces') and I very much doubt that when WeWork sought various planning consents it mentioned that it would be turning the building into one that could end up with drinking for up to 18 hours out of every 24 hours.

My objection to the application being granted is, then, that were it to be granted, WeWork would become yet another source of public nuisance, with the comings and goings of so-called 'workers', the resultant noise and the stress on local facilities. Let us note, that WeWork could have 400 people or more in their Royalty Mansions site - and, no doubt, guests would be invited along for drinking and entertainments.

The council has been concerned about the need for both offices/retail and residences in Soho and, at times, the loss of such. There is no need to be concerned about a paucity of drinking/entertainment places. The area is awash with them - and that is one reason why the area has typically been deemed a 'stress area'.

Drunkenness, drug use, urination in streets, noise, traffic, rowdy behaviour - they are all likely to increase if yet another building has a licence for liquor and amplified music, day and late into the evening. And let us not pretend that all the users will be pillars of the community who would not dream of getting drunk, engaging in drunken brawls outside, yelling for cabs, urinating on doorsteps. Just take a look - well, true, not right now, given there has been at least one benign effect of Covid-19, despite its many disasters. To reiterate, I strongly oppose the application being approved.

**The objector submitted the following correcting email the same day**

I foolishly conflated WeWork at Royalty Mansions here in Meard Street - with Soho Works Royalty House in Dean Street. I wrongly assumed they were interconnected. Apart from that error, all the good reasons against the application hold. They hold because the good reasons opposing the application by me were indeed described with regard to the offices Dean Street location. I apologize for my conflation.

<b>Name:</b>	██████████
<b>Address and/or Residents Association:</b>	██████████ ██████████
<b>Received:</b>	15 April 2020

I write to object to the proposed changes to the use, configuration and licensing of Royalty House.

My flat ██████████ which is already under stress from deliveries, building works, and noise from the existing venues that use the Mews, The Mews has been over-run with rubbish, discarded building materials and become unofficial home to a large group of homeless people.

Allowing another major venue to utilise the Mews will result in traffic congestion and yet more noise.

Historically we have been disturbed on multiple occasions by the noise of music, crowd noise from open terraces at 78 Dean Street, deliveries at all hours and so on.

I hope that the planning team will take into careful consideration the fact that Soho Lofts is a large residential block in the midst of all this where people need to be able to sleep.

<b>Name:</b>	████████████████████
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<b>Address and/or Residents Association:</b>	[REDACTED]
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<b>Received:</b>	16 April 2020
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I live in [REDACTED], and object to the above application with the following points:  
Why a declared 'office' should need to provide alcohol and entertainment on site - in an area in which there are already many other suppliers of both  
Whether such a major change of use of the building requires Planning Permission  
Potential noise problems and other anti-social behaviours from patrons, from staff, from the premises itself - including from the two open courtyards and not least late at night  
The proposed opening times and licensing times.  
Traffic problems in the Mews (deliveries and rubbish) and its impact as a type of public nuisance  
The timings and use of the Richmond Mews exit from the building  
Limits on the numbers of patrons at any one time - capacity of the building  
Any conditions that you think should be imposed on the license as a way to mitigate any such impacts

<b>Name:</b>	[REDACTED]
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<b>Address and/or Residents Association:</b>	[REDACTED]
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<b>Received:</b>	17 April 2020
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We write to confirm that we endorse the contents of the letter sent on behalf of the [REDACTED] and this residents association in relation to the above licensing application. Accordingly, this is to confirm that we object to this application on the grounds of 'prevention of public nuisance' and 'prevention of crime and disorder'.

<b>Name:</b>	[REDACTED]
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<b>Address and/or Residents Association:</b>	[REDACTED]
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<b>Received:</b>	17 April 2020
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I am writing to object to the licensing proposals regarding Royalty House in Dean Street.

I have lived in [REDACTED] with my family for the past twenty years. I walk past these premises everyday as Dean Street is one of the main thoroughfares in this area. At present Royalty House functions as a respectable office building whereas this proposal suggests a work space doubling as a club. Why does an office need a liquor license until 1am?

I therefore object to this proposal on the grounds primarily of 2 conditions of the Licensing Act.

1. The prevention of crime and disorder.

You probably know that Dean Street is already overrun with drug dealers, drug users and the homeless. At night it is a frightening place to be as a woman. These premises, open 24 hours and serving alcohol until 1am will be another magnet for crime in the area. Plus it is unclear what the capacity is. Is it 500?

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3. Which includes noise and loss of residential amenity.

Residents and businesses try to exist side by side in Soho. This proposal for a 'work' space with a liquor license until 1am and events to which unspecified numbers will be invited is a clear potential noise nuisance. Residents do need to sleep. Soho is a stress area so the granting of this license must be rejected.

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]  
[REDACTED]

**Received:**

17 April 2020

See full representation at appendix 2

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Received:**

17 April 2020

I strongly object to this application.

I have lived at [REDACTED] for more than two decades.

My office is at the other end of [REDACTED] so I walk between the two locations multiple times a day.

For much of the week, Dean Street becomes mayhem in the evening and night with drugs dealers, aggressive begging and drunkenness.

The offices at Royalty House have been well run as a respectable business. Converting such a location to a venue for events with liquor licenses running until late at night is the last thing that the area needs.

It will

1. increase crime and disorder in the area and
2. reduce the residential amenity which is already under threat in our area.

Please take the notion of a stress area seriously and refuse applications for licenses and events in more premises!

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Received:**

15 April 2020

I object to this proposed change, which will effectively allow this office building to operate as a private entertainment club (with live and other music, dancing and alcohol served until late hours every day, which is extraordinary for an office building), creating additional noise, traffic and inebriated people in the area. I am particularly concerned that they are proposing to add to the already saturated capacity of delivery and refuse collection from Richmond Mews - empty bottles being dumped and collected are particularly noisy in this enclosed area as the noise reverberates.

I also note that there is only one objection comment on your website - when I know there have been at least several others submitted. And that single objection is not even in a readable format (when all the other plausible objections are). It would seem absolutely



essential that all such objections are made publically available on the web BEFORE the close of the deadline. Otherwise, it is not a transparent process that it is supposed to be.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	16 April 2020

I have objections and concerns as follows:  
Why a declared 'office' should need to provide alcohol and entertainment on site - in an area in which there are already many other suppliers of both  
Whether such a major change of use of the building requires Planning Permission  
Potential noise problems and other anti-social behaviours from patrons, from staff, from the premises itself - including from the two open courtyards and not least late at night  
The proposed opening times and licensing times Traffic problems in the Mews (deliveries and rubbish) and its impact as a type of public nuisance  
The timings and use of the Richmond Mews exit from the building  
Limits on the numbers of patrons at any one time - capacity of the building

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	15 April 2020

I live behind [REDACTED]. I have lived here for 20 years and during that time Royalty House has functioned as a normal office building and always been quiet whilst I am surrounded by stressful party /drinking establishments. I object to the idea that people can drink with inevitable ensuing noise in an area which has been designated as 'stressed' for residents , that this can occur up to 1am for an 'office ' building and that this can occur on evenings like New Year's Eve.  
We already have to listen to people and motorbikes leaving from the back of Royalty House in the early evening. Mews acoustics are such that sound is greatly amplified and the notion that this could happen late at night when hitherto it has been at normal times is unacceptable.  
Does the Council think it right that all buildings in Soho can be party/drinking places?  
Please reject this application in its entirety.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	16 April 2020

Richmond Mews is already often out of control.  
Deliveries, Refuse Collection, Cars picking up and waiting for customers from Soho Hotel and Soho House, can all lead to an atmosphere of almost anarchy. It is not unusual to see drivers get close to having an actual fight.  
It must be remembered that this is a also a residential area and community.  
We all accept that living in Soho will never be like the suburbs, but this particular very small and crowded corner is full.  
Any further development will have a disastrous impact on the local environment.

### 3. Policy & Guidance

The following policies within the City of Westminster Statement of Licensing Policy apply:	
<b>Policy CP1 applies</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<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> <p><u>For premises for the supply of alcohol for consumption on the premises:</u>  Monday to Thursday: 10:00 to 23:30  Friday and Saturday: 10:00 to midnight  Sundays immediately prior to Bank Holidays: Midday to midnight  Other Sundays: Midday to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</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.

### 4. Equality Implications

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

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

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

## 5. Appendices

<b>Appendix 1</b>	Representation from [REDACTED] and [REDACTED]
<b>Appendix 2</b>	Representation from [REDACTED]
<b>Appendix 3</b>	Correspondence regarding conditions
<b>Appendix 4</b>	Premises Plans
<b>Appendix 5</b>	Applicant supporting documents
<b>Appendix 6</b>	Further Submission from [REDACTED]
<b>Appendix 7</b>	Correspondence between [REDACTED] and the Applicant
<b>Appendix 8</b>	Premises history
<b>Appendix 9</b>	Proposed conditions
<b>Appendix 10</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

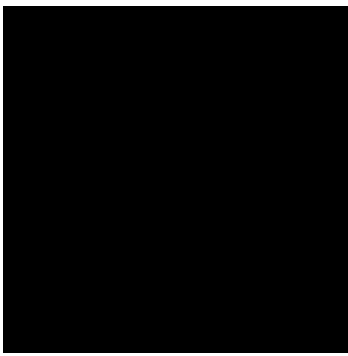
**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health Service representation	16 April 2020
<b>5</b>	Licensing Authority representation	17 April 2020
<b>6</b>	Metropolitan Police Service representation	31 March 2020 (withdrawn 10 June 2020)
<b>7</b>	Interested Party representation (1)	14 April 2020
<b>8</b>	Interested Party representation (2)	14 April 2020
<b>9</b>	Interested Party representation (3)	14 April 2020
<b>10</b>	Interested Party representation (4)	15 April 2020
<b>11</b>	Interested Party representation (5)	15 April 2020
<b>12</b>	Interested Party representation (6)	15 April 2020
<b>13</b>	Interested Party representation (7)	15 April 2020
<b>14</b>	Interested Party representation (8)	15 April 2020
<b>15</b>	Interested Party representation (9)	15 April 2020
<b>16</b>	Interested Party representation (10)	14 April 2020
<b>17</b>	Interested Party representation (11)	17 April 2020
<b>18</b>	Interested Party representation (12)	16 April 2020
<b>19</b>	Interested Party representation (13)	17 April 2020
<b>20</b>	Interested Party representation (14)	17 April 2020
<b>21</b>	Interested Party representation (15)	16 April 2020

<b>22</b>	Interested Party representation (16)	15 April 2020
<b>23</b>	Interested Party representation (17)	16 April 2020
<b>24</b>	Interested Party representation (18)	17 April 2020
<b>25</b>	Interested Party representation (19)	17 April 2020
<b>26</b>	Interested Party representation (20)	17 April 2020
<b>27</b>	Interested Party representation (21)	17 April 2020
<b>28</b>	Interested Party representation (22)	15 April 2020
<b>29</b>	Interested Party representation (23)	16 April 2020
<b>30</b>	Interested Party representation (24)	15 April 2020
<b>31</b>	Interested Party representation (25)	16 April 2020





Licensing Service  
Public Protection and Licensing  
Westminster City Council  
15th Floor Westminster City Hall  
64, Victoria Street  
London SW1E 6QP

Sent via email to [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk)

17 April 2020

Reference: **20/03127/LIPN | SOHO WORKS LTD | ROYALTY HOUSE 72-74 DEAN STREET LONDON W1D 3SG**

We write to make a relevant representation to the above application on behalf of [REDACTED] and the [REDACTED].

Both object to this application as it is currently presented, on the grounds of prevention of crime and disorder, prevention of public nuisance, public safety and cumulative impact in the West End Cumulative Impact Area.

**About [REDACTED]**

The [REDACTED] is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

**About the [REDACTED]**

The [REDACTED] was set up in 1998 as a result of the increasing number of A3 and A4 premises and the increase in licensed premises which residents' felt were having a negative impact on residential amenity in spite of Soho having been declared a 'Stress Area' in 1993.

**1. Area Description – Dean Street and Surrounds**

Dean Street and surrounds are high density mixed use streets with a great variety of uses including hotels, bars, clubs, office, post production and residential. **Appendix 1** ([REDACTED] Residential Addresses & Licensed Premises) shows the intermingling of residential units and licensed premises. These high density mixed use areas are almost unique to the city centre and have particular characteristics which relate to licensing applications and their impact upon residential amenity. Statistics from the last

census provided by the City Council (and Camden Council) indicate that compared to London as a whole:

- In Appendix 1 except for Clarion House and 2 Bouchier Street all residents live 'on the street' and are therefore their amenity is impacted by what happens on the street;
- A higher proportion of residents walk to work and work locally;
- Residents tend to walk their children to school and to shop;
- Very few residents have gardens or any outside space;
- Only a very small percentage live in houses vs flats;
- Car ownership is well below the London average;
- Many of the properties are old and/or listed restricting opportunities for soundproofing
- The level of noise complaints is higher than more 'suburban' areas.

Thus in these high density mixed use areas residents tend to use the streets intensively and the quality of the urban environment as an important component of residential amenity. **Appendix 2** shows that the crime statistics for the West End Ward, as with St James's Ward are way above any others, as are the number of licensed and late night premises (**Appendix 1**).

This was recognised by the Council as long ago as **April 1993 ('Corporate Action Plan for the Protection of the Street Environment' & "'Stress Areas"... Proposed Action Plan')** & **'Council Policy and the Role of Licensing'**. The latter stated that when considering night café licenses or renewals:

*'The City Council considers that the level of night time activity is already at times prejudicial to residential amenity in .... Soho.'*

**Planning & Licensing Committee Report of June 20 2000: Revision of part of the policies for the Management of the Entertainment industry in Westminster including interim A3 Policies 'Stress Areas'.**

This report states:

2.1 *'The Areas marked as... Soho (etc) in the plans attached as Appendix 1 be approved... as areas where residential amenity is under severe pressure and late night activity is at saturation levels.'*

3.3 *'...The City Council considers that the level of night time activity is already at time prejudicial to residential amenity in Queensway, Edgware Road, Soho and Covent Garden.'*

5.2 *'...the Committee should formally designate the stress areas for planning purposes.'*

6.6 & 6.7: *'... in mixed commercial/residential areas such as...Soho residential amenity is under such severe pressure that the areas have been designated as the "West End Stress Area."' It is our view that in some areas the number of such premises has reached saturation point. Consequently in these areas it would be undesirable to license any more entertainment premises or night cafes.'*

**Revised UDP Inspector's Report & Recommendations March 2003**

*'...the evidence before me points to a significant worsening of conditions (of residential amenity) during the past decade.'*

14.21 *In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times...'*

*4.19 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.*

Since then, from the point of view of residents, the above statements appear to have been forgotten, in spite of the considerable increase in late night activities since then and where in parts of Soho there are more people on the streets at 1am in the morning than 1pm in the afternoon.

Areas of ‘cumulative impact’ are precisely what the term implies: an area where there is already a high concentration of licensed premises, and numbers of people permitted in same, and where the addition of another (very large one) may be inappropriate due to the existing pressures on residential amenity and other licensing objectives.

## **2. Preliminary issue Letter of April 8 Inst.**

Both groups wrote to the Licensing Service on April 8 inst. setting out a series of concerns regarding this application. The correspondence is **Appendix 3**.

The letter raised a number of issues regarding the validity of the application as presented, particularly in terms of whether the level of detail is sufficient for ‘other persons’ to make informed choices as to whether to submit representations, and whether those representations can be as effective as they would like given the difficulty of deducing precisely what the licensed premises is intended to be.

This difficulty is exacerbated by the complete lack of engagement from the applicant prior to the application being submitted. This is surprising and disappointing given that the applicant is a well-known Soho operator and the application is for a major development in an important building. Had we been contacted by the applicant prior to the application being submitted, we could have asked those questions prior to the application being made.

For instance, the applicant asserts that the first floor is not being included in the licensed area. However, a plan has been submitted with a ‘red line’ drawn around the first floor with the box beneath stating the red line is the licensed area and the plan is described as ‘First Floor Licensing Area’.

The applicant asserts that there will be a ‘campus style’ environment. We have no idea what that is.

An application of this scope and importance should have been preceded by pre-application consultation with stakeholders, including ourselves and local residents (some of whom are directly known to the applicant), and should have been accompanied by a much fuller presentation and exposition of how the premises are intended to operate, hence our letter of 8 April.

It should be noted that the Government Guidance issued under s182 Licensing Act 2003 states at para 8.47 that:

*‘Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.’*



Para 8.49 further states that:

*'It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.'*

The Council's Statement of Licensing Policy is in a similar vein:

*2.2.9 'The Licensing Authority will expect applicants to set out in their Operating Schedules the steps taken, or proposed to be taken, to deal with the potential for public nuisance arising from the operation of the premises or open air site under the license. Applicants should identify and describe through a risk assessment how these risks will be managed.'*

The [REDACTED] are well-used to 'playing catch-up' in trying to divine what it is that an applicant is actually applying for. We feel strongly that it is unacceptable for an applicant to simply provide further information at a later date, requiring us to then change our representation/submissions to account for information which should have been in the application to begin with. We, as the Soho Society, of course have every intention of engaging appropriately with the applicant through the process, but we are finding it increasingly frustrating that interested parties are fed information 'piecemeal' rather than upfront.

The letter we sent on 8 April expands on these points, and makes the case for the application being resubmitted and the consultation period re-set, for the reasons set out in that letter.

Having said that, we are aware that if the Council does not agree that the application should be invalidated and resubmitted, then the statutory 28 day consultation period ending on 17 April will stand. Therefore, without prejudice to our contentions above, we will proceed to outline our concerns in our representation as best we can, given the paucity of information.

### **3. Application summary**

#### **New premises licence**

The premises are described as follows:

*'The premises will offer a campus style environment to support the diverse and varied business and employee needs for the Creative Industry in London. The premises encompasses basement, ground, second and third floors (first floor is not being included in the licensed area), and will operate as a work/office space with ancillary events spaces. The premises will be managed by Soho House and Co.'*

According to the application form, it seeks:

- a) Sale of alcohol for consumption on the premises - 7am to 1am Mon-Sat; 8am to midnight Sun.
- b) Regulated entertainment (plays; films; live music; recorded music; performance of dance) – same hours.
- c) Late night refreshment (indoors and outdoors) – same hours.
- d) A plan has been submitted for the first floor showing its entirety as a licensed area, notwithstanding the assertion that it is not.

- e) All floors: -NYE- end of permitted hours on NYE to start of permitted hours on NYD.
- f) It appears to be open 00.00-00.00, i.e. 24 hours a day.

We object to this application on the basis that it aims to establish what can become in part a large bar/events space within a bigger premises, new bar open seven days a week outside core hours in a cumulative impact area, with the premises open 24 hours in an area which already has a high concentration of licensed premises with a substantial overall capacity.

Although over the years there has been a considerable increase in footfall and thus noise in the late evening, Dean Street and streets off tend to quieten down after around 11.30 -midnight, in contrast to Old Compton Street which has high noise levels until the early hours. There is noise from outside drinking but customers disperse by 11.30 and most of the restaurants close around the same time. Soho House at 76 Dean Street has brought far more taxis into the street until the early hours and more people dispersing after 1am as well as more noisy deliveries. An operation of the size proposed cannot but do the same and increase noise levels and public nuisance during the night unless conditioned to around 8 or 9pm.

The gradual increase in numbers and noise on the street has already causes problems for residents with bedrooms facing the street. This application will seriously exacerbate this problem due to the numbers and hours proposed; in listed buildings double glazing is often not possible.

The following points arise.

1. What is a 'campus style environment'? In our view this term is meaningless guff as is the contention that the premises will "*support the diverse and varied business and employee needs for the Creative Industry in London*". These marketing terms tell us nothing meaningful about the application and are misleading entry to the premises may not be restricted to those in the creative industries.
2. 'The premises encompasses *basement, ground, second and third floors (first floor is not being included in the licensed area)*' - yet plans have been submitted covering the first floor too. If the first floor is not licensed but is part of the overall proposed operation it would assist to know what activities are proposed. Although this is not a requirement this may impact upon representations.
3. However, condition 3 in the proposed list of conditions states 'No licensable activities shall take place on the first floor.' This is inconsistent and contradictory and should be corrected so it does not mislead.
4. 'The premises will be managed by Soho House and Co.' There is no indication of what entity will actually *operate* the premises.
5. 'The premises will be managed by Soho House and Co.' The applicant is 'Soho Works Limited', not 'Soho House and Co.' There is no company registered with Companies House with the name 'Soho House and Co.'
6. There is a lack of information generally about what will happen on each floor, in order for local residents a) to make an informed decision about whether they feel the application will promote the licensing objectives; and b) to make full representations against the application if they consider that it will not. It is difficult to hit a target you cannot see.
7. Was any pre-application advice obtained? It is very relevant to local residents to know what advice was sought/given as part of the pre-app process. It should be a public document, and

would be helpful to see it if it exists. Were additional conditions be made known at the hearing this would prevent those making representations from considering these in advance and how they might relate to the licensing objectives.

8. The plans as submitted are inconsistent and/or confusing. The 'red line' is variously stated as being the 'building boundary', and 'All licensable activities occur within the red line.' However, there is also a blue hatched line, described as 'designated premises/events space.'. However, in places, the blue hatched line is outside the red line.
9. What is the capacity?
10. No Delivery Service Plan is included in the application, yet there will be a considerable increase in deliveries. Both Soho House and the Dean Street Townhouse had (planning) conditions as to deliveries but they were not adhered to until recently by the latter
11. The hours and parameters of the application are contrary to the Council's Statement of Licensing Policy.
12. Consumption of alcohol can take place anywhere in the premises. There is no information of whether this is a full range, for example including spirits, for the office/work space users 7.00-01.00 and whether the same range of alcohol would be available for events.
13. The extent to which the premises will be genuine offices is doubtful and is contradicted by the various uses mentioned in the application – events space, provision and consumption of alcohol, regulated entertainment – the 'blue hatched' areas are extensive and cover the entirety of the basement and first floor, including outside the red line. This could therefore be used as one large, or several smaller, events space(s).
14. The hours sought are well outside 'core hours', and there seems to be no evidence submitted as to how the application will demonstrate an exception to Policy. Such evidence should be in the application, not submitted at a later date.
15. It is not clear why regulated entertainment is sought at all, for offices.
16. On the ground floor plan, there is an exit marked 'courtyard'. What will this be used for (bearing in mind that it is outside both the 'red line' and the 'blue hatched' line.
17. On the ground floor plan, an exit to Richmond Buildings (should be Richmond Mews) is shown. What will this be used for?
18. On the basement and ground floors doors open onto courtyards but apparently not part of the licensed area. What are these to be used for? This also relates to the prevention of nuisance as the applicant has proposed a condition that no noise shall cause a nuisance, but how will this be achieved in these two open courtyards?
19. There is no explanation for the necessity of having a liquor license from 7am to 1am in the morning in an 'office/work space'.
20. Given the 24 hour opening, and lack of information re events, it might be the case that events could take place until the early hours, especially if TENS were applied for. This would impact upon the licensing objectives and is yet another example of the difficulty of making accurate representations due to lack of important information.
21. As to the proposed conditions in the application (which we do not feel will assist in the application meeting the licensing objectives), we feel below are defective/unclear:

- No 1: The non-office use (entertainment and functions) square footage and numbers would need to be stated and limited and functions may only be held by members/tenants, and may only be attended by or open to members/tenants and their bona fide guests and there would need to be limitations on hours.
- No 2: wording is grammatically defective; also, how is “membership or tenancy of the premises” determined? Do members of other Soho Works premises, or Soho House members worldwide have access? How is access controlled?
- No 16: the refuse collection hours specified are inconsistent with required bottle collection times in the immediate area, and the reference to waste contractor collection hours must be removed as licensed premises may not take advantage of overnight refuse collections as this will cause a noise nuisance and contradicts the hours limitation stated.

Adding up the number of chairs there’s an apparent capacity of 447 workstations, though this is indicative only. Is the intention to permit guests of members? If so, how many, what type of events will take place and how many, the plan / detail for live music/dance/performance. These are all the sorts of matters which we feel should have been clear from the application. Also the workstation plan is indicative only.

We have also looked at the applicant’s other premises in London, one in Shoreditch and White City. Their opening hours appear to be Mon-Fri 7am-9pm and Sat - Sun 8am-6pm - why the difference here?

We believe that the application would fail to promote the licensing objectives of prevention of public nuisance, the prevention of crime and disorder and will add negatively to cumulative impact.

#### **4. The Licensing Objectives**

In relation to the licensing objectives our concerns are as follows:

##### **4.1 Prevention of crime and disorder (Dean Street & streets off)**

Levels of crime and disorder in the West End Ward is the highest in the whole of Westminster (see **Appendix 2**). In Soho certain streets are associated with high levels of criminal activity which is directly linked to the large numbers of people attracted to the vast range and number of premises supplying alcohol, the pubs, restaurants, bars and clubs. The largely residential Meard Street is situated within this area and residents already experience high levels of drug dealing and other criminal activity, as do other residents.

Until the mid 1990’s this part of Soho was fairly quiet with relatively low crime levels and no noticeable drug dealing. As the number of licensed and late night premises have increased so have crime levels.

Dean Street along with Wardour Street, Frith Street, Greek Street, Old Compton Street and Brewer Street makes up the heart of the late night entertainment area, with the largest concentration of late night uses which invariably results in high levels of crime and disorder. Dean Street and the small streets which surround it has c280 residential units plus 22 restaurants, 7 private members clubs, 6 pubs, 3 other entertainment venues, 2 hotels, 1 theatre, 1 workplace bar, in total 42 premises with alcohol licences ranging from 23:00 to 03:00 and with a recorded capacity of 3,640 people, however the true figure is much higher

as 14 licences did not contain capacity information. (See **Appendix 1** for the full list of premises and residential units).

### **Crime statistics**

Criminal activity associated with the late night economy / venues and large numbers of people on the streets results in high levels of serious crime. In Soho the majority of robberies take place late at night, neighbourhood police acknowledge they peak between the hours of midnight to 4 am. Intoxicated and therefore vulnerable people are targeted as they leave late night venues which is evidenced by the crime figure for Soho highlight a huge increase in robberies, \*111 robberies took place within the four month period from Nov - Feb 2017/18, for the same period in 2018/19 the figure was 266 an increase of 140%. Figures for theft from person also show a similar increase 401 for the same period in 2017/18 to 1,028 in 2018/19 an increase of 156%. (\*source: Police UK data published for Soho)

Recent reported crime figures for Dean Street and the surrounding streets highlights the clear correlation between large numbers of licensed premises and an increase in crime,

### **September 2019- February 2020**

**Dean St** : Theft person = 57. Violence with injury = 30. Robbery = 12. All crime = 280.

**Wardour St** : Theft person = 70. Violence with injury = 22. Robbery = 6. All crime = 301

**Old Compton St** : Robbery = 19. Theft person = 162. Violence with injury = 47. All crime = 429.

**Frith St** : Robbery = 13. Theft person = 46. Violence with injury = 23. All crime = 143.

Criminal activity is not limited to these types of crimes at night, these streets also attract drug dealers are in the area targeting people as they leave premises. This activity was witnessed by members of the Soho Society licensing committee in September 2019 on a late night walk about of the area, 4 drug dealers were seen on the corner of Dean St and Old Compton Street and similar numbers on and around Frith St and Greek St, there are more dealers in the area at night than during the day, this is all linked to the late night economy.

We are in no doubt that a new 1am licence with an apparent capacity of 447 (excluding events) in an area already saturated with late night venues will attract criminal activity and will result in an increase in crime and disorder.

### **4.2 Prevention of public nuisance (Dean Street & streets off)**

Until the mid-1990's this part of Soho was surprisingly quiet with very few people on the streets after around 11pm including Friday and Saturday evenings. Meard Street, for example/ was largely deserted in the late evening and early morning.

This is a highly residential and narrow street, as are the streets off Dean Street, and patrons leaving the premises having had the opportunity to drink alcohol until 1am, particularly at private events with music and entertainment will have a detrimental impact on residential amenity. Residents are already disturbed by noise from people loitering in the street and those engaged in anti-social behaviour in the late evening and early morning.

As mentioned in 4.1 the quiet nature of this area gradually changed as more licenses and late licenses were granted. The numbers using the streets late at night and the noise levels increased in parallel with more licenses. For example when Soho House opened at 76 Dean Street the number of late night taxis and 'Uber' type vehicles increased after midnight as did the number of deliveries and people on the street thus increasing noise levels. Granting a new 1am licence in this part of Dean Street will increase noise for local residents.

Residents living at the back of these premises on Richmond Mews will require protection from noise especially in relation to the use of the back door and the two open courtyards, its use at night needs to be restricted to 10pm. In terms of rubbish collection provision should be made for collection of waste to be collected inside the premises and not on the street.

#### **4.3 Public Safety**

Under the objective PS1, the applicant needs to '*... demonstrate that the public will be safe within and in the vicinity of the premises,*' and goes on to state '*Crime, disorder and antisocial behaviour inside and in the vicinity of licensed premises may threaten public safety and affect perceptions of public safety.*' Drunk and highly intoxicated people on the streets late at night are very vulnerable requiring help and to prevent them from becoming victims of crime. To help people who become vulnerable on a night out Westminster City Council with the LGBT foundation has established the Soho Angels, these are group of volunteers who work on Friday and Saturday nights between 10pm and 5am helping vulnerable or distressed people on a night out. They work with St. John Ambulance who provide medical assistance at a 8 bedded night hub in St. Anne's Church on Dean Street. In their first year of operation they helped over 1,200 people, medical assistance given to 230 cases of which 80 were classed as serious incidents, and 40 crimes were reported. This is further evidence of the impact of the high number of late night uses and large number of people out on the streets, such that a dedicated team of volunteers is required to help the vulnerable, keeping them safe from harm.

The application proposes to add an additional late night licence with entertainment uses, a bar, event space and an capacity of 447 work stations in a street with c.280 residential units in the vicinity, 42 evening and night time uses, with a capacity of over 3,640 people. With all the evidence highlighted above this application will fail to promote the licensing objectives and should be rejected.

#### **5. Licensing Policy - Cumulative Impact**

As set out in the licensing objectives we have clearly produced evidence of cumulative impact with the existing number of late night uses in Dean Street and in the surrounding area.

The application falls to be determined with reference to the following policies: CIP1(i); HRS1; PB2; MD2; PN1.

The application is contrary to all of these policies.

The s182 Guidance (para 8.41) requires of the applicant that:

*'In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area*

*when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.'*

There is nothing in the application to indicate that the applicant has had regard to the Statement of Licensing Policy and the fact that the application is contrary to large swathes of it.

#### **Policy CIP1(i)**

*(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.*

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes and their capacities has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

Paras 2.4.11 and 2.4.12 state that:

*'2.4.11 'The council is therefore of the view that there is a clear distinction in the character and operation between "qualifying clubs" and proprietary clubs and premises which promote private functions, and considers that proprietary clubs and premises which promote private functions are very likely to contribute to cumulative impact in the cumulative impact area and will often not offer sufficient control over their members to promote the licensing objectives.*

*2.4.12 The council therefore considers that in the cumulative impact areas premises which restrict access to general members of the public, such as proprietary clubs and premises used for private functions, will not be considered to be exceptions to cumulative impact area policies for that reason alone.'*

#### **Policy HRS1**

(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.

(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 and with particular regard to the following:

*(a) The demonstration of compliance with relevant criteria in policies CD1, PS1, PN1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety and public nuisance.*

*(b) Whether there is residential accommodation in the proximity of the premises that would be likely to be adversely affected by premises being open or carrying out operations at the hours proposed.*

(c) The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.

(d) The proposed hours when any music, including incidental music, will be played.

(e) The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.

(f) The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.

(g) Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.

(h) The capacity of the premises.

(i) The type of use: recognising that premises that sell alcohol, play music for dancing, provide fast food, are more likely to be associated with crime and disorder and public nuisance than restaurants, theatres, cinemas, other performance venues or qualifying clubs.

(Our italics).

The application falls within HRS1(ii) and does not demonstrate compliance with some or all of the criteria.

## **Policy PB2**

Policy PB2 states that the Licensing Authority considers that the grant of variations and new licences for pubs and bars (which this premises would/could be) in the CIA should be limited to exceptional circumstances.

2.5.23 goes on to state that:

*The provision of a bar within a workplace solely for the use of those working there, and their invited guests, will generally be regarded as an exception to the policy not to grant new bars in the Cumulative Impact the hours and extent of the use of the bar and the effect on cumulative impact in the Cumulative Impact Areas.'*

This exception does *not* apply in the circumstances of this application, as much more wide-ranging licence has been applied for.

It is also the case that when the Policy was last reviewed in 2015, these types of premises had not yet come to prominence. This part of the policy does not account for these large scale hybrid office/event space premises and should be disregarded.

## **Policy MD2**

This Policy is *mutatis mutandis* the same as policy PB2.



## Policy PN1

The policy states as follows (our italics):

To prevent public nuisance the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews:

### Criteria

The potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of nuisance occurring. *This will particularly apply in areas of residential accommodation and where there is residential accommodation in the proximity of the premises.*

2.2.9 *“The Licensing Authority will expect applicants to set out in their Operating Schedules the steps taken, or proposed to be taken, to deal with the potential for public nuisance arising from the operation of the premises or open air site under the licence. Applicants should identify and describe through a risk assessment how these risks will be managed. Public nuisance could include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include, in appropriate circumstances, a reduction of the living and working amenity and environment of persons in the vicinity of licensed premises.”*

The Operating Schedule is deficient in this regard.

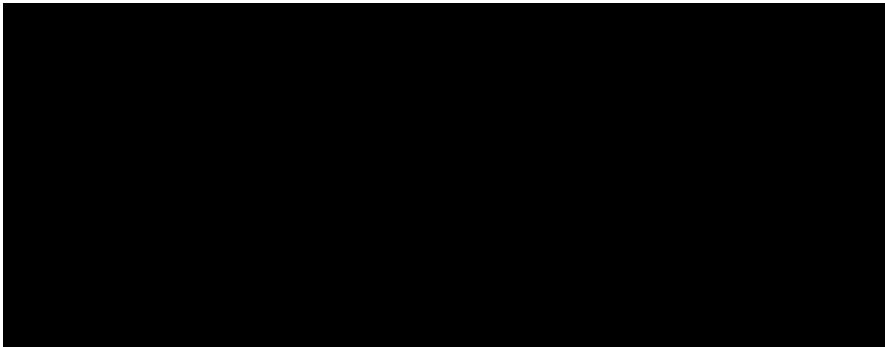
### Conclusion

In conclusion, this application aims to create a large new bar/events space in a highly residential street with residents on other streets in proximity, in the cumulative impact area, in our view there is no exception to policy. We respectfully request this application is rejected.

Due to the current ‘lockdown’ caused by the ongoing Covid-19 crisis, fewer people may have become aware of the application. We are aware that applications must be advertised, but footfall has of course decreased hugely in the last few weeks, and the ‘blue notice’ will have been unlikely to come to the attention of members of the public. Therefore we reserve the right to submit in due course further concerns from local residents who may not have been aware of the application during the consultation period.

Please do not hesitate to contact us if you require any further information.

Yours faithfully,



Appendix 1: [REDACTED] RESIDENTIAL ADDRESSES & LICENSED PREMISES: DEAN STREET & STREETS OFF.

2020 04 15 [REDACTED] RESIDENTIAL ADDRESSES & LICENSED PREMISES

Licenses are where known and do not include staff unless stated

ADDRESS	No of units residential Capacity of Licences	Notes Hours of Licences
<b>DEAN STREET NORTH TO SOUTH</b> Numbers are seriatim in Dean Street		
90	1	
5	1	
89	2	
89 Nellie Dean Pub	120 (info supplied by the premises & capacity not listed.)	11.00-23.00 (12 Friday-Saturday but closes 23.00)   12.00-10.30 Sundays
88	4	Rippons Newsagents
87	3	
86	2	
5 Pierre Victoire	40	00.00 (closes 11.30)
10 Pizza Express Restaurant	Capacity not listed.	00.30 (closes 11.30)
10 Pizza Express Live Music	115	Basement 03.00
11 Pizza Pilgrims	Capacity not listed.	00:00 Closes 23:30
<b>CARLISE STREET</b>		<b>Crosses Dean Street into Soho Square</b>
21	2	
2	4	
19	3	
1	4	
4	3	
5	1	

16	1	
17	1	
4 Vanity	175	20.00 – 03.00
19 Toucan Pub	30 Basement. inc staff. Pub capacity not listed.	11.00 – 23.30
<b>ST ANNE'S COURT</b>		<b>Between Dean/Wardour Streets</b>
Clarion House	24	
28	1	
27	1	
26	1	
17	4	
15	9	
2 Zelman Meats	200	15.00-00.00
<b>DEAN STREET Cont.</b>		
21 Soho Theatre	200 auditorium 100 studio	23.00 LNR 00.00
21 Soho Theatre bar ground & basement	150	
81 Wagamama	180	00.00 (00.30 Late Night Refreshment)
<b>RICHMOND BUILDINGS &amp; MEWS</b>		
3	10	
12-13	5	
Soho Lofts	30	Also at 90 Wardour Street
4. Soho Hotel Refuel Bar	Capacity not listed	10.00-00.00 (12.00-23.30 Sundays)
<b>DEAN STREET (CONT.)</b>		
80A	1	
21	5	
22	12	Townsend House
79	3	

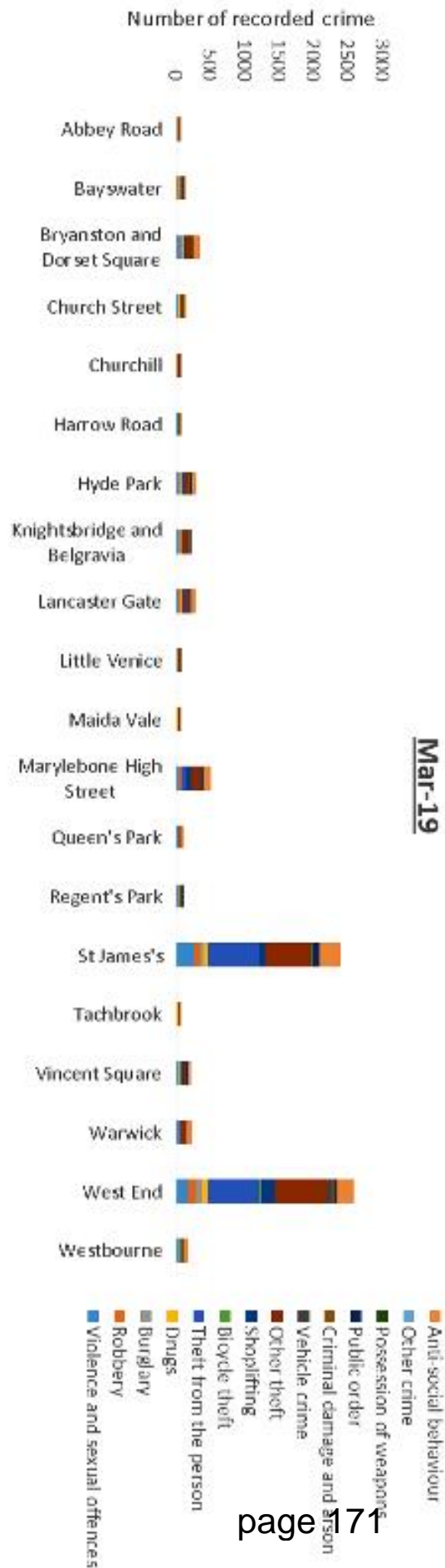
77	1	
<b>72-74 ROYALTY HOUSE</b>	<b>Total nearby capacities in this stretch of Dean Street c1,205</b>	<b>APPLICATION PREMISES</b>
30	2	
31-32	1	
22-25 Japes	100	1.00 (Closing time 11.30)
77 Red Fort	210	00.00
76 Soho House	400	01.00
26-27 Barrafina	Not separately listed. Part of Quo Vadis	01.00 (open Mon – Sat 12:00 - 15:00   17:00 - 23:00).
26-29 Quo Vadis	100	01.00
26-29 Quo Vadis Club	180	02.00
30 Sunset Strip	65 inc staff	Noon-01.00 (closed Sunday)
75 De Lane Lea	50	00.00
31-32 Crown & Two Chairman Pub	Capacity not listed	00.00
<b>BATEMAN STREET</b>		<b>From Dean Street to Soho Square</b>
55	3	
3	6	
22	3	
16	7	
14	4	
13	3	
Gopals Restaurant	Not listed	00.00
Salon 64 hair salon	50	Private members club 20:00-22:00
Pix	90	00.00
Dog & Duck Pub	Not listed	00.00
<b>DEAN STREET Cont.</b>		
33	2	

32	2	
35	3	
40	3	
41	3	
68	1	House
47	2	
49	1	
38 Burger & Lobster	90 bar (has 140 covers & bar not that big)	00.30
39 Prix Fixe	Capacity not listed. 50 covers.	00.30
40 Dean Street	Capacity not listed. 40 covers.	00.30
41 Ducksoup	Capacity not listed.	00.30
42 Cay Tre	25 (incorrect due to size)	01.00   LNR 00.30 (closes 23.00, 23.30 Friday & Saturday).
67 Blacks Club	90	01.30
69 Dean Street Townhouse	120	00.00
64 Sola	40	00.30 (closes 23.30)
<b>MEARD STREET</b>		<b>From Dean Street to Wardour Street</b>
1	3	House
3	1	House
5	1	House
7	3	House
9	1	House
11	1	House
13	2	House
15	1	House
17	1	House

19	1	House
21	1	House
2	1	House
4	3	House
6	3	House
Royalty Mansions	12	Flats
8-14 We Work	330	23:00
Honest Burger	80	00.00   LNR 00.30 (closes 23.00)
<b>BOURCHIER STREET</b>		<b>From Dean Street to Wardour Street</b>
12	16	Flats
<b>DEAN STREET Cont.</b>		
44 Groucho Club	300 (200 after 00.00)	02.30
63 Tonkotsu	Not listed	00.30
<b>DEAN STREET Cont.</b>		
58 Kemble House	16	
57 Chancel Court	20	
49	1	
51	2	
52	5	
St Anne's Rectory	1	
48 Rosa's	60	23.00   LNR 23.30 (closes 10pm)
49 French House Pub	Not listed	00.00   LNR 00.30 (closes 23.00)
50 Le Relais de Venise	110	03.00* (open 12.30 – 22.30   23.00 Saturdays & Sundays). *NB hours from when it was a late night bar causing much public nuisance.
51 Golden Lion Pub	Not listed	00.00   LNR 00.30 (closes 23.30)
52 Gerry's Club	Not listed	03.00   LNF 03.30
	<b>281 units</b>	

**NOTE:** this goes down both sides of Dean Street by section covering both sides of the street & the numbers on each side are seriatim, hence the odd looking numbering.

## Appendix 2: Crime stats March 2019



### Appendix 3: Letter of 8 April to the Licensing Service & Responses:

FROM [REDACTED]

April 8<sup>th</sup> 2020

Steve Rowe  
Team Manager - Licensing Team 1  
Licensing Service  
Public Protection and Licensing  
Westminster City Council by email to:  
[srowe@westminster.gov.uk](mailto:srowe@westminster.gov.uk)  
CC [dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk) | [kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk) | [lane@tlaw.co.uk](mailto:lane@tlaw.co.uk)

Dear Mr Rowe,

20/03127/LIPN | SOHO WORKS LTD | ROYALTY HOUSE 72-74 DEAN STREET LONDON W1D 3SG

We note that this application was received and validated by the licensing authority on 20 March 2020. We write to request that the licensing authority reconsiders the decision to validate the application based on the documentation and information supplied with the same, so those considering making representations can do so upon a level playing field before a hearing. We are aware that as per the *BBPA v Canterbury City Council* case, the licensing authority may not stipulate to an applicant what they require to be included in a licence application e.g. to provide better information.. Notwithstanding the foregoing it is our view, for all the reasons given below in relation to this application, and the Government Guidance under s182 Licensing Act 2003 which we quote, that the lack of information in this application makes it impossible for potential objectors to make proper, informed and effective representations in respect of this application, given that the nature, scope and extent of the licence applied for is a) not clear; b) confusing; c) incomplete; and d) in parts, contradictory. Therefore, residents are not able to comply with para 8.13 of the Guidance.

As importantly, a resident may decide not to make a representation, on the basis of the available information. When the full nature of the application becomes clear, they may wish to make a representation, but would be estopped from doing so by the relevant Regulations setting down the statutory consultation period.

In our view, this renders the application materially deficient in that it causes significant and material prejudice to local residents, who the Government intends play a vital part in the licensing regime. We simply cannot do so if we do not know the details of what an application seeks. In other words, we are unable to 'participate effectively'.

The applicant could have easily avoided this situation by making it clear what they have applied for. Likewise, they can easily resolve it by providing further information; however the application as it stands should be invalid, and the consultation period should be re-set as and when full information is provided.

Our residents association and others have had sight of the above application and need to consider making representations as to whether this application will promote the four licensing objectives. Government Guidance under s182 Licensing Act 2003 states:  
**1.5** *'....the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work.... encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.'*



**8.13** *'Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives.'*

Clearly the above cannot be achieved if an application lacks the information residents need to assess whether an application promotes the licensing objectives (especially in an area of cumulative impact) and has inconsistencies. For example on the question of public nuisance:

**2.16** *'Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.'*

We all find ourselves in some difficulties due to lack of the information submitted with the application and which does not meet the criteria required under the Government Guidance under s182 Licensing Act 2003 and inconsistencies in the application, viz, for example points the Guidance which appear not to have been implemented by the applicant:

**8.47** *'Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area.'*

**8.42** *'Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand: the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises ... any risk posed to the local area by the applicants' proposed licensable activities.'*

**8.43** *'Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.'*

**8.44** *'...premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.'*

**8.46** *'...Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.'*

**8.48** *'All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively.'*

**8.49** *'It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.'*

The legal status of the Guidance is set out in Para 1.9. *'Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. This Guidance is therefore binding on all licensing authorities to that extent. However, this Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.'*

## **1. First Floor & Issues re the Plans Submitted**

There are numerous inconsistencies, a lack of information and apparent errors.

**1.1** The application states that: *'The premises encompasses basement, ground, second and third floors (first floor is not being included in the licensed area)'* - yet plans have been submitted covering the first floor. Therefore we cannot know if the first floor is, or is not,

included in this application and this would make a material difference to the potential numbers involved and thus to any representations, whether or not it is licensed;

**1.2** Condition 3 in the proposed list of conditions states *'No licensable activities shall take place on the first floor.'* However the plan submitted for the first floor has a red line around it indicating this is a licensed area clearly contradicting Condition 3 and 1.1 above. Is it a proposed licensed area?

**1.3** The first floor does not show any furniture or fittings and there is no information as to its proposed use(s) in the application notwithstanding the impact it may have on the four licensing objectives. If in fact the applicants propose a license on the first floor what is its proposed use? If not licensed what is its proposed use as the same applies in terms of assessing impact of the use on the licensing objectives, notwithstanding the fact that this is not a requirement if not licensed?

**1.4** All the plans are marked: *'2.LOCATION OF LOOSE FURNITURE AND OTHER INFORMATION SHOWN IN THIS DRAWING NOT REQUIRED BY LICENSING PLAN REGULATIONS IS SHOWN FOR INDICATIVE PURPOSES ONLY.'* Given the scarcity of information about the proposed uses and the unusual hours applied for, and the lack of capacity figures for either 'office', 'events', 'films', 'regulated entertainment', 'performances of dance', 'live music', 'late night refreshment' and 'recorded music' or reasons for all the latter in a work/office; this caveat means the layout could in fact be anything.

**1.5** Basement Courtyard is hatched in blue for events but leads off a licensed area. Does this mean those exiting the licensed area are not allowed to take alcohol into the courtyard? There is nothing about this in the proposed conditions and it would appear impractical if it is the case.

**1.6** On the ground floor plan, there is an exit to a 'courtyard' showing foliage. What will this be used for (bearing in mind that it is outside both the 'red line' and the 'blue hatched' line? The same issue(s) as 1.5.

**1.7** Proposed Condition 10 states: *'No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.'* The Basement plans show a Courtyard which is open and there are no proposed Conditions to prevent any activities which would clearly create noise transmission from an open area see 4. below.

**1.8** The plans as submitted are inconsistent and/or confusing. The 'red line' is variously stated as being the 'building boundary', and 'All licensable activities occur within the red line.' However, there is also a blue hatched line, described as 'designated premises/events space.' However, in places, the blue hatched line is outside the red line.

**1.9** On the ground floor plan an exit to Richmond Mews is shown. What will this be used for and we assume me this should be Richmond Mews?

## **2. Understanding the Proposed Uses**

This is a large building hitherto used as standard offices during normal office hours with no form of liquor license and having no noticeable impact upon nearby residents and others. Therefore the proposed uses are key to assessing whether the application promotes the licensing objectives, especially within an area of cumulative impact. The only information give is:

*The premises will offer a campus style environment to support the diverse and varied business and employee needs for the Creative Industry in London. The premises encompasses basement, ground, second and third floors (first floor is not being included in the licensed area), and will operate as a work/office space with ancillary events spaces. The premises will be managed by Soho House and Co.*

The applicant states the premises ‘...will operate as a work/office space with ancillary events spaces’ however it is very difficult indeed for residents to understand whether this operation will promote the licensing objectives, for the following reasons:-

**2.1 Ancillary Events Spaces**

As far as can be seen from the plans the basement & courtyard and most of the ground floor are marked blue for events but no proposed conditions prevent the other floors being similarly used therefore the word ‘ancillary’ appears inappropriate? The extent to which the premises will be genuine offices is debatable - the ‘blue hatched’ areas are extensive and cover the entirety of the basement including outside the red line and part of the ground floor. They could therefore be large events spaces. Consumption of alcohol can take place anywhere in the premises and given the extent of the ‘ancillary’ event spaces these area could, in effect, become a very large bar.

**2.2 Campus Style Environment**

The NUS 2018 Survey on trends on alcohol use on university campuses finds that: *‘There’s still a strong association of university life being associated with excessive alcohol consumption - 76% say there’s an expectation for students to drink to get drunk and 79% agree that drinking and getting drunk is part of university culture.’* In the USA the NIH stated that *‘According to the 2018 National Survey on Drug Use and Health (NSDUH), 54.9 percent of full-time college students ages 18 to 22 drank alcohol in the past month; 36.9 percent engaged in binge drinking...’* The UK definition of ‘a campus’ is: *‘...the grounds and buildings of a university or college’*, therefore it is very difficult indeed to understand what the applicant means by this phrase, especially within an area of cumulative impact.

**2.3 Operating ‘as a work/office space with ancillary events spaces...’**

Whist the applicant purports to promote this application as being for work/office space they are also applying for (and below compared to Soho House 76 Dean Street - club)

**72-74 Dean Street Application ▼ vs Soho House 76 Dean Street ▼**

1. Films (7am to 1am);	Same
2. Live Music (7am to 1am);	Same
3. Recorded Music (7am to 1am);	Same
4. Performance of Dance (7am to 1am);	Same
5. Late Night Refreshment (11pm - 1am);	Monday to Sunday: 07:00 to 01:00
6. Supply of Alcohol 7am - 1am	Same
NB 1-6 are 8am - Midnight on Sundays	
24 hours opening	Monday to Sunday: 07:00 to 01:00

Offices/workspaces are not normally open 24 hours, nor do they have the regulated entertainment listed above, therefore it is difficult to understand the possible relationship between the application and the licensing objectives, and this is compounded by the issues which follow.

**2.4 Numbers Using the Premises & Potential Uses**

As far as we can see there are 447 work chairs marked on the plans, but we are told the information on the plans is indicative only. Section 8.47 of the Guidance states that:

*'Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area.'* The application clearly does not reach this threshold.

Section 8.13 in referring to residents states *'Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives.'*

It is very difficult to see how residents (and others) can decide whether, and on what grounds, to make relevant representations and meet S8.13 in the absence of all the above given below:-

1. What is the office/work space capacity?
2. What is the capacity for events and what might their hours be (within a premises open 24 hours)? How can one assess the relation between the licensing objectives and an application where the capacity of the 'office' use is unknown as are the potential numbers for 'events', their frequency and their hours within 24 hours?
3. We ask the applicant to provide details of:
  - the type, frequency and times of live music performances to be provided and relevance in an office setting?
  - the type, frequency and times of performance of dance to be provided and relevance in an office setting?
  - Will there be a cap on the number of people attending a single event ?
4. There is no indication of either the numbers who may attend events, nor whether such events can only be booked by members of Soho Works or are open for others to book;
5. What are the number of guests allowed (there is no mention of this in the applicant's proposed Conditions)? How frequent would events be and what are the maximum numbers? There is no indication of whether there will be a cap on the numbers attending such events and therefore it is impossible to assess their relation to the licensing objectives;
6. Why regulated entertainment is sought at all, for office/work space in 'a campus setting'?
7. The reason for the premises to be open from 00:00-00:00 Monday to Sunday ?

There is a lack of information generally about what will happen on each floor, in order for local residents and others to make a) make an informed decision about whether they feel the application will promote the licensing objectives; and b) to make full and accurate representations against the application if they consider that it will not.

### **2.5 Hours of Operation**

The applicant is for a 'campus style' office/workspace, but the application is for a 24 hour operation and there is no information on how such an operation will promote the licensing objectives within an Area of Cumulative Impact, nor the Council's policies in such areas, thus how can those making representations meet S.83 of the Guidance?

Why is a licence sought until 1am (outside core hours), considering the opening hours of Soho Works in Shoreditch and White City is 7am-9pm Monday to Friday and 8am-6pm Saturday and Sunday?

### **3. Alcohol: Hours and Related Matters**

Were this to be a restaurant, pub or bar those considering representations would be aware of the standard offers within such operations and could tailor any representations accordingly to meet S8.13 of the Guidance. However this application is for what is described as a 'campus style' office/work space operating 24 hours and with the same range of regulated entertainment as Soho House at 76 Dean Street. Therefore such 'standard' information is not available, nor is any such information given with the application as it should be to enable those considering representations to take a view and meet S8.13 of the Guidance. This will inevitably prejudice residents who either a) make a representation, but don't have the information to do so effectively; or b) don't make a representation, e.g. on the basis that the premises is described as a campus-style office/workspace, when the true nature may be very different.

### 3.1 What Alcohol?

There is no information as to what alcohol will be available during the licensing hours sought (mainly 7am to 1am) at the 5 'Refreshment Stations' on the plans submitted. Will this be limited in any way as this is not mentioned in the proposed Conditions thus it could be anything?

### 3.2 Cost of Alcohol for Office/Work Space Users?

- a) Is the cost included within 'membership' of Soho Works?
- b) Is the cost included for 'tenants' of Soho Works?
- c) How does it relate to 'members' and 'tenants' as there are no definitions of either?
- d) Can 'members' and/or 'tenants' consume unlimited amounts of alcohol between 7am - 1am?
- e) If so how many guests can 'members' or 'tenants' have and the same two questions apply to their guests?
- f) how many 'members' and 'tenants' are involved and do these terms relate to all Soho House, or Soho Works 'members/'tenants'
- g) How will the operators stop the sale/availability of alcohol at 1am?

If a) above does not apply what are the proposed arrangements for both 'members' and 'tenants' their guests as there is no such information in the application?

### 3.3 Alcohol & Events

Condition 2 proposed by the applicant limits licensable activities to: '*...directors, partners, employees of Soho Works Ltd, and tenants and members of the premises and their bona fide guests.*' There is no definition of either 'tenants', or 'members' and no limit proposed on the numbers of their 'bona fide' guests. Therefore how can one know how many may attend events? There are no limitations proposed as to hours for events within a 24 hour cycle and thus it is not possible to meet S8.13 of the Guidance in considering representations in relation to meeting the licensing objectives. Events do not depend upon the proposed licensing hours.

Will the range of alcohol be the same for the office/work space users and for those attending events?

### 3.4 Licensing Hours

The hours sought are well outside 'core hours', and there seems to be no evidence submitted as to how the application will demonstrate an exception to Policy. Such evidence should be in the application, not submitted at a later date, OR at the hearing.

### 4. Noise Emission

The applicant proposes Condition 10 regarding noise '*...which gives rise to a nuisance*'. There are open courtyards at both basement and ground floor levels (referred to above - 1.5 and 1.8). How can proposed Condition 10 be met given these open courtyards? This information should be available before a hearing so that those considering their possible representations can properly assess their impact on the licensing objectives.

### 5. Management & Operation of the Premises

5.1 Whilst the application states that '*The premises will be managed by Soho House and Co.*' there is no indication of what entity will actually operate the premises.

5.2 'The premises will be managed by Soho House and Co.' The applicant is 'Soho Works Limited', not 'Soho House and Co.' There is no company registered with Companies House with the name 'Soho House and Co.' thus this yet another matter which needs to be clarified well in advance of any hearing and indeed should have been quite clear in the application.

### 6. Pre-application Advice

Was any pre-application advice obtained? It is very relevant to local residents to know what advice was sought/given as part of the pre-app process so there is a level playing field before the hearing and not at same. It should be a public document, and we therefore request sight of same if it was sought and obtained.

At a recent hearing re We Works at 8-14 Meard Street it appeared that such advice had been sought and various conditions agreed in advance of that Hearing. As this only became

apparent at the Hearing, residents who had made representations and who appeared at the hearing were placed at a severe disadvantage. Whilst the applicant and their professional advisers were obviously aware in advance of these proposed conditions residents representing themselves were not and therefore did not have the opportunity to consider them in advance and make representations on same, had they considered this to be necessary.

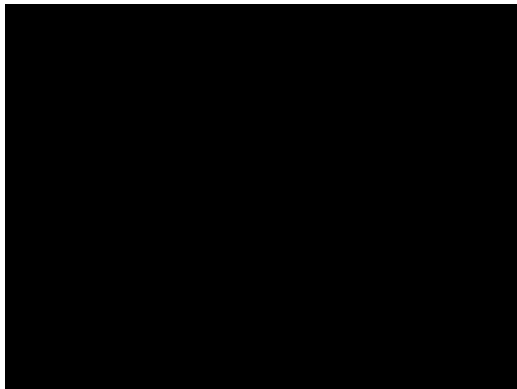
## 7. General Concerns

Our concern is how the Licensing Authority can have confidence with the operating schedule and the promotion of the licensing objectives when the details and the nature of the operation of the premises has not been laid out, the decision is therefore based on limited and in this case scant information thereby making any decision of the Licensing Authority unsafe.

In this case, as an example, we point you to the application for live music, recorded music, films, performance of dance, all entertainment uses which have been applied for within an office/work space without any detailed information of the operation.

How can the Licensing Authority or objectors have confidence in conditions proposed by the applicant when we do not know the true nature of the operation?

How can objectors, in this case local residents, make informed representations when we are not aware of the true nature of the operation?



Cc dgadd@westminster.gov.uk | kjackaman@westminster.gov.uk | lana@ltlaw.co.uk

**From:** Jackaman, Kevin: WCC [<mailto:kjackaman@westminster.gov.uk>]

**Sent:** 16 April 2020 15:32

**To:** [REDACTED]

**Cc:** Gadd, Daisy: WCC; Rowe, Steven: WCC

**Subject:** RE: 20/03127/LIPN | ROYALTY HOUSE 72-74 DEAN STREET LONDON W1D 3SG

Dear [REDACTED]

Thank you for your email.

Having sought advice for the Council's Legal Team, the Licensing Service remain of the view that the applicant has made it clear in the application, and also by way of a condition, that no licensable activities will take place on the first floor.

With regard to pre application advice, I confirm that the applicant did not seek pre application advice in respect of this application. You will appreciate that an applicant is not required to do

this under the legislation, nor does the Licensing Act or the Council's Licensing policy require a risk assessment to be submitted with an application. While of course this may be beneficial, it is a matter for the applicant.

As you will be aware, the closing date for representations is 17<sup>th</sup> April 2020. I would be grateful if you could confirm whether you wish your letter of 8<sup>th</sup> April 2020 to be treated as a formal representation?

I can confirm that other representations have been received and on that basis the matter will need to be determined by the Licensing Sub Committee.

Regards

Kevin Jackaman  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department  
Westminster City Council  
15th Floor  
64 Victoria Street  
London SW1E 6QP  
Direct Line: 07816217005  
Call Centre (for general queries): 0207 641 6500  
[Email:kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)  
[Web: www.westminster.gov.uk](http://www.westminster.gov.uk)



Greener and Cleaner | Vibrant Communities | Smart City

**From:** [REDACTED]  
**Sent:** 14 April 2020 17:22  
**To:** Jackaman, Kevin: WCC <[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)>  
**Cc:** Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>; [REDACTED]  
[REDACTED] Rowe,  
Steven: WCC <[srowe@westminster.gov.uk](mailto:srowe@westminster.gov.uk)>  
**Subject:** RE: 20/03127/LIPN | ROYALTY HOUSE 72-74 DEAN STREET LONDON W1D 3SG

Dear Mr Jackaman,  
Thank you for your reply.

I attach the first floor plan, as submitted by the applicant.

This plan states '**LICENSING PLAN FIRST FLOOR**' on the bottom right.

On the bottom middle under **NOTES, Number 1. States 'ALL LICENSABLE ACTIVITIES OCCUR WITHIN THE RED LINE'**.

The Notes are the same for each floor and as you say the red lines also denote the building boundary on each floor. Of course they state the first floor is not included but the plan clearly contradicts this and in our view the Licensing Service should have had this altered before the application was accepted and advertised as the clear contradiction remains and is confusing. Our letter demonstrates the need for a reasonable level of information from the applicant so that those wishing to make representations may do so in an effective manner as does the Guidance we quoted. We therefore disagree with your response.

In addition, for example, the Council's Licensing Statement 2.2.9:

*'The Licensing Authority will expect applicants to set out in their Operating Schedules the steps taken, or proposed to be taken, to deal with the potential for public nuisance arising from the operation of the premises or open air site under the licence. Applicants should identify and describe through a risk assessment how these risks will be managed.'*

Given the unusual nature and large scale of this application, where is the risk assessment?

Will you be allowing the applicant to provide explanations and answers to our many questions at the hearing?

Can you, as previously requested, advise us of any pre-application advice?

Yours sincerely,

[Redacted signature block]

[Redacted signature block]

**From:** Jackaman, Kevin: WCC [<mailto:kjackaman@westminster.gov.uk>]

**Sent:** 09 April 2020 16:54

**To:** [Redacted]

**Cc:** Gadd, Daisy: WCC; Jackaman, Kevin: WCC; [iana@ltlaw.co.uk](mailto:iana@ltlaw.co.uk); [Redacted]

[Redacted] Rowe, Steven: WCC

**Subject:** 20/03127/LIPN | ROYALTY HOUSE 72-74 DEAN STREET LONDON W1D 3SG

Dear [Redacted]

Thank you your email and letter of 8<sup>th</sup> April. I am responding to this in Steve Rowe's absence.

I have reviewed the contents of your letter together with the application submitted.



The application submitted contains the information required by the Licensing Act 2003 in that it sets out a description of the premises and the hours applied for. Conditions were included with the application which state how the applicant intends to promote the licensing objectives and plans were submitted which meet the relevant criteria.

I note your comments in respect of the plans and will provide clarity on this point. The applicant has included a plan of the first floor so as to provide the means of escape from the third floor and to ensure that the application can effectively be assessed in relation to public safety. Whilst the first floor plan shows a red line around the premises, the key to the plan advises that this is to show the “building boundary” and not the extent for licensable activities. The applicant has made it clear in the application, and also by way of a condition, that no licensable activities will take place on the first floor.

Having reviewed the application, the Licensing Service is satisfied that this is a valid application and that the last date for representation remains 17<sup>th</sup> April 2020.

Notwithstanding the above, it is the Licensing Service’s view that applicants, interested parties and responsible authorities, should attempt to resolve issues prior to a hearing where it is possible to do so and encourage interested parties to contact applicants where they require clarification, either directly or through the Licensing Service. The Police and Environmental Health Service have been served with a copy of the application as statutory consultees and will no doubt also wish to make comments in respect of the application.

I note that you have copied the applicants solicitor, Lana Tricker into your email of 8<sup>th</sup> April. I have also copied this email to Ms Tricker and I’m sure that she will be happy to address the points raised in your letter.

I trust that this clarifies the points raised in your email but if you have any further questions please do not hesitate to contact the Licensing Service.

Regards

Kevin Jackaman  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department  
Westminster City Council  
15th Floor  
64 Victoria Street  
London SW1E 6QP  
Direct Line: 07816217005

**From:** David Bieda <[db@sixty8.com](mailto:db@sixty8.com)>

**Sent:** 14 April 2020 17:22

**To:** Jackaman, Kevin: WCC <[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)>

**Cc:** Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>; [REDACTED]

[REDACTED] Rowe,  
Steven: WCC <[srowe@westminster.gov.uk](mailto:srowe@westminster.gov.uk)>

**Subject:** RE: 20/03127/LIPN | ROYALTY HOUSE 72-74 DEAN STREET LONDON W1D 3SG

Dear Mr Jackaman,

Thank you for your reply.

I attach the first floor plan, as submitted by the applicant.

This plan states '**LICENSING PLAN FIRST FLOOR**' on the bottom right.

On the bottom middle under **NOTES, Number 1. States 'ALL LICENSABLE ACTIVITIES OCCUR WITHIN THE RED LINE'**.

The Notes are the same for each floor and as you say the red lines also denote the building boundary on each floor. Of course they state the first floor is not included but the plan clearly contradicts this and in our view the Licensing Service should have had this altered before the application was accepted and advertised as the clear contradiction remains and is confusing. Our letter demonstrates the need for a reasonable level of information from the applicant so that those wishing to make representations may do so in an effective manner as does the Guidance we quoted. We therefore disagree with your response.

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*'The Licensing Authority will expect applicants to set out in their Operating Schedules the steps taken, or proposed to be taken, to deal with the potential for public nuisance arising from the operation of the premises or open air site under the licence. Applicants should identify and describe through a risk assessment how these risks will be managed.'*

Given the unusual nature and large scale of this application, where is the risk assessment?

Will you be allowing the applicant to provide explanations and answers to our many questions at the hearing?

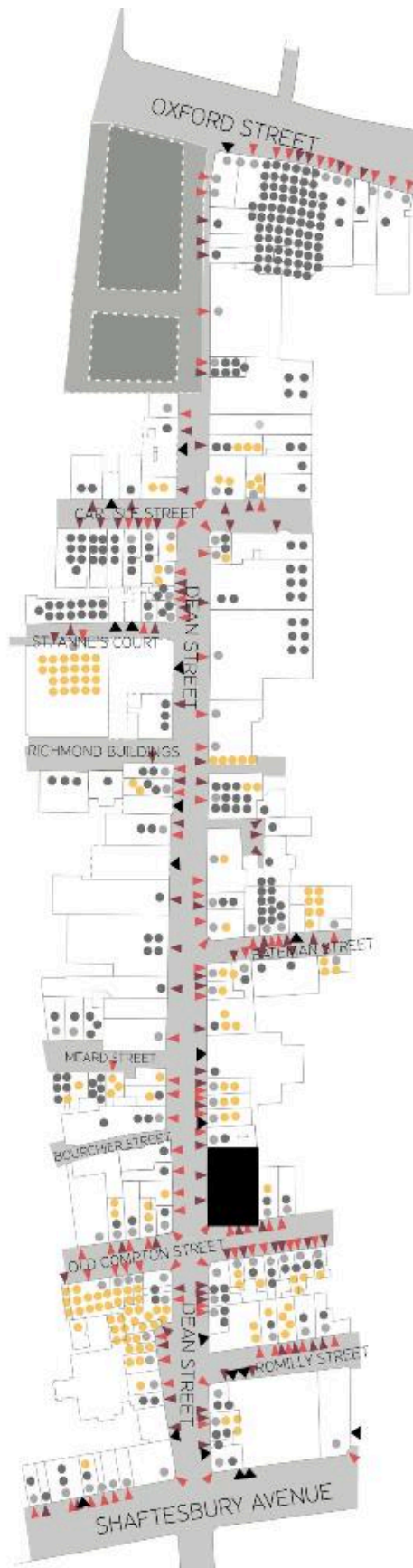
Can you, as previously requested, advise us of any pre-application advice?

Yours sincerely,

[REDACTED]

## Appendix 4: Publica Map 2015

Please note that there are far more residential units than shown & this map is included to illustrate the high density mixed use nature of Dean Street.



## Portrait of a Soho Street: Dean Street

### Dean Street: Entrances, individual businesses and dwellings

(October 2013)

- Business, ground floor
  - Business, upper floor
  - Residential, estimated dwellings
- Entrances**
- ▶ Ground level entrance
  - ▶ Entrance to upper level/basement
  - ▶ Unused entrance/service/fire exit



April 17<sup>th</sup> 2020

**Licensing Service  
Westminster city Council**

By email to: [licence-reps@westminster.gov.uk](mailto:licence-reps@westminster.gov.uk)



Dear Sir/Madam,

– **20/03127/LIPN Royalty House 72-74 Dean Street Soho**

I am writing to to make a relevant representation to the above application situated on Dean Street where I live, on the grounds of prevention of crime and disorder, prevention of public nuisance, public safety and cumulative impact within the West End Cumulative Impact Area.

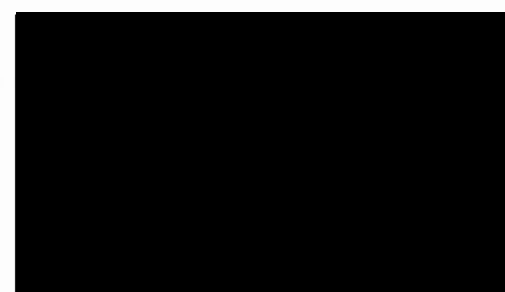
I fully support the points made in the representation from the [REDACTED] and the [REDACTED]

**1. DEAN STREET & THE APPLICATION**

I have lived in [REDACTED] since August 1993 and in the West End since 1971. Dean Street quietens down by around 11pm in the week and 11.30pm on Fridays and Saturdays. Most of the restaurants close by 11.30. The premises causing a public nuisance are:

- The Groucho Club which has noisy disco's until 2am and is not be properly sound-proofed and with evening events crowds outside can be very noisy and over jolly due to the consumption of various things;
- Soho House Club at 76 Dean Street. This was a post-production/office use which did not cause any problems. The grant of a 1am liquor license to Soho House has greatly increased noise levels from the number of patrons and especially from taxis and 'Uber' type vehicles operating until the early hours. This has had a negative impact on residential amenity. All the points below have also occurred since it opened.

A large building with c.500 plus users and guests and a variety of licensed and other uses including events and probably TENS is bound to create a public nuisance and increase crime especially after around 9pm for the reasons above and below:



1. Very noisy bottle collections due to the very large amounts of alcohol consumed;
2. A substantial increase in the number of people in the street late at night and who have consumed often large amounts of alcohol and recreational drugs;
3. Which leads to street urination;
4. An increase in vehicles both taxi type, deliveries and rubbish collections;
5. Which leads to an increase in pollution;
6. An increase in street begging which takes place regularly outside the above two premises,
7. Which in turn leads to an increase in drug use in the area,
8. Which in turn leads to an increase in crime.

It is not possible to apply conditions to prevent the above as they are and would be an inevitable consequence of licensed premises of this size operating after around 9pm as I know from having lived in a Stress Area since it was declared in April 1993.

## **2. DEAN STREET & CUMULATIVE IMPACT**

There are around 280 residential units in Dean Street and the immediate streets off, mostly geek by jowl with a wide variety of other uses, and most residents live 'on the street'. There are also:-

- 22 restaurants mostly closing by 11.30pm;
- 7 proprietary clubs (i.e. not owned by their members) with later hours;
- 6 pubs mostly closing between 11.00-11.30pm;
- 2 hotels, one with a large bar;
- 1 theatre with a large bar with later hours;
- 1 work space with bar.

Of the 42 licensed premises recorded capacities total is **3,640**, but 14 licenses do not have numbers recorded. If we allow a conservative 50 for each the total becomes **4,340**. The greatest concentration is in the stretch where the applicant's premise is situated. The largest operation is Soho House at 76 Dean Street.

The joint letter from the TSS and the MDSRA sets out the reasons for refusal, the policy issues and the vigorous efforts made to obtain proper information, all of which I endorse.

I wish to make a simple point which is that this part of Soho has more than enough liquor licenses. The 2015 Hadfield Report highlights relevant issues such as the likely routes which users of the applicant premise will take: obviously north south through Dewan Street.

### **In 1993 the Council stated:**

*'The City Council considers that the level of night time activity is already at times prejudicial to residential amenity... in Soho.'*

### **In 2000 the Council stated:**

*'... in mixed commercial/residential areas such as...Soho residential amenity is under such severe pressure that the areas have been designated as the "West End Stress Area."' It is our view that in some areas the number of such premises has reached saturation point. Consequently in these areas it would be undesirable to license any more entertainment premises or night cafes.'*

### **Revised UDP Inspector's Report & Recommendations March 2003**

*'...the evidence before me points to a significant worsening of conditions*

(of residential amenity) during the past decade’.

14.21 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times...’

**Hadfield 2015 Westminster Evening & Night-Time Economy Behaviour Audit.**

‘The term ‘Stress Area’ has been adopted in Westminster as a locally-apt description of what the Guidance accompanying the Licensing Act 2003 refers to as a ‘Cumulative Impact Area’ (CIP). CIPs are areas wherein the Local Government Licensing Authority has identified that there is a consistently high incidence of crime, disorder and public nuisance related to the sale and consumption of alcohol relative to other areas within the Authority’s jurisdiction.’

‘Street touting for entry to licensed premises, wherein members of the public are approached on the street with offers of gaining access to particular venues, was a notable feature in and around Leicester Square, Piccadilly Circus and in Central Soho. This activity could sometimes be categorized as harassment due to the heavy-handed approach adopted by the touts.’

**Transit routes:** mostly north to south from central Soho towards bus stops on Shaftesbury Avenue, Piccadilly Circus LU and Coventry Street cab rank.

A brief conversation with paramedics confirmed that drink casualties were routinely taken to three locations: UCL Hospital, Guy’s and St Thomas’s Hospital and the Soho Alcohol Recovery Centre (now closed). [NB now the Soho Angels].

An important transport service hub for the northern section of Soho’s ENTE, which will become even more prominent upon the completion of CrossRail. The area contains both down-at-heel (Oxford Street East) and gentrified (Dean Street) elements. LNR venues feature door staff and late-opening. Soho Square is a key location within the WESA for evening-time outdoor drinking.

**Transit routes:** pedestrian movement south to north along Dean Street in the early hours to access bus stops on Oxford Street and Tottenham Court Road. London Underground Rail Services from Tottenham Court Road. CrossRail station is also under construction, which will be a new key transport hub for the West End.

**Recommendations:**

Safer Neighbourhood Policing priorities be revisited with regard to the particular challenges of ‘ASB related to alcohol consumption’ in the after-dark period in central Soho.

Safer Neighbourhood Policing priorities be re-visited with regard to the particular challenges of the ‘ASB related to alcohol consumption’ Priority in the after-dark period in central Soho.’

In 2000 I and Glen Suarez sought, and obtained, leave for Judicial Review of the Council’s policy/decisions on licensing, which led to a review of same by the Council.

Since the year 2005 when the new Act came into force the Council has granted a large number of new licenses under the 2003 Licensing Act. The fact of the matter is that this part of Soho is clearly saturated with license premises, resulting in a clear deterioration in residential amenity with greatly increased noise levels and crime. It is already not possible to get a proper night’s sleep if bedrooms face the street.

**3. MY EXPERIENCE OF LICENSING & MY EXPERIENCE OF THE CITY COUNCIL**

In 1993 when I moved from just across the border in Seven Dials (Camden) I had no experience of licensing. The point I am making below is that we residents have, for the most part, had to defend ourselves.

We set up the [REDACTED] because WCC gave planning consent for 3 mega bars at either end of Meard Street: Pitcher & Piano and All Bar One in Dean Street next to me and Slug & Lettuce at the other end of Meard Street, in spite of the fact that the main land use is residential. We went to the Brewster Sessions over three bars and obtained a large number of Undertakings from the Justices who described Pitcher & Piano as a 'disorderly house', the first for many years. Film maker neighbours created a video showing customers vomiting outside, urinating on doors in Meard Street and bare buttocks sticking out of the first floor windows and this was shown at the hearing where I appeared for residents' vs a well know licensing QC.

I have files we presented to the HofC when the Licensing Bill was going through and they are hundreds of pages long, and the material therein took up a vast amount of my and others time. When All Bar One started leaving its large doors open with loud 'welcoming' amplified music we did receive support from WCC and EHO Robert Reed was helpful.

Later Cllr Ian Wilder made his famous film *'The Gradual Death of Self Respect'* illustrating, in part, the effects of so many licenses in this part of the West End. Ian took most WCC councillors

Between 2000-2004 I was the resident representative on a Camden scrutiny panel on 'licensing, Planning & Noise Enforcement' (the reasons for being on same as a WCC resident are too long to explain here). I had the opportunity to go out with the Noise Team and on other visits. Data gathered then (and subsequently) clearly indicates the relationship between crime and liquor licensing.

I was part of Simon Milton's licensing group which met weekly whilst the Bill was going through. Peter Brooke and Eric Avebury tabled over 100 amendments for us in the Lords and 'cumulative impact' was our success, based upon the City Council's 'Stress Areas'.

Between around 2001-2003 I was a member of the Licensing Justices 'Licensing Working Group' which brought together leading licensing lawyers, Licensing Justices and local groups who regularly appeared before the bench. This very useful group greatly assisted in mutual understanding and led to much better communication leading to less need for objections. I attended very many hearings, especially on transition where WCC had made a generic error: Peter Large was most helpful.

Under the previous regime:

1. All evidence had to be submitted in advance of hearings and any new evidence raised at hearings was only permitted if the other side agreed;
2. If, as with this application, either side felt that necessary information was lacking, the Clerk would obtain it, and there were other mechanisms to obtain same;
3. Cross examination was part of the court process;
4. The Justices took cognisance of the fact that we were not represented, by which I mean they made sure our case was heard fairly. They also (unbeknown to us at the time) made visits to Soho in the evening and in the early hours.

Under the new regime of which I have limited experience:

1. There seems to be automatic grant to core hours in spite of this being an area of cumulative impact and in spite of the quotes above from 1993 onwards. These quotes state **facts** which are now being ignored;



2. 'Equality of arms' or a level playing must be a fundamental of any hearings, or one side is placed at a disadvantage. In this case representations have had to be been made on an application which is less than clear. **IF** explanations and additional information are given **AT** the hearing this would demonstrate that they were needed in the first place;
3. **IF** the Licensing Committee were to allow such explanations this would disadvantage those who had made representations and be a form of bias in favour of the applicant;
4. My limited experience of WCC Licensing Committee is that 2, and 3 above does occur. I could give an example.

[REDACTED]

[REDACTED]

[REDACTED]

# Noise of modern life blamed for thousands of heart deaths

Stress of exposure adds to risks, says WHO report

Light traffic is enough for chronic levels at night

Alok Jha  
Science correspondent

Thousands of people in Britain and around the world are dying prematurely from heart disease triggered by long-term exposure to excessive noise, according to research by the World Health Organisation. Coronary heart disease caused 101,000 deaths in the UK in 2006, and the study suggests that 4,030 of these are caused by chronic noise exposure, including to daytime traffic.

Deepak Prasher, professor of audiology at University College London, told the *New Scientist* magazine: "The new data provide the link showing there are earlier deaths because of noise. Until now, noise has been the Cinderella form of pollution and people haven't been aware that it has an impact on their health."

The WHO's working group on the Noise Environmental Burden on Disease began work on the health effects of noise in Europe in 2003. In addition to the heart disease link, it found that 2% of Europeans suffer severely disturbed sleep because of noise pollution and 15% can suffer severe annoyance. Chronic exposure to loud traffic noise causes 3% of tinnitus cases, in which people constantly hear a noise in their ears.

Research published in recent years has shown that noise can increase the levels of stress hormones such as cortisol, adrenaline and noradrenalin in the body, even during sleep. The longer these hormones

stay in circulation around the bloodstream, the more likely they are to cause life-threatening physiological problems. High stress levels can lead to heart failure, strokes, high blood pressure and immune problems.

"All this is happening imperceptibly," said Prof Prasher. "Even when you think you are used to the noise, these physiological changes are still happening."

The WHO came to its figures by comparing households with abnormally high exposure to noise with those in quieter homes. It also studied people with problems such as coronary heart disease and tried to work out if high noise levels had been a factor in developing the condition. This data was then combined with maps showing the noisiest European cities.

According to the WHO guidelines, the noise threshold for cardiovascular problems is chronic night-time exposure of 50

decibels (dB) or above – the noise of light traffic. For sleep disturbance, the threshold is 42dB, for general annoyance it is 35dB, the sound of a whisper.

Ellen Mason, a cardiac nurse at the British Heart Foundation, said: "Our world is undoubtedly getting busier and noisier. Some people find noise pollution more stressful to live with than others do. Noise cannot directly kill us, but it may add to our stress. Occasionally, stressful events can trigger a heart attack in someone with underlying heart disease. We know that stressed people are more likely to eat unhealthily, exercise less and smoke more, and these can increase the risk of developing heart disease in the first place."

Mary Stevens, policy officer at the National Society for Clean Air, said of the study's results: "We welcome this because one of the problems with noise is that it's one of the areas that local authorities get most complaints about and it's a big draw on their resources. But, unlike air quality, it hasn't been taken that seriously policy-wise because there [wasn't] the link between noise and health."

Ms Stevens said that there were many options for reducing noise. Traffic could be quietened if more cars used low-noise tyres and councils installed low-noise road surfaces, for example. And coordinating road works by utility companies would also prevent the proliferation of potholes, another source of noisy traffic.

The EU has already issued a directive that obligates European cities with populations greater than 250,000 to produce digitised noise maps showing where traffic noise and volume is greatest. "[The research] all supports work going on at the moment to manage traffic noise, which is driven by the environmental noise directive," said Ms Stevens.

Type of noise exposure	Impact	Potential healthy years lost in Europe
Daytime traffic	Heart disease 9% of all cases	211,000
24-hour background noise	Annoyance 15% of all Europeans	278,000
Traffic/leisure noise	Tinnitus (ringing in the ears) 3% of all cases	9,300
Nighttime background noise	Sleep disturbance 2% of all Europeans	No figure

SOURCE: WHO/CIHEL

SocietyGuardian.co.uk/health >>

# Binge-drinking fuels theft and street violence in the capital

**Anna Davis**

Health Reporter

BINGE-drinkers are committing tens of thousands of crimes in the capital every year, new figures reveal.

A major report shows London has the highest rates of alcohol-fuelled crime in the country, with more than 80,000 drunken fights, rapes, burglaries and car thefts each year.

Westminster has the highest rates of alcohol-fuelled crime in the country, with 18 offences committed for every 1,000 people who live there – though the council said the report did not take into account its 20 million annual visitors.

Lewisham, Southwark and Greenwich are also in the worst 10 boroughs

## GIRLS' BAR OFFERS BREAK FROM BOOZY CITY BOYS

A BAR is opening for women City workers tired of their male colleagues' testosterone-fuelled drinking haunts.

Kanaloa, run by the owners of Mahiki and Whisky Mist, will charge men £10 for entry after 9.30pm, but let women in free. The Polynesian-themed bar will also offer women clientele manicures

and massages when it opens next month in Shoe Lane.

Nick House, who set up the bar with business partner Piers Adam, said he drew on his experience working in the Square Mile. "I realised all my female friends needed somewhere more relaxed and fun to drink," he said.

in the country for drink-related crimes with higher rates than areas such as Liverpool, Leeds and Birmingham. Today's Public Health Observatory report also shows soaring rates of alcohol-related hospital admissions and a rising number of deaths from chronic liver disease. Last year more than

560,000 drinkers in the country needed hospital treatment – a rise of six per cent on the previous year.

Professor Mark Bellis, director of the North West Public Health Observatory, said: "Without substantial change in drinking behaviours, the annual number of alcohol-related admissions to hospitals

in England is on course to exceed one million per year in two years' time.

"Such admissions are still only the tip of the iceberg with many people attending accident and emergency units, GPs and pharmacies to treat health conditions resulting from alcohol use."

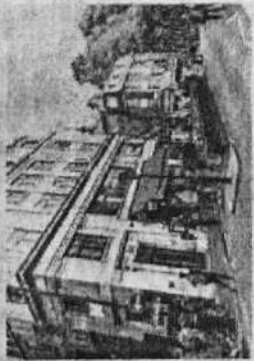
Prime Minister Gordon Brown has outlined moves to enable councils to suspend 24-hour licensing where it is linked to anti-social behaviour – but this week backed off the plan after pressure from the drinks industry.

Last week experts from Sainsbury's, Asda and Waitrose told a health select committee that minimum pricing of alcohol would hit poor families, cause job losses and could even create a black market in illegal alcohol.

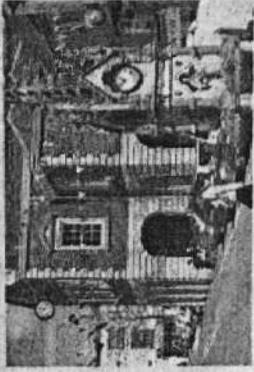
*Westminster has the highest rates of alcohol-fueled crime in the country.*

National

# Pubs, takeaways and pollution make Soho the most unhealthy place to live in Britain



▲ Soho in central London, famed for entertainment, bars, clubs and *fouche* traditions, and the much more healthy Great Torrington in Devon



Fauldhouse in West Lothian, Foxbar in Renfrewshire and Marnoch in North Lanarkshire.

The University of Liverpool study found that six of the top 10 unhealthy places were in inner London. Also in the unhealthy top 10 were Shotley Gate near Ipswich and areas north of Immingham in Humberside.

Researchers analysed a range of lifestyle and environmental measures including air pollution, access to amenities such as fast food outlets or pubs, and proximity to health services including GPs in addition to parks and recreational spaces.

Dr Mark Green, senior lecturer in health geography, said: "Our research, in conjunction with the Consumer Data Research Centre (CDRC) and Public Health England, has allowed us to pull together freely available

**Nadeem Badshah**

The unhealthiest place to live in Britain is Soho in London while the healthiest place is a small market town in Devon, according to a study.

The central London area - synonymous with West End theatres and nightclubs - had the greatest access to takeaways, pubs and off-licences, combined with high levels of air pollution and low levels of parks and green spaces, the research found.

By contrast, Great Torrington in north Devon has low pollution, good access to parks, green space and health services along with few retail outlets.

All the other top 10 healthy places were in Scotland. These included Lochwinnoch in Renfrewshire,

Great Britain are just as close to a pub or bar, as they are to their nearest GP surgery (1.1km).

"We also found that 42% of people are within 1km of their nearest gambling outlet. These statistics reveal troubling issues with the neighbourhoods we live in and how they may be damaging to our health."

The findings will be presented at the International Medical Geography Symposium today.

Dr Green added: "We anticipate this resource will be an important tool for citizens and policy makers alike interested in how their neighbourhoods may be associated to their health."

Prof Alex Singleton, deputy director of the CDRC, said: "Our study found that access was not evenly spread across Great Britain - rural areas have poorer access to many health services, and those services which are seen as damaging to health are often concentrated in poorer areas."

"For example, 62% of people who live in the 10% most deprived areas are within 1km of a fast food outlet compared to 24% in the 10% least deprived areas."

**"These statistics show troubling issues with the places we live in"**

**Dr Mark Green**  
University of Liverpool

information from sources such as GP surgeries, health centres, fast food outlets, air pollution statistics published by the Environment Agency.

"The statistics reveal important insights about the concentration of certain amenities that may either be damaging or promote health. For example, on average, individuals in

**[REDACTED]: QUESTIONS (in red) ARISING FROM the applicant's LIST OF PROPOSED CONDITIONS OF JUNE 9<sup>th</sup> 2020 with the applicant's response in blue:**

Soho Works Dean Street Royalty House, 72-74 Dean Street, London W1D 3SG  
20/03127/LIPN wp ref: mds/licensing/2020 06 14 (04)

Our questions, proposed amendments, proposed conditions and undertakings are in red.

As we had to convert your PDF into Word some of the wording has slipped. When replying please do so in Word as this will assist us.

**Proposed Conditions:**

Mandatory plus..

1. The licensable activities provided at the premises shall, at all times, be ancillary to the main function of the premises as offices.

Will the alcohol be on display at each of the four 'Refreshment Stations'?  
Will the ground floor station be visible from the street and if so would it not have the characteristics of a bar?

See para 1-3 of supplementary submissions

The ground floor refreshment room is not visible from the street. There is no separate access from the street. There will be no signage outside indicating what the space is and the offerings. Access is only from within the main ground floor reception area. We note the refreshment room is not a new addition to this office space. It was operational when the premises were the head office for Soho House and Co. and no complaints were received and no public ever entered reception thinking it was a public offering. The main function of the ground floor refreshment room is for coffees/teas and snacks and alcohol sales are ancillary.

Alcohol will not be on display in the refreshment stations on the office floors. There will be a menu on display within the ground floor refreshment room but the alcohol bottles will not be displayed like a usual bar set up. There will be no designated alcohol bar on the ground floor. There will be a coffee bar in the ground floor refreshment room.

At certain times of the day alcohol will be on display in the basement, along with a menu but as advised previously in the applicants submissions there will not be a full complement of alcohol available in any event. For both events and general provision, the supply of alcohol will be by waiter/waitress service or via a refreshment station (which will be staffed).

2. Licensable activities shall not be provided otherwise to directors, partners, employees of Soho Works Limited, and tenants and members of the premises and their bona fide guests.

Alternative "Licensable activities may only be provided to tenants and/or members of the office space and their bona fide guests"

Comment: The alternative condition is preferable.

Can the applicant clarify if Soho House members are automatically members of Soho Works, or if there is a separate membership process?

The applicant's submission refers to 1 guest per member/tenant.

Proposed additional condition: '*Bona fide guests of tenants and/or member of the office space shall be limited to 1 per tenant and/or member.*'

See para 4-6 of supplementary submissions

The residents have indicated they prefer the wording of the alternate condition "Licensable activities may only be provided to tenants and/or members of the office space and their bona fide guests". The applicant has no difficulty with this being imposed should Members prefer this wording.

As set out in the initial submissions, members of Soho House will not automatically be members of Soho Works. Whilst it is the same membership process, which is well established, there is a separate membership committee for Soho Works, and separate membership application form and selection criteria. Further, membership to Soho House does not guarantee membership to Soho Works.

As set out in the initial submissions, it is confirmed that for members events the tenant/member can bring 1 bona fide guest however if the member/tenant has an event/meeting etc they are able to invite more than 1 guest- they could for example hire a conference room in the basement and invite people

3. No licensable activities shall take place on the first floor.
4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

Comment: What areas are covered by CCTV? Is the outside of the premises covered and if so how far up and down Dean Street in view of Point 9 below?

CCTV should remain recording for 30 mins after customers have left the premises. This is key to promote the licensing objectives and to ensure that the applicant can comply with other conditions i.e. condition 9.

Proposed amendment to condition: '*...The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when persons remain on the premises, and for a minimum of 30 minutes after persons have left the premises.....In order to enable Condition 9 to have effect, the CCTV shall cover the 'area' referred to in Condition 9.*

See para 7-8 of supplementary submissions. Further technical aspects of CCTV to be provided asap. The Police are content with model conditions being imposed.

The CCTV office area is located in the basement space with access by senior staff as per the model conditions.

As an aside, Soho House and Co were recently (June 25) contacted by Sgt Hamilton at Charing Cross Police in respect of the MPS installing CCTV above the building at 72-74 Dean Street that they can control from Charing Cross Police Station, so they can monitor it during peak time- it will cover Bateman Street. The applicant, with the consent of the landlord is assisting with this. We will not have access to this particular camera (the MPS will) but the external area in the immediate area will be monitored in any event, and I am sure the client will be informed of any issues arising from the conduct of tenants/members.

5. 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.
6. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
  - (i) any complaints received about noise of any form and from any source connected with the building

**Proposed amendment to condition (i):**

'(i) any complaints received about noise of any form and from any source connected with the building *or those leaving the building and area*'.

See para 9 of supplementary submissions

In terms of further amending the model condition for the incident report the applicant will leave the final wording to Members as it considers the proposed wording by the applicant covers the concerns of the residents.

8. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Comment: Where will patrons smoke? The use of Dean Street and Richmond Mews would cause a public nuisance and we therefore suggest you append a condition stating that smoking would be restricted to the two courtyards.

See para 10 of supplementary submissions

The designated smoking areas will be in the courtyards as requested

9. Notices shall be prominently displayed at ground floor exits requesting people to respect the local residents and leave the premises and area quietly. Failure to observe this notice and to leaving the premises and area quietly shall result in immediate suspension from membership

Comment: Can the applicant explain how they will know if people are leaving 'the area' quietly? What is their definition of the area and how will they enforce this?

The premises are an office building and the primary function is office work. Access to the premises is membership based and members are subject to renewal process. Behaviour will be observed by staff and as membership conduct of others is also subject to scrutiny of other members. There have been no issues of ASB at other sites operated by Soho Works.

10. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Comment: From previous experience, residents have had difficulty in this condition being enforced due to the Noise Team applying the 'statutory nuisance' test. Also whilst there is a 45 minute max period to respond to calls, the Noise Team can take hours to arrive. Therefore this process can be very frustrating for residents. Therefore a preventative measure such as ensuring that windows and doors will remain closed except for access and ingress would assist.

Proposed amendment to condition: remove the words '*which gives rise to a nuisance*'.

Proposed additional condition: '*All windows and external doors shall be kept closed, except for immediate access and egress of persons.*'

See para 11 of supplementary submissions

In respect of the noise condition, the applicant would seek for the proposed model noise condition to remain. The premises is an office. Any events are in the basement. There were not noise complaints when Soho House and Co were occupying the space. Further with the lockdown easing, fresh airflow is important and windows need to be openable in the offices.

11. 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 23:00.



12. The reception desk on the ground floor shall be staffed at all times the premises are open for licensable activities.

Comment: It is proposed that the premises is open after licensable activities have finished. This has the potential to cause noise.

Proposed amended condition: 'The reception desk on the ground floor shall be staffed at all times the premises are *in operation*.'

See para 12 of supplementary submissions

The applicant has no objection to amending the condition to read: 'The reception desk on the ground floor shall be staffed at all times the premises are *in operation*.'

- ~~13. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons. (regulated entertainment has been removed from the application)~~

Comment: see proposed additional condition at 10 above.

See comments above

- ~~14. Loudspeakers shall not be located outside the premises building. This is repetition looking at the conditions- see condition 29 below~~

15. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity upon request.

Comment: The difficulty is that residents will not know that there is a telephone number available. It is requested that the telephone number be proactively notified to all residents in the area. It is also requested that this telephone number be provided to the Soho Society and the Meard and Dean Street Residents Association and be on face of the License and made available to Westminster's Noise Team.

See para 13 of supplementary submissions

In respect of the telephone number for the manager at the premises, the applicant is more than happy to provide a contact number and email to all of the objectors to this application, the Soho Society and the Meard and Dean Street Residents Association, and any other residents parties advise. This number will be notified to these persons prior to opening. We note that EH have always been able to contact the applicant and the Group generally previously for other sites and we do not anticipate this to be an issue. The applicant has concerns with the mobile for a manager to be shown on the face of the licence for Data Protection reasons. The applicant is however content for the telephone number for the premises (landline) to be shown on the licence in the usual way on page 1 and, once it is known, the applicant will notify licensing of this number (prior to opening) so it can be shown on the face of the licence.

16. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.

Comment: 0600 is considered to be too early.

Proposed amendment to condition: replace '0600' with '0700'.

See para 14 of supplementary submissions

The applicant has no objection to amending the collection of refuse times on the proposed condition as follows: "No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours or as in compliance with Westminster City Council's own waste contractor collection hours."

17. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.

Comment: can the applicant explain what is intended in the way of lighting? Can screens be used inside to prevent any problem from inside the premises? If the intention is to remain open for 24 hours (or after normal office closing hours) the light from windows will be an issue as offices tend to be empty by 19.00. We therefore invite you to propose a suitable condition such as: 'After 20.00 all lit windows shall have blinds pulled down so as to not cause light spillage.'

See para 16 of supplementary submissions

In respect of the condition "Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime"- this is a model condition proposed by EH and the applicant agrees to this. Any external lighting will not be changed as a result of this application. No screens for presentation should be seen externally, especially as the events/meeting spaces is located in the basement. The applicant is, however, unable to agree a condition that blinds be pulled by 8pm. The premises will have blinds but the applicant cannot ensure all blinds will be pulled by tenants- and as there is criminal liability with any breaches of conditions the applicant cannot offer this additional condition. The model condition will however ensure that any lighting will not cause a nuisance. We note that we are not aware of any complaints with respect to lighting nuisance when the premises were the head offices for Soho House and Co, and the model condition will ensure the residents have protection in this regard.

18. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
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 emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
22. All emergency doors shall be maintained effectively self-closing 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. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.
26. The basement shall be used as an office space and/or events space for tenants and/or members of the office space. The licence holder shall be notified in advance by tenants and/or members prior to any area of the basement being booked or used as an events space.

Comment: Add the word 'Only' to the beginning of the condition for certainty.

Proposed amendment to condition: 'Only the basement shall be used...'

See para 17 of supplementary submissions

The applicant has no objection to amending the condition to read "The basement shall only be used as an office space and/or events space for tenants and/or members of the office space. The licence holder shall be notified in advance by tenants and/or members prior to any area of the basement being booked or used as an events space"

The applicant also can suggest a sentence that reads : No events shall be held on ground, second or third floors of the premises.

27. There shall be no use of the Richmond Mews exit between 23:00 and 07.00.

Comment: Will there be CCTV covering the Richmond Mews exit and/or Richmond Mews itself?

CCTV locations are being confirmed

28. There shall be no smoking at all permitted by patrons or staff at the Richmond Mews exit
29. Loudspeakers shall not be located in the entrance lobby or outside the premises building

Comment: Presumably this includes the two courtyards?

Proposed amended condition: add the words 'or the courtyards (on ground floor and basement floor as shown on the plans).'

See para 18 of supplementary submissions

The applicant has no objection to amending the condition to read "Loudspeakers shall not be located in the entrance lobby, all courtyards or outside the premises building

30. All refuse storage should be inside the building

Comment: will the applicant be using WCC waste collections services, or a private contractor?

See para 15 of supplementary submissions

For information, at this point, the applicant intends to use a private contractor and rubbish collection at this site will be joined with collection of waste from other Soho House and Co premises in Dean Street so as not to add to vehicular traffic.

31. The 2 courtyards (on ground floor and basement floor as shown on the plans) will not be used between the hours of 23:00 and 07:00

Comment: As residents overlook the courtyards, 09:00 would be a more appropriate start time.

Proposed amendment to condition: Replace '07:00' with '09:00'

Awaiting instructions. Members to decide this.

32. A Soho Works Manager responsible for the premises shall ensure that the areas of the premises where alcohol is supplied under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that the supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Soho Works Responsible Alcohol Management Plan

Comment: Where is alcohol actually consumed i.e. is it at the place where alcohol is supplied, or is it anywhere within the licensed area? Is the alcohol free, or paid for at the time of the supply/consumption?

Proposed amendment to condition: 'A Soho Works Manager responsible for the premises shall ensure that the areas of the premises where alcohol is supplied or consumed under this licence...'

See para 19 and 20 of supplementary submissions

Alcohol will be able to be consumed throughout the premises. The applicant has sought the retail sale of alcohol so alcohol will be paid for. If there is an event for a tenant and alcohol is part of this (many events/seminars will not involve alcohol sales) then an invoice will be sent to the tenant and paid for at that point- depending on the style of the event a deposit may be paid, or the alcohol paid for prior to the event in the usual way for events. It is local that if a tenant orders a drink from a refreshment station he can consume it in his office if he wishes. Alcohol is an

ancillary function in this office space and no tenants have taken advantage of this ability in any of the other Soho Works sites operating.

The applicant has no objection to amending the condition to read “A Soho Works Manager responsible for the premises shall ensure that the areas of the premises where alcohol is supplied or consumed under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that the supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Soho Works Responsible Alcohol Management Plan”

33. Outside of the hours authorised for the retail sale of alcohol and whilst the premises are open, the licence holder shall ensure that all alcohol within the premises which is dispensed by the licence holder is secured so as to prevent access to the alcohol by both members and staff.

Comment: Can the applicant confirm whether it is proposed that the premises is open 24 hours a day? Noise and nuisance caused by taxis and dispersal until the early hours would be an issue.

See para 24 of supplementary submissions

The opening hours for this site have been amended to 1am. To be clear, there could be an occasion where someone needs to work later in the office and this would be permitted as no licensable activities would be carried out, and this will be risk assessed in the usual way. The premises were previously offices as set out already with the same numbers permitted and so there will be no increase in journeys or potential nuisance.

34. 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.
35. No licensable activities shall take at the premises until the capacity of the basement premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. In any event, the maximum capacity for the basement floor shall not exceed XXX persons per floor (excluding staff).

Comment: Why is only the basement to have a capacity (and is there any indication what it will be)? The capacities (or at least occupancies) for the other floors are highly relevant in terms of potential public nuisance. Can this be clarified? If the intention is to open 24 hours, or even after normal office hours, it is essential to have capacity figures or it will not be possible either for those making representations, or the Licensing Authority to assess ‘...**the effect on cumulative impact in the Stress Area(s)**. Para 2.5.23 of Westminster’s Licensing Policy. Clearly numbers are a key consideration for all parties in the foregoing.

See para 25 of supplementary submissions

EH to address capacity condition position

In respect of capacities per floor the applicant understands the premises will have the following numbers (excluding staff):

Basement – 100 persons

Ground – 80

2<sup>nd</sup> floor – 90

3<sup>rd</sup> floor – 90

These numbers are based on space factors from approved Document B (category offices) for the site conditions, with two escape staircases and a detection and alarm system throughout the entire building. The applicant is carrying out a final fire risk assessment this week prior to opening wherein these figures will be verified.

36. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.

37. There will be no advertisement of events to the public

38. There will be no advertising of the availability of alcohol or event spaces on the exterior of the premises

*Comment: do conditions 37 and 38 cover advertising via their website/social media etc?*

See para 26 of supplementary submissions

The events will be private so if there is a members event this will be sent to members. If a member has an event it will be sent to the invitees.

39. There shall be no dance floors at the premises

*Additional proposed conditions:*

*Alcohol shall not be consumed on the premises outside the hours granted by the Licensing Authority for the sale of alcohol.*

*Alcohol consumed on the premises by tenants and/or members of the office space and their bona fide guests shall be restricted to alcohol bought from the refreshment stations, or in the case of events, from any similar areas.*

*We discussed the above because if 24 our opening there is nothing to stop people bringing in alcohol or buying a lot before the refreshment stations close.*

*'The licensable activities authorised by this licence can only be carried on at this premises by Soho Works Limited.'*

See para 22 of supplementary submissions

The objectors have proposed a condition to read 'The licensable activities authorised by this licence can only be carried on at this premises by Soho Works Limited.' The applicant has no objection to this being imposed but will leave it to Members to decide if they feel the condition is necessary.

*'No alcohol shall be consumed in the courtyards (on ground floor and basement floor as shown on the plans).'*

See para 23 of supplementary submissions

In respect of the proposal 'No alcohol shall be consumed in the courtyards (on ground floor and basement floor as shown on the plans).' – the applicant does not think this is needed as off sales has not been applied for, and so will leave this to Members to decide if they feel the condition is necessary.

*'The supply of alcohol on basement and ground floors shall be by waiter or waitress service only.'*

See para 23 of supplementary submissions as to how sales will work

The ground floor refreshment room is not visible from the street. There is no separate access from the street. There will be no signage outside indicating what the space is and the offerings. Access is only from within the main ground floor reception area. We note the refreshment room is not a new addition to this office space. It was operational when the premises were the head office for Soho House and Co. and no complaints were received and no public ever entered reception thinking it was a public offering. The main function of the ground floor refreshment room is for coffees/teas and snacks and alcohol sales are ancillary.

Alcohol will not be on display in the refreshment stations on the office floors. There will be a menu on display within the ground floor refreshment room but the alcohol bottles will not be displayed like a usual bar set up. There will be no designated alcohol bar on the ground floor. There will be a coffee bar in the ground floor refreshment room.

At certain times of the day alcohol will be on display in the basement, along with a menu but as advised previously in the applicants submissions there will not be a full complement of alcohol available in any event. For both events and general provision, the supply of alcohol will be by waiter/waitress service or via a refreshment station (which will be staffed).

*'There shall be no consumption of alcohol on the ground floor of the premises' OR 'All windows and external doors at the ground floor of the premises shall be rendered opaque'.*

See para 21 of supplementary submissions

In respect of the proposal by the residents that 'There shall be no consumption of alcohol on the ground floor of the premises' OR 'All windows and external doors at the ground floor of the premises shall be rendered opaque', we note we have covered the alternative at point 1 above. There are also offices on the ground floor so members/tenants would be permitted to take alcohol bought in the refreshment room to their offices generally and so the above proposal cannot be agreed. The applicant has agreed the EH condition that staff will monitor the sale and consumption of alcohol in any event.

**Additional undertakings:**

To inform the Soho Society and Meard and Dean Street Residents Association of any occasion when an event held under a TEN is to take place, within 5 working days before it taking place.

The premises are happy to liaise with neighbours about events

**Conclusion**

This is a joint response by the Soho Society and Meard and Dean Street Residents Association. The comments in this response are proposed 'without prejudice' to the proposed hours, in furtherance of negotiating with the applicant. The reduction in hours proposed is being considered.

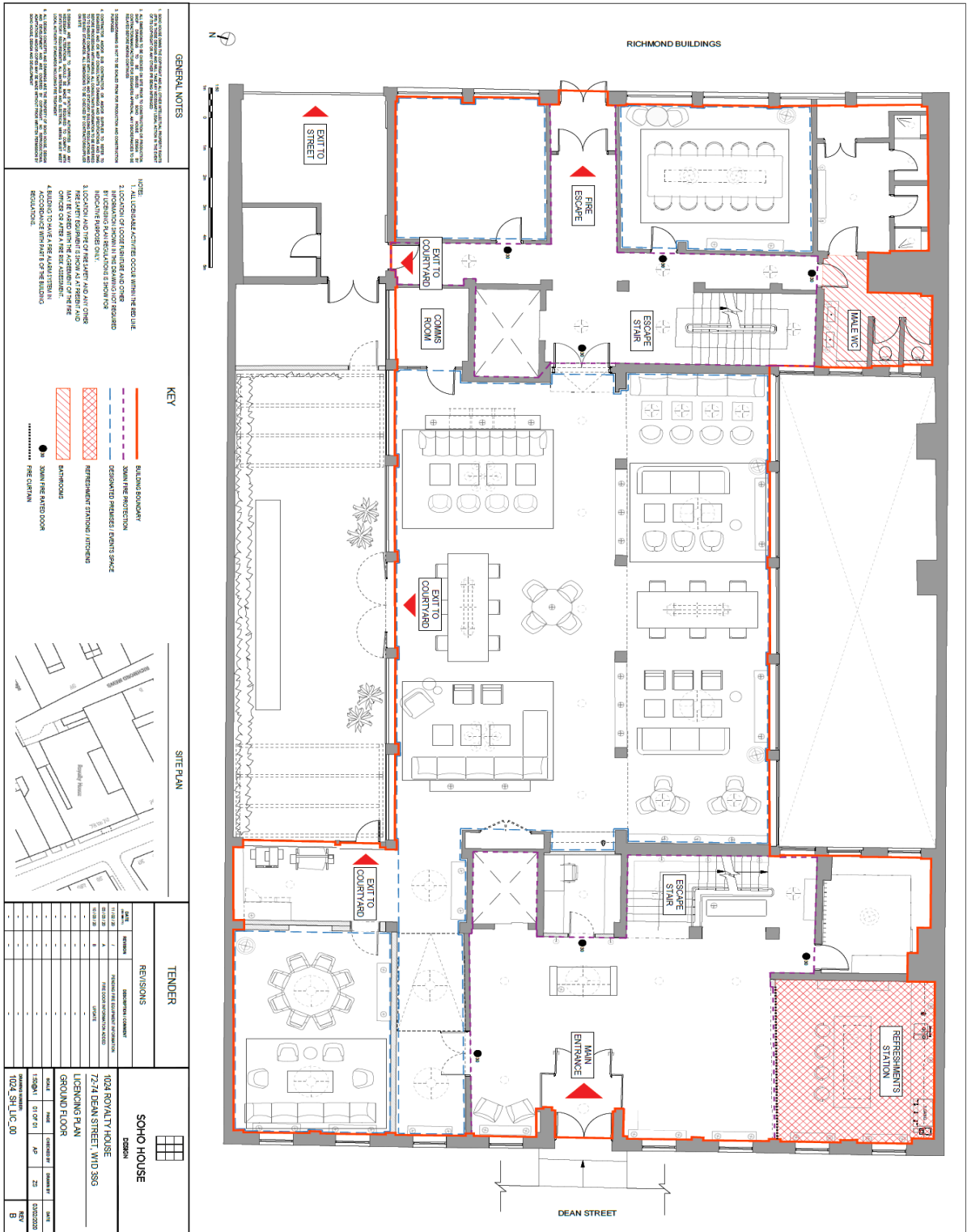
We would wish to bring the attention of the parties to Para 2.5.23 of Westminster's Licensing Policy "*The provision of a bar within a workplace solely for the use of those working there and their invited guests, will generally be regarded as an exception to the policy not to grant new bars in the Stress Areas. **Regard will be had to other policies in this Statement and the hours of operation of the workplace, the hours and extent of the use of the bar and the effect on cumulative impact in the Stress Areas.** The off sale of alcohol and drinking outside the premises would also be of concern". (our emphasis).*

Key to the question of hours is how the conditions which may be proposed/agreed/imposed limit the hours of operation, the extent of bar use and, hence, the effect on cumulative impact.

Meard and Dean Street Residents Association would wish to consult with their members and with members who have made representations on the response from the applicant.





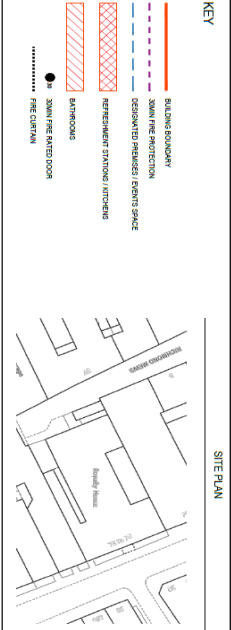


**GENERAL NOTES**

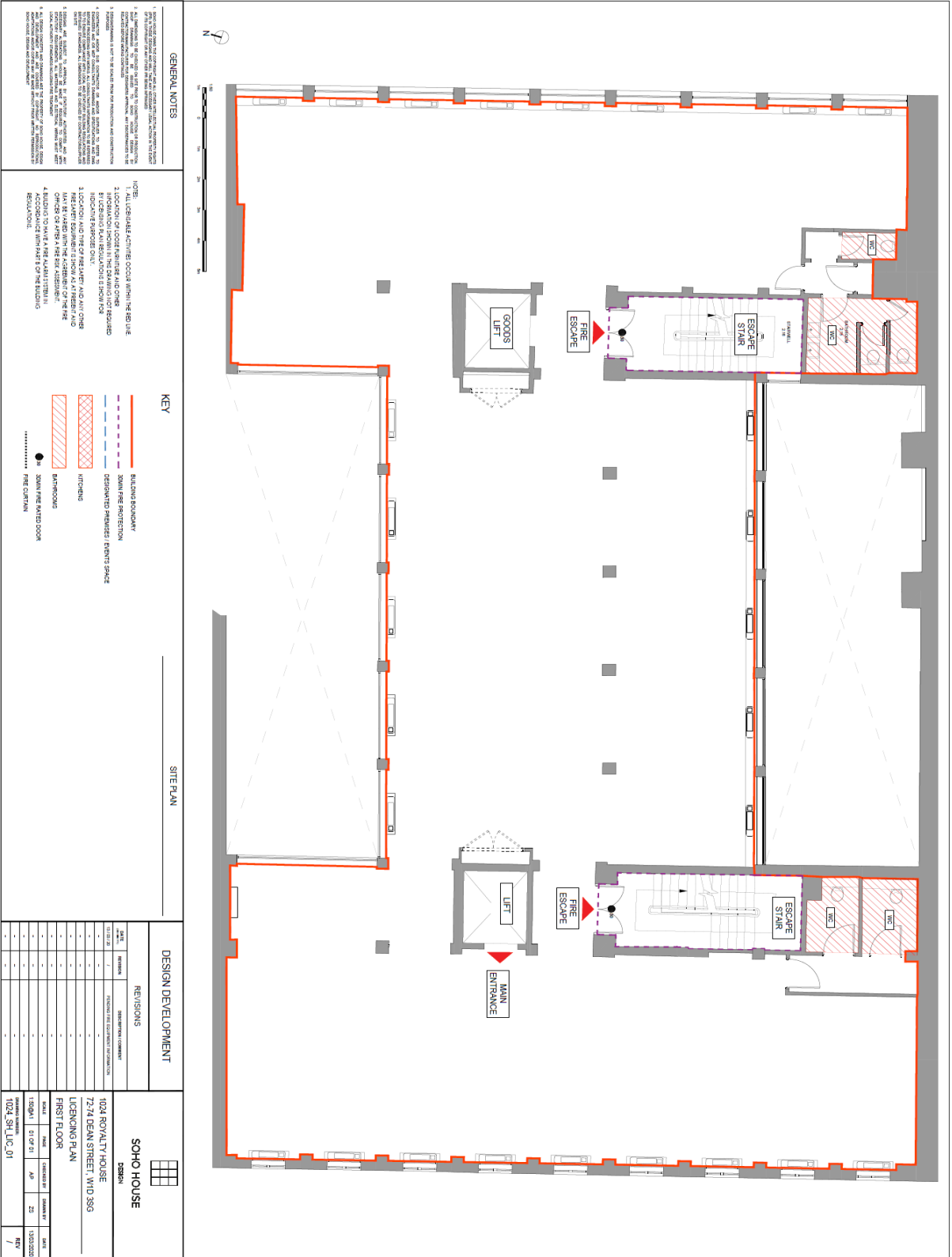
1. ALL ROOMS SHALL BE COMPLETED AND READY FOR OCCUPANCY BY THE DATE OF COMMENCEMENT OF THE CONTRACT.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING SERVICES AND STRUCTURES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING PLUMBING AND ELECTRICAL SERVICES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING STRUCTURAL ELEMENTS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING LANDSCAPE AND PLANTING.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING UTILITIES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING SERVICES AND STRUCTURES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND PRESERVATION OF ALL EXISTING PLUMBING AND ELECTRICAL SERVICES.

**KEY**

- BUILDING BOUNDARY
- MAIN FIRE PROTECTION
- DESIGNATED FIREWORKS / EVENTS SPACE
- REFRESHMENT STATION / KITCHENS
- MALE WC
- STAIR FIRE RATED DOOR
- FIRE ESCAPE



TENDER		REVISIONS	
DATE	REVISION	DESCRIPTION	COMMENTS
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**KEY**

- BUILDING BOUNDARY
- JOINT FIRE PROTECTION
- DESIGNATED FIRE ESCAPE SPACE
- KITCHENS
- BATHROOMS
- JOINT FIRE RESISTIVE DOOR
- FIRE CURTAIN

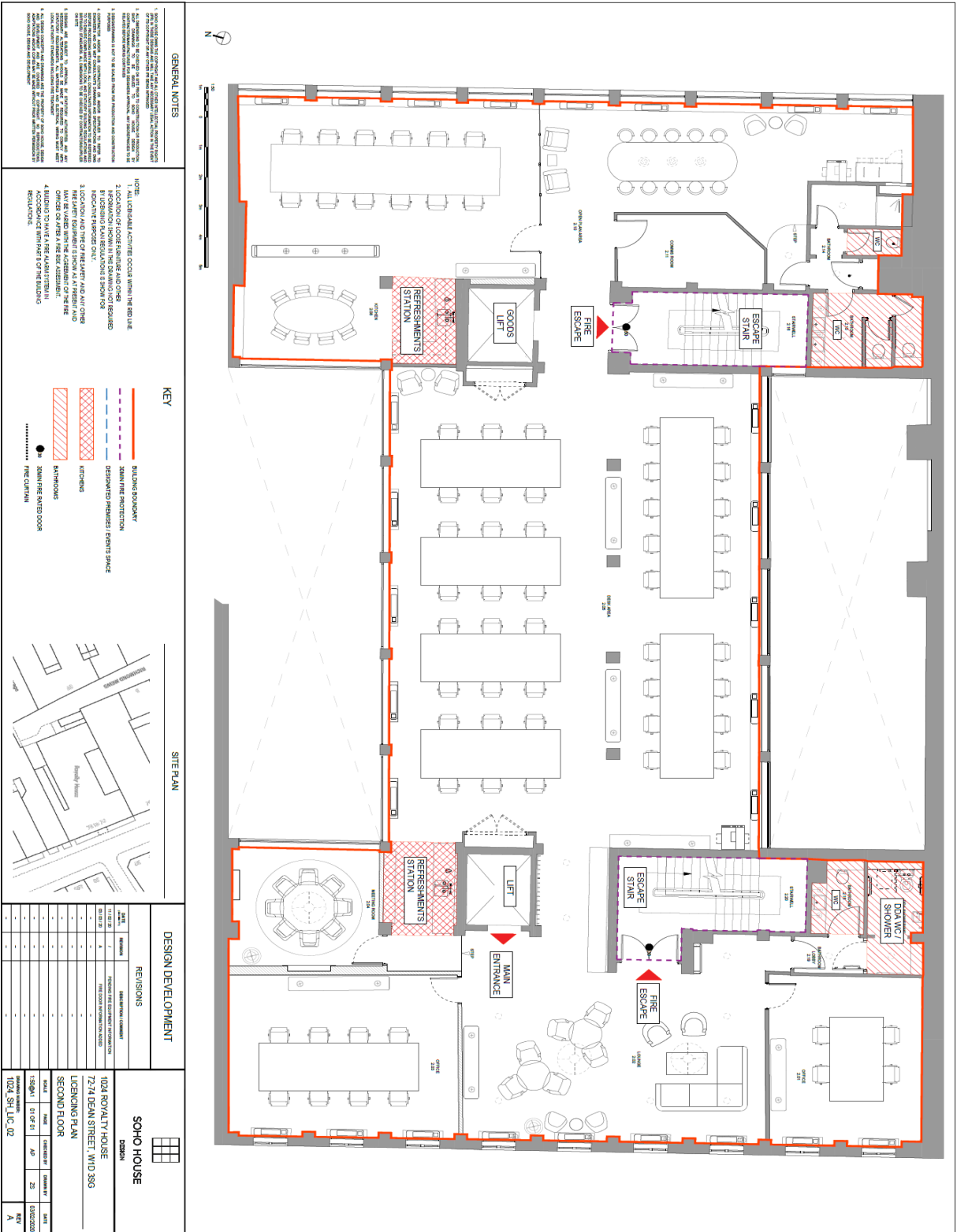
**GENERAL NOTES**

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2. LOCATION OF LIGHT FIXTURES AND OTHER FINISHES SHALL BE DETERMINED BY THE ARCHITECT.
3. LOCATION AND TYPE OF RAILWAY AND ALL OTHER FINISHES SHALL BE DETERMINED BY THE ARCHITECT.
4. LOCATION OF ALL FIRE ALARMS SHALL BE DETERMINED BY THE ARCHITECT.

**DESIGN DEVELOPMENT**

DATE	REVISION	DESCRIPTION
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01/07/29	100	ISSUED FOR PERMIT APPLICATION

**SOHO HOUSE**  
 DESIGN  
 1024 ROYALTY HOUSE  
 72-74 DEAN STREET, W1D 3BS  
 LICENSING PLAN  
 FIRST FLOOR  
 SCALE: 1:50 (A1)  
 DATE: 13/03/2023  
 DRAWN BY: JG  
 CHECKED BY: JG  
 DATE: 13/03/2023  
 1024\_SH\_LIC\_01





**SOHO WORKS, ROYALTY HOUSE 72-74 DEAN STREET, LONDON**1. The applicant/background

I act for Soho Works Limited in respect of the application for a new licence for the above premises. My client has received the representations against the application and submits this document to provide responses to those representations.

Soho Works Limited forms part of Soho House and Co, which operates a group of private members' clubs, restaurants, hotels, office spaces and spas (with some sites open to the public as well). It is correct that there is no company called Soho House and Co on Companies House- it the collective group for Soho House. The reference to the premises being run by Soho House and Co is a reference to the premises being operated by the Soho House Group (Soho Works).

As Members may be aware, Soho House was founded in Soho, London, in 1995, as a private members' club for those in film, media and creative industries. The Soho House Group has since expanded to include Houses across Europe and North America, as well as restaurants, cinemas, spa, hotels and work spaces. All the Houses are regarded as a home away from home for its members, creating a warm, personalised atmosphere. The restaurants are consistently busy, offering friendly but professional service. The Cowshed spas, originating in a Cowshed in Somerset, offer the unique opportunity to indulge in social grooming. There are two Cowshed premises in Westminster operating in the Carnaby Estate and Selfridges (with more elsewhere in the country).

Each site is outwardly different from the other, having its own unique style and atmosphere. The design of each building respects the original foundations of the site. The Houses are seated throughout with large comfy chairs and are busy from breakfast to closing- it is an all day experience for Members and many Members use the House as a working environment. You can walk into the Houses at any time and see members on laptops, often attending by themselves to work in a calm environment.

The Soho Works limb of Soho House and Co offers a campus style office style environment to support the diverse and varied business and employee needs for the creative industry in London.

Soho Works already operate in Shoreditch and White City. White City was recently licensed and has 24 hours opening and a 2am licence Mon-Sat and midnight Sunday. Soho Works at 180 Strand was also recently granted a licence by Members of the Westminster LSC, also with an office events space. Another site is also opening in Redchurch Street (Tower Hamlets). There are other Soho Works sites worldwide as well. Being for the creative industry there are often link ins by members between the sites, which is one of the reasons later hours are required.

All sites in the UK are licensed under the Licensing Act 2003 for regulated entertainment and alcohol sales.

Soho Works is creating a new way of working to support the creative community. Creative companies require fit-for-purpose space that is able to elevate them on a global platform. Larger companies such as Apple, Google etc are able to offer a campus style environment to support their diverse and varied business and employee needs. This is why the phrase 'campus style' is used -the applicant is offering a space which offers all aspects required for running businesses- food and beverages, meeting rooms, event space (for the businesses) networking and business support.

Further information and pictures of the applicant premises can be found on the applicant's website [www.sohoworks.com](http://www.sohoworks.com) and for general details of the Soho House group please refer to [www.sohohouse.com](http://www.sohohouse.com)

None of the Soho House and Co premises, whether public or private, have been the subject of a review application and it has substantial experience of successfully running operations within Westminster. The applicant is well aware of the expectations of Westminster Licensing and invest heavily in training of staff to meet these expectations.

## 2. The Premises/Location

The premises are located in a cumulative impact area. The entrance is on Dean Street.

Royalty House has previously operated as an office- indeed it was the former head office of Soho House and Co. The premises will operate as offices in the future, under the Soho Works brand. There is no change in use. Royalty House was previously able to be operated 24 hours. There will be no increases in deliveries or collections as a result of this application given its previous use.

Overall, Royalty House House offers co-working offices and meeting rooms/ event spaces related to office space/tenants. Unlike 180 House recently granted by Members recently, there is no social members club space at this site (180 House had a private members club on the upper floors dedicated to members social space and its event space was on the first floor)

Royalty House aims to foster and connect creatives, entrepreneurs, dynamic thinkers and cultural explorers by integrating the creation, display, learning and social functions of culture throughout its spaces.

## 3. Membership/ offering at Royalty House

There are three types of memberships on offer at Soho Works – these are :

- a) **Lounge**- Hot-desk membership that offers adaptable working and complete flexibility
- b) **Desk**- Your own desk to suit your style of working with lockable storage
- c) **Office**- Private spaces where teams can work and collaborate

These 3 types of membership include access to all Soho Works locations around the world. Membership includes:

- Curated calendar of events and workshops
- Private phone booths, photo studios, workshops and 3D printing
- Podcast equipment
- Space for private events
- Screening rooms
- Meeting rooms
- Wireless connectivity and video conferencing
- Kitchens with storage areas

Application for membership is, like the Houses, subject to an application process to ensure that the tenant/member is in keeping with the creative industries servicing of the brand.

Pricing for Royalty House is as follows (note pricing can be different between the different Soho Works locations)- there is also a discount for existing Soho House members:

	Soho House member per month	Public rate per month
Lounge	£150 incl VAT	£400 incl VAT
Desk	£800 excl VAT	£800 excl VAT
Office	Up to £15k	Up to £15K

Licensable activities will not take place on the first floor of Royalty House as this entire floor has been let to Warner Brothers as office space- these are a long term tenant and the space is therefore not available to other Soho Works tenants/members and will not be part of this licence should it be granted. This has been conditioned and this is why the detailed layout of this floor is not shown on the plans for the first floor, apart from the escapes/stairs between the second and ground floors as required.

Attached is a marketing brochure for Soho Works offices for your reference. This brochure also explains examples of events that will take place. Events will be of 2 types a) members events/meetings- arranged by Soho Works for the tenants/members (networking/guest speakers for example) and b) events/meetings by tenants of Soho Works for their business. In terms of b) we confirm that these will be notified to the applicant in advance so they can be risk assessed as required and these will typically be in space/s in the basement hired out by the business. Looking at the plans you will see that the basement space has an break out space in the centre and conference rooms around the edge. The basement layout can not be changed as the rooms are permanent so the basement cannot be made into one large open space.

The provision of licensable activities for events/functions/meetings shall at all times also be ancillary to the use of the premises as office space, and alcohol may only be sold for consumption to tenants/members of the office space and their bona fide guests. This confirms the events are office related and will not be open to the general public.

Access to Soho Works Royalty House (for licensing purposes- as Warner Brothers employees can obviously also get access to their floor) can be to:

- a) Members/Tenants who have taken an office
- b) Members/Tenants who have taken a desk
- c) Soho Works members - both those specific to this site as well as access for members of other Soho Works sites (e.g. 180 Strand, Shoreditch, White City, international sites) who will be able to use the hot desking areas as well as meeting rooms, attend events as members
- d) Staff/Soho Works contractors and similar
- e) Bona fide guests of (a)-(c)

Comment has been made on who licensable activities can be provided to. It was proposed that "Licensable activities shall not be provided otherwise to directors, partners, employees of Soho Works Limited, and tenants and members of the premises and their bona fide guests". The applicant has no concern if this was narrowed down to read: "Licensable activities may only be provided to tenants and/or members of the office space and their bona fide guests"

As Members may be aware from prior applications, Soho House Membership Scheme is not a token process. It is well established and it is notoriously difficult to obtain membership, with waiting lists in place for long periods (18 months typically). The same membership process will be implemented at Royalty House when approving members/tenants.



Renewal of a space at Royalty House is NOT automatic and is reviewed by the Renewal Committee on an annual basis. This process ensures that its tenants/members conduct are constantly reviewed- and tenants/Members, in order to be renewed, must adhere to the House standards and codes of conduct throughout the year. This is a further check on the conduct of members and promotion of the licensing objectives.

#### 4. Operation

Reception will be fully manned whilst licensable activities are being provided.

In terms of the commencement hours sought for licensable activities in the application lodged (7am)- the businesses will be linked to creative industries worldwide so with time zones and some events happening by podcasts, virtual links etc the applicant wanted to be able to cater to those work hours overseas as well. Notwithstanding this, the applicant amends its application so alcohol sales commence at 10am.

The applicant confirms that three out of the 4 floors are dedicated workspaces with dedicated offices and desks. The basement will be the only floor that can be used for any 'events' and specifically for members and their guests. The main purpose of the basement floor however is meeting room space- informal and formal, and hot-desking during the day as the plans show.

In terms of regulated entertainment, my client has regulated entertainment at all other sites and it was requested for the small number of occasions each calendar year these were required for a specific event held at the premises. It may be that a tenant was having a ticketed launch for a product, which may be the subject of a charge made with a view to profit. Given the nature of the creative industry the applicant wanted to be certain to cater for all eventualities in terms of events for its members/tenants. Such events are limited however and having spoken to my client, regulated entertainment can be removed from the application. Should such events take place they can be held at other nearby Soho Works or applied for under a TEN.

There will be no dance floors at the premises

There will be no advertisement of events to the public.

We confirm that the provision of licensable activities for events shall at all times also be ancillary to the use of the premises as office space, and alcohol may only be sold for consumption to tenants/members of the office space and their bona fide guests.

There will also be limits on the number of guests of tenants/members able to attend any events/meetings and functions- all member events will have a guest list and each tenant/member can bring 1 guest. For any events/meetings by a member/tenant for their business they will be subject to the event space/meeting room they are using, but again there will be a function sheet and this will be arranged through the applicant. Alcohol for functions will be pre-ordered in advance so it can be catered for.

In the refreshment room on the ground floor by the front desk there will not be 'events'. This will be a café area serving coffee, snacks (eg cereals for breakfast). There will be a barrista in this area. Alcohol will also be available in this space and will be served by a member of staff if requested. There will not be an (alcohol) bar in this area.

In terms of alcohol on offer, there will be a reduced selection of beers, wines and spirits. The premises are not operating as a bar so there will not be the full complement of alcohol on offer as a bar or restaurant would have. There will not be cocktail making. There will be a high end and low end offer of the core spirits, and a small selection of wine and beers. This will be the same for alcohol on offer for events.

There will be waiter/waitress service on the ground and basement floors.

Each floor has a refreshment station as shown on the plans. Filter water and nespresso machines, as well as alcohol will be available at refreshment stations. Water and Coffee is self service. There will also be the ability to buy alcohol from points of sale from the refreshment stations on other floors which will be via a staff member- so there will be no self service of alcohol from the fridges.

There will be no advertising of alcohol or meeting spaces at all outside the premises. The exterior looks like an office building and will remain. There is no space on Dean Street for tables and chairs out the front which would indicate leisure space so persons passing will not know of any licensable activities occurring inside.

The sale of alcohol will be regulated by staff and consumption will be managed by staff- the applicant has agreed to an EH proposed condition ensuring this which reads: "A Soho Works Manager responsible for the premises shall ensure that the areas of the premises where alcohol is supplied under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that the supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Soho Works Responsible Alcohol Management Plan"

The Courtyards will be available for members to take a break or work from. They will have limited furniture in them to not encourage long stays. Off sales have not been applied for and so alcohol will not be consumed in the courtyards.

The capacities are based on the fire risk assessment for the venue. We understand from discussions with EH prior to lodging the application they will however only be looking to put a capacity on the basement floor, where events will take place as the office space would be adequately covered by the fire risk assessment and will operate as office use.

It is important to note that the capacity of the premises will not increase as a result of this premises being licensed- the numbers have not changed from when it was head office for Soho House and Co

In terms of deliveries and collections- these would also remain the same as when the premises was previously operating as the head office for Soho House and Co- Royalty House does not have a large food and beverage offering. Food for any events/functions will be catered and brought into the premises. The mini kitchen in the basement floor will be used for final food preparation only (not cooking of it). Deliveries for Soho Works offices occur on Tuesdays so the site does not envisage any increase in traffic as a result of this premises being licensed, in fact it should be less than what the deliveries were previously. Collection of rubbish will be by one of the operatives already collecting so no additional journeys will be created.

#### 5. Amendments/Conditions

Notwithstanding all of the above operation, my client has considered all of the representations received and the application hours sought are amended to:

Regulated entertainment  
Films, Live and  
Recorded Music,  
Performance of dance

Removed from application

Late Night Refreshment

Monday to Saturday – 23:00 till 00:00 (basement)  
Monday to Thursday – 23:00 till 23.30 (ground, second and third floors)  
Friday to Saturday – 23:00 till 00:00 (ground, second and third floors)

Sale by Retail of Alcohol

Monday to Sunday – 10:00 till 00:00 (basement)  
Monday to Thursday – 10:00 till 23.30 (ground, second and third floors)  
Friday and Saturday- 10.00 till 00:00 (ground, second and third floors)  
Sunday – 10:00 – 22.30 (ground, second and third floors)

I attach a revised list of the conditions proposed by the applicant in response to some conditions and comments suggested in the representations lodged against the application.

To specify the changes/additions- I have instructions to add/amend the following conditions to my client's operating schedule:

- a) Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
- b) No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
- c) 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.
- d) 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.
- e) All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- f) All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
- g) The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- h) Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
- i) All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.
- j) The basement shall be used as an office space and/or events space for tenants and/or members of the office space. The licence holder shall be notified in advance by tenants and/or members prior to any area of the basement being booked or used as an events space.
- k) There shall be no use of the Richmond Mews exit between 23:00 and 07.00.
- l) There shall be no smoking at all permitted by patrons or staff at the Richmond Mews exit
- m) Loudspeakers shall not be located in the entrance lobby or outside the premises building
- n) All refuse storage shall be inside the building
- o) The 2 courtyards (on ground floor and basement floor as shown on the plans) will not be used between the hours of 23:00 and 07:00
- p) A Soho Works Manager responsible for the premises shall ensure that the areas of the premises where alcohol is supplied under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that the supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Soho Works Responsible Alcohol Management Plan
- q) Outside of the hours authorised for the retail sale of alcohol and whilst the premises are open, the licence holder shall ensure that all alcohol within the premises which is dispensed by the licence holder is secured so as to prevent access to the alcohol by both members and staff.

- r) 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.
- s) No licensable activities shall take at the premises until the capacity of the basement premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. In any event, the maximum capacity for the basement floor shall not exceed XXX persons per floor (excluding staff).
- t) Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
- u) There will be no advertisement of events to the public
- v) There will be no advertising of the availability of alcohol or event spaces on the exterior of the premises
- w) There shall be no dance floors at the premises
- x) Amend proposed condition "The licensable activities provided at the premises shall be ancillary to the main function of the premises as offices" by adding the words "at all times"
- y) Amend proposed condition reading "Notices shall be prominently displayed at ground floor exits requesting people to respect the local residents and leave the premises and area quietly" by adding the sentence: "Failure to observe this notice and to leaving the premises quietly shall result in immediate suspension from membership"
- z) Amend proposed condition reading "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 23:00".
- aa) For clarity, add a requirement to the incident log proposed condition as "(i) any complaints received about noise of any form and from any source connected with the building"

## 6. Summary

Para 2.5.14 of Westminster's Licensing Policy states "The provision of a bar within a workplace solely for the use of those working there and their invited guests, will generally be regarded as an exception to the policy not to grant new bars in the Stress Areas. Regard will be had to other policies in this Statement and the hours of operation of the workplace, the hours and extent of the use of the bar and the effect on cumulative impact in the Stress Areas. The off sale of alcohol and drinking outside the premises would also be of concern".

From the conditions proposed it is clear this is not a premises that primarily serves alcohol throughout and regulated entertainment has been removed. There are no off sales. The premises is not a private members club – it remains primarily as an office space.

Accordingly, having regard to all of the above, including the character of this premises, the proposed conditions, and the intended operation of the premises I would submit that this application fits within Westminster's Licensing Policy.

The Sub-Committee is respectfully invited to grant the application as requested.

# SOHO WORKS

## SOHO WORKS

### INTRODUCTION

Soho Works is an international network of workspaces by Soho House, designed and equipped to help creative thinkers and businesses connect, collaborate and grow.

Our spaces combine the home-from-home feeling of our Houses with all the tools, technology and equipment to help you do your best work.

Each workspace has meeting rooms, studios, flexible private hire options and a curated programme of member events to help you and your business grow.



LONDON



NEW YORK



LOS ANGELES



HONG KONG



### LOCATIONS

Soho Works is a global community and membership of workspaces based in cities all over the world, in locations close to or within Soho House clubs.

Membership at any of our spaces entitles you to worldwide access.

Open now in Shoreditch and White City with New York, LA and Hong Kong coming soon.

### MEMBERSHIP TYPES

#### Lounge

Hot-desk membership that offers adaptable working and complete flexibility.

#### Desk

Your own desk to suit your style of working.

#### Office

Private spaces for teams to work and collaborate.





## SOHO WORKS

Our workspace has multiple meeting rooms, podcast recording equipment, phone booths and a fully equipped kitchen.

There is also lounge space for catch-ups and break-out meetings with other members.



## EVENTS

Soho Works' curated calendar of professional, social and wellbeing events are a platform for creative members to meet, connect and collaborate.

Available for private hire, the Loft is a large apartment-style space with a separate library, lounge, board room, meeting room and reception room. Each area can be hired individually or as combined spaces, from morning through to night.

## WHAT'S INCLUDED

Access to meeting rooms  
200 pages of free printing per month  
Fully equipped kitchens with food storage areas  
Complimentary tea and coffee all day  
Permanent address for post  
Private phone booths  
Access to a curated calendar of complimentary member events  
Addison Lee courier services

## OPTIONAL ADD-ONS

Bookable private event space  
Lockable storage  
Courier delivery service

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For more information, please contact Noelle Nikkha  
[noelle.nikkha@sohoouse.com](mailto:noelle.nikkha@sohoouse.com)

\*inclusive of VAT



## **Applicants further submissions received 29<sup>th</sup> June 2020**

### **SOHO WORKS, ROYALTY HOUSE 72-74 DEAN STREET, LONDON** **SUPPLEMENTARY SUBMISSIONS**

The application was adjourned previously to allow the parties time to liaise further on the application.

Since the application was adjourned the Police have withdrawn their representation against the application.

My client has received further submissions from the Soho Society/ the Meard and Dean Street Resident's Association/ local residents who have lodged representations against the application.

This document responds to these further comments, and, should be read in conjunction with the applicant's initial submissions. Please note I await final instructions on a small number of points raised by the residents and these will be addressed at the hearing, however, I respond below to give the residents time to reconsult prior to the hearing with its own members as requested.

1. The ground floor refreshment room is not visible from the street. There is no separate access from the street. There will be no signage outside indicating what the space is and the offerings. Access is only from within the main ground floor reception area. We note the refreshment room is not a new addition to this office space. It was operational when the premises were the head office for Soho House and Co. and no complaints were received and no public ever entered reception thinking it was a public offering. The main function of the ground floor refreshment room is for coffees/teas and snacks and alcohol sales are ancillary.
2. Alcohol will not be on display in the refreshment stations on the office floors. There will be a menu on display within the ground floor refreshment room but the alcohol bottles will not be displayed like a usual bar set up. There will be no designated alcohol bar on the ground floor. There will be a coffee bar in the ground floor refreshment room.
3. At certain times of the day alcohol will be on display in the basement, along with a menu but as advised previously in the applicants submissions there will not be a full complement of alcohol available in any event. For both events and general provision, the supply of alcohol will be by waiter/waitress service or via a refreshment station (which will be staffed).
4. The residents have indicated they prefer the wording of the alternate condition "Licensable activities may only be provided to tenants and/or members of the office space and their bona fide guests". The applicant has no difficulty with this being imposed should Members prefer this wording.
5. As set out in the initial submissions, members of Soho House will not automatically be members of Soho Works. Whilst it is the same membership process, which is well established, there is a separate membership committee for Soho Works, and separate membership application form and selection criteria. Further, membership to Soho House does not guarantee membership to Soho Works.
6. As set out in the initial submissions, it is confirmed that for members events the tenant/member can bring 1 bona fide guest however if the member/tenant has an event/meeting etc they are able to invite more than 1 guest- they could for example hire a conference room in the basement and invite people
7. The CCTV office area is located in the basement space with access by senior staff as per the model conditions.

8. As an aside, Soho House and Co were recently (June 25) contacted by Sgt Hamilton at Charing Cross Police in respect of the MPS installing CCTV above the building at 72-74 Dean Street that they can control from Charing Cross Police Station, so they can monitor it during peak time- it will cover Bateman Street. The applicant, with the consent of the landlord is assisting with this. We will not have access to this particular camera (the MPS will) but the external area in the immediate area will be monitored in any event, and I am sure the client will be informed of any issues arising from the conduct of tenants/members.
9. In terms of further amending the model condition for the incident report the applicant will leave the final wording to Members as it considers the proposed wording by the applicant covers the concerns of the residents.
10. The designated smoking areas will be in the courtyards as requested.
11. In respect of the noise condition, the applicant would seek for the proposed model noise condition to remain. The premises is an office. Any events are in the basement. There were not noise complaints when Soho House and Co were occupying the space. Further with the lockdown easing, fresh airflow is important and windows need to be openable in the offices.
12. The applicant has no objection to amending the condition to read: 'The reception desk on the ground floor shall be staffed at all times the premises are in operation.'
13. In respect of the telephone number for the manager at the premises, the applicant is more than happy to provide a contact number and email to all of the objectors to this application, the Soho Society and the Meard and Dean Street Residents Association, and any other residents parties advise. This number will be notified to these persons prior to opening. We note that EH have always been able to contact the applicant and the Group generally previously for other sites and we do not anticipate this to be an issue. The applicant has concerns with the mobile for a manager to be shown on the face of the licence for Data Protection reasons. The applicant is however content for the telephone number for the premises (landline) to be shown on the licence in the usual way on page 1 and, once it is known, the applicant will notify licensing of this number (prior to opening) so it can be shown on the face of the licence.
14. The applicant has no objection to amending the collection of refuse times on the proposed condition as follows: "No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours or as in compliance with Westminster City Council's own waste contractor collection hours."
15. For information, at this point, the applicant intends to use a private contractor and rubbish collection at this site will be joined with collection of waste from other Soho House and Co premises in Dean Street so as not to add to vehicular traffic.
16. In respect of the condition "Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime"- this is a model condition proposed by EH and the applicant agrees to this. Any external lighting will not be changed as a result of this application. No screens for presentation should be seen externally, especially as the events/meeting spaces is located in the basement. The applicant is, however, unable to agree a condition that blinds be pulled by 8pm. The premises will have blinds but the applicant cannot ensure all blinds will be pulled by tenants- and as there is criminal liability with any breaches of conditions the applicant cannot offer this additional condition. The model condition will however ensure that any lighting will not cause a

nuisance. We note that we are not aware of any complaints with respect to lighting nuisance when the premises were the head offices for Soho House and Co, and the model condition will ensure the residents have protection in this regard.

17. The applicant has no objection to amending the condition to read “The basement shall only be used as an office space and/or events space for tenants and/or members of the office space. The licence holder shall be notified in advance by tenants and/or members prior to any area of the basement being booked or used as an events space”
18. The applicant has no objection to amending the condition to read “Loudspeakers shall not be located in the entrance lobby, all courtyards or outside the premises building
19. Alcohol will be able to be consumed throughout the premises. The applicant has sought the retail sale of alcohol so alcohol will be paid for. If there is an event for a tenant and alcohol is part of this (many events/seminars will not involve alcohol sales) then an invoice will be sent to the tenant and paid for at that point- depending on the style of the event a deposit may be paid, or the alcohol paid for prior to the event in the usual way for events. It is logical that if a tenant orders a drink from a refreshment station he can consume it in his office if he wishes. Alcohol is an ancillary function in this office space and no tenants have taken advantage of this ability in any of the other Soho Works sites operating.
20. The applicant has no objection to amending the condition to read “A Soho Works Manager responsible for the premises shall ensure that the areas of the premises where alcohol is supplied or consumed under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that the supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Soho Works Responsible Alcohol Management Plan”
21. In respect of the proposal by the residents that ‘There shall be no consumption of alcohol on the ground floor of the premises’ OR ‘All windows and external doors at the ground floor of the premises shall be rendered opaque’, we note we have covered the alternative at point 1 above. There are also offices on the ground floor so members/tenants would be permitted to take alcohol bought in the refreshment room to their offices generally and so the above proposal cannot be agreed. The applicant has agreed the EH condition that staff will monitor the sale and consumption of alcohol in any event.
22. The objectors have proposed a condition to read ‘The licensable activities authorised by this licence can only be carried on at this premises by Soho Works Limited.’ The applicant has no objection to this being imposed but will leave it to Members to decide if they feel the condition is necessary.
23. In respect of the proposal ‘No alcohol shall be consumed in the courtyards (on ground floor and basement floor as shown on the plans).’ – the applicant does not think this is needed as off sales has not been applied for, and so will leave this to Members to decide if they feel the condition is necessary.
24. The opening hours for this site have been amended to 1am. To be clear, there could be an occasion where someone needs to work later in the office and this would be permitted as no licensable activities would be carried out, and this will be risk assessed in the usual way. The premises were previously offices as set out already with the same numbers permitted and so there will be no increase in journeys or potential nuisance.

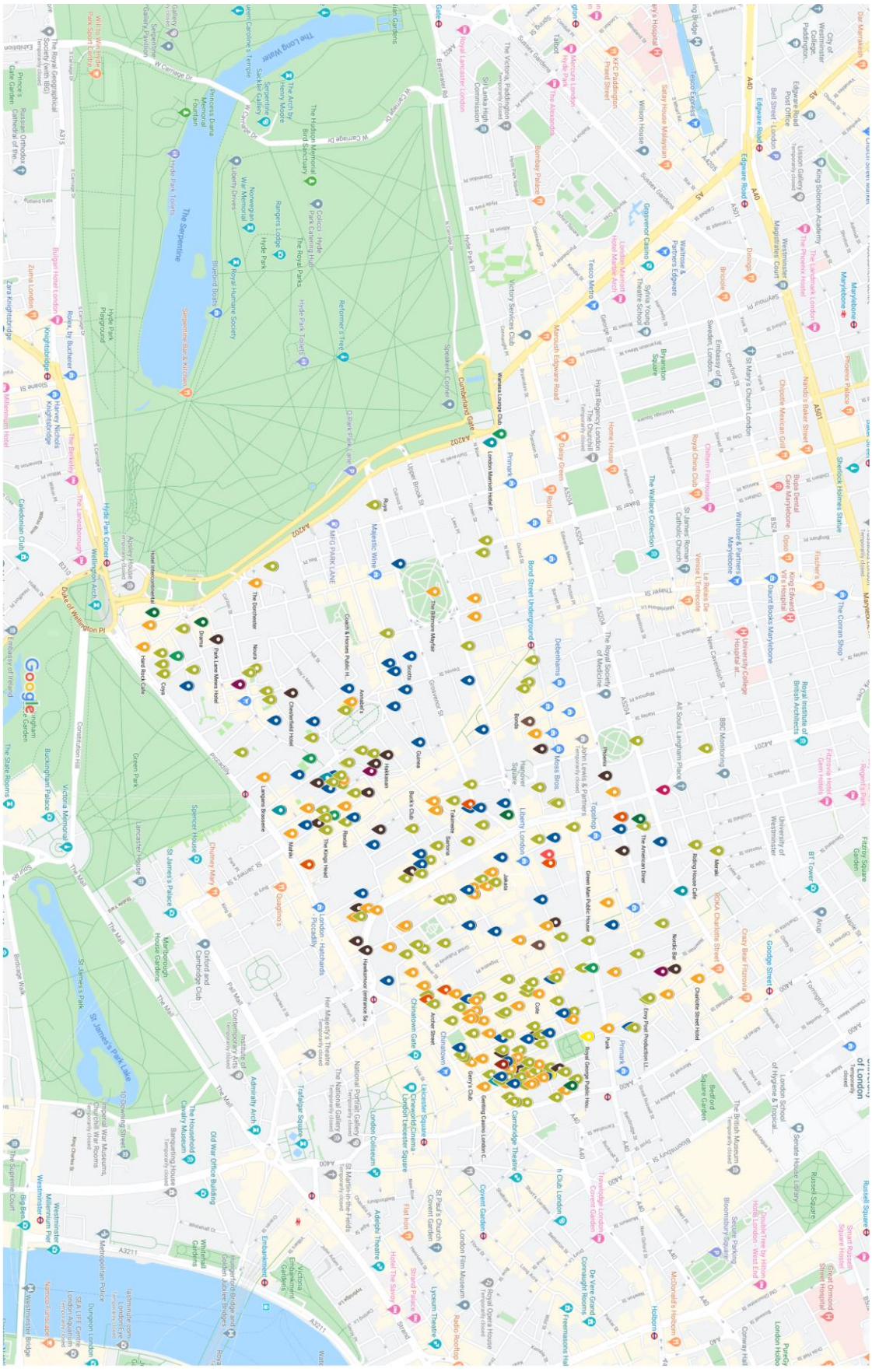
25. In respect of capacities per floor the applicant understands the premises will have the following numbers (excluding staff):

Basement	– 100 persons
Ground	– 80
2 <sup>nd</sup> floor	– 90
3 <sup>rd</sup> floor	– 90

These numbers are based on space factors from approved Document B (category offices) for the site conditions, with two escape staircases and a detection and alarm system throughout the entire building. The applicant is carrying out a final fire risk assessment this week prior to opening wherein these figures will be verified.


26. The events will be private so if there is a members event this will be sent to members. If a member has an event it will be sent to the invitees.

Further submissions will be made at the hearing on the above where required.







Google Maps Map of West End Ward Licences

# Map of West End Ward Licences

 Open in My Maps

Tim's Data

-  01:00:00
-  03:00:00
-  00:30:00
-  02:00:00

[11 MORE](#)

Imported data

-  01:00:00
-  03:00:00
-  00:30:00
-  02:00:00

[11 MORE](#)

Untitled layer

voters in w1f and w1d.csv

 All items

**From:** [Lana Tricker](#)  
**To:** [Steward, Michelle: WCC](#)  
**Cc:** [Jackaman, Kevin: WCC](#); [Donovan, Jessica: WCC](#)  
**Subject:** RE: Royalty House, 72-74 Dean Street, London, W1D 3SG - 20/03127/LIPN  
**Date:** 01 July 2020 12:14:25  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Dear Michelle

Thanks for your email.

Soho Works operates via membership, so you have application forms/selection to be a Soho Works member. Membership details and what you get for your membership (there are 3 types) are set out in my original submissions circulated earlier. This concept has not changed at all throughout the application process as the proposed conditions on the application form show. Membership explanation is also shown on the Soho Works website so it is transparent ([www.sohoworks.com](http://www.sohoworks.com)). We disagree that by using the phrase 'member' it is akin to a members drinking bar. There are many membership offerings available in everyday life- gyms, loyalty programs, cinemas etc. Membership for offices is also not a new concept. Regus for example also have memberships in place where you can visit different Regus offices for hotdesking. Soho Works offers offices, desks and hotdesking (see [Sohoworks.com](http://Sohoworks.com) and my original submissions). The phrase tenants refers to those with permanent spaces in Soho Works (eg have paid for offices) and members are for people who are not permanent- hotdesking. My submissions also confirm the membership selection criteria- Soho Works is for those working in the creative industry and so that is why you have membership selection criteria- to ensure that the members/tenants work in this creative industry field, which is a positive move by the applicant. The comment that the resident mentions in his email about Soho works having a different membership committee etc refers to a query raised by other residents about whether the membership for Soho House Members Clubs and Soho Works premises were the same. I confirmed that Soho Works was separate to the Soho House Members Clubs and confirmed that membership to Soho House did not automatically guarantee membership to Soho Works. In terms of conditions, the applicant has already offered a condition that reads: "The licensable activities provided at the premises shall, at all times, be ancillary to the main function of the premises as offices". The ancillary condition was offered when the application was first lodged. I hope this assists but pls let me know if you need more clarification. Please can this email/reply be included in the LSC Report.

Thanks

Kind regards

Lana

Lana Tricker  
Principal, LT Law

[REDACTED]

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**From:** Steward, Michelle: WCC <msteward1@westminster.gov.uk>

**Sent:** 30 June 2020 18:26

**To:** Lana Tricker <lana@lrlaw.co.uk>

**Cc:** Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>; Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>

**Subject:** Royalty House, 72-74 Dean Street, London, W1D 3SG - 20/03127/LIPN

Dear Lana

Further to the correspondence received today in connection with Royalty House, please see further comments received which seek clarification:

**Sorry to bombard you, but on more careful reading of the new note prepared by the above applicant, there is one paragraph that is at least puzzling, if not a real worry. In para 5, the note refers to 'a membership committee for Soho Works, and a separate application form and selection criteria.' If, as they claim, this is an office building, then I do not understand the concept of a 'member'.**

**In earlier notes, they referred to 'tenants', which I can understand, but by using the term, and thus the concept of, 'member' makes it sound suspiciously like a members' club rather than the claimed office. And a members' club with an alcohol license is, de facto, a members' drinking club - directly contrary to the impression they are trying to give elsewhere in their documents. This would be very worrying indeed and was one of the main reasons behind my objections in the first place - and those of many others.**

**Can this be clarified? It is an office with tenants, NOT a club with members. Perhaps you could ask their lawyers to find a sentence for inclusion in the conditions which would nail that down so that it could only be an office and not a members' club.**

We look forward to hearing from you.

Kind regards

Michelle



**From:** [Lana Tricker](#)  
**To:** [Steward, Michelle: WCC](#)  
**Cc:** [Jackaman, Kevin: WCC](#)  
**Subject:** RE: Royalty House  
**Date:** 01 July 2020 14:49:22  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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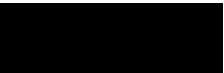
Dear Michelle

Thanks for your email. I reply as follows:

1. Yes, the conditions mentioned in the supplementary are in addition to the condition list put forward in the applicants initial submissions
2. The opening hours on the application form stated 24 hours. These have been amended to 1am. The hours for the retail sale of alcohol are as follows (as set out in initial submissions):
  - Monday to Sunday – 10:00 till 00:00 (basement)
  - Monday to Thursday – 10:00 till 23.30 (ground, second and third floors)
  - Friday and Saturday- 10.00 till 00:00 (ground, second and third floors)
  - Sunday – 10:00 – 22.30 (ground, second and third floors)
3. The waste collection for Soho Works will be combined with pickup for the other Soho House sites in Dean Street so as not to create any more journeys.

Thanks  
Kind regards  
Lana

Lana Tricker  
Principal, LT Law



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**From:** Steward, Michelle: WCC <msteward1@westminster.gov.uk>  
**Sent:** 01 July 2020 13:47  
**To:** Lana Tricker <lane@lrlaw.co.uk>  
**Cc:** Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>  
**Subject:** Royalty House

**Importance:** High

Hi Lana

I am really sorry but I have just realised there was an email before that sent to you yesterday:

1. **Please will you confirm that the points made in the new submission on behalf of the applicant in your email of 29th June are IN ADDITION to the revised conditions that were sent in your email note of 10th June 2020?**
2. **There appears to be a possible contradiction between the two notes: in your cover note of the 10 June, you gave the hours for sale of alcohol as finishing at various times, but never later than 00.00. In the recent note sent on the 29 June, point number 24 states that the 'opening hours' have been amended to 1.00 am. Can you confirm that this does not affect the earlier finishing times for the sale of alcohol in the previous note?**
3. **The new submission of 29 June makes no reference to deliveries to the site; in my previous objections I had asked, on behalf of the residents of Soho Lofts (and reflecting the fact that Richmond Mews is often totally blocked by traffic), that the deliveries to Royalty House should all be through its Dean Street entrance - as is required for Soho House. Can you ask the applicant to confirm that they agree and will abide by this?**

Please could we have your comments. I have CC'd in Kevin and he will add this to the report.

Kind regards

Michelle

**Michelle Steward**

**Senior Licensing Officer**

Public Protection & Licensing Department

Westminster City Council

15<sup>th</sup> Floor

64, Victoria Street

London, SW1E 6QP

Direct Line: 07815000597

Call Centre (for general queries): 0207 641 6500

Email: [msteward1@westminster.gov.uk](mailto:msteward1@westminster.gov.uk)

Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)

## **Premises History**

## **Appendix 8**

There is no licence or appeal history for the premises.

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

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

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

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

### Mandatory Conditions

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

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

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

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

9. The licensable activities provided at the premises shall, at all times, be ancillary to the main function of the premises as offices.

10. Licensable activities may only be provided to tenants and/or members of the office space and their bona fide guests.

11. No licensable activities shall take place on the first floor.
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
13. 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.
14. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
  - (i) any complaints received about noise of any form and from any source connected with the building
16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
17. Notices shall be prominently displayed at ground floor exits requesting people to respect the local residents and leave the premises and area quietly. Failure to observe this notice and to leaving the premises quietly shall result in immediate suspension from membership
18. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
19. 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 23:00.
20. The reception desk on the ground floor shall be staffed at all times the premises are open for licensable activities.
21. Loudspeakers shall not be located outside the premises building.

22. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity upon request.
23. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours
24. The basement shall be used as an office space and/or events space for tenants and/or members of the office space. The licence holder shall be notified in advance by tenants and/or members prior to any area of the basement being booked or used as an events space.
25. There shall be no use of the Richmond Mews exit between 23:00 and 07.00.
26. There shall be no smoking at all permitted by patrons or staff at the Richmond Mews exit
27. Loudspeakers shall not be located in the entrance lobby or outside the premises building
28. All refuse storage should be inside the building
29. The 2 courtyards (on ground floor and basement floor as shown on the plans) will not be used between the hours of 23:00 and 07:00
30. A Soho Works Manager responsible for the premises shall ensure that the areas of the premises where alcohol is supplied under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that the supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Soho Works Responsible Alcohol Management Plan
31. Outside of the hours authorised for the retail sale of alcohol and whilst the premises are open, the licence holder shall ensure that all alcohol within the premises which is dispensed by the licence holder is secured so as to prevent access to the alcohol by both members and staff.
32. 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.
33. No licensable activities shall take at the premises until the capacity of the basement premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. In any event, the maximum capacity for the basement floor shall not exceed XXX persons per floor (excluding staff).
34. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health



Consultation Team, the Police and the Licensing Authority.

35. There will be no advertisement of events to the public
36. There will be no advertising of the availability of alcohol or event spaces on the exterior of the premises
37. There shall be no dance floors at the premises

**Conditions proposed by the Environmental Health Service and agreed by the applicant so as to form part of the operating schedule**

38. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
39. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
40. 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.
41. 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.
42. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
43. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
44. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
45. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
46. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.

**Conditions proposed by the Police**

None



Resident Count: 151

Licensed premises within 75m of Royalty House, 72-74 Dean Street, London, W1				
Licence Number	Trading Name	Address	Premises Type	Time Period
17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00
20/01510/LIPCH	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 00:00
20/03156/LIPCH	Soho Dean Street	76 Dean Street London W1D 3SQ	Not Recorded	Monday to Sunday; 07:00 - 01:00
17/01564/LIPV	Honest Burgers	Basement And Ground Floor 4 Meard Street	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00

		London W1F 0EF		
18/10112/LIPT	The Red Fort	Basement And Ground Floor 77 Dean Street London W1D 3SH	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
15/03854/LIPVM	The Crown & Two Chairmen	31-32 Dean Street London W1D 3SB	Pub or pub restaurant with lodge	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 07:00 - 22:50   Sundays before Bank Holidays; 07:00 - 00:00
19/03723/LIPT	Oliver Maki	33 Dean Street London W1D 4PW	Restaurant	Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
16/04124/LIPV	Cookhouse Joe	33 Dean Street London W1D 4PW	Restaurant	Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
18/09098/LIPDPS	Sunset Strip	Basement To First Floor 30 Dean Street London W1D 3SA	Night clubs and discos	Monday to Saturday; 09:00 - 01:30   Sunday; 09:00 - 00:00
13/01625/LIPDPS	Gopal's Of Soho	Basement And Ground Floor 12 Bateman Street London W1D 4AH	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00

16/08358/LIPT	Barrafina Quo Vadis	26 Dean Street London W1D 3LL	Restaurant	Monday to Saturday; 09:00 - 02:30   Sunday; 09:00 - 00:00
20/03241/LIPT	Salon 64	14 Bateman Street London W1D 3AG	Hairdresser or beauty salon	Monday; 08:00 - 22:30   Tuesday; 08:00 - 22:30   Wednesday; 08:00 - 22:30   Thursday; 08:00 - 22:30   Friday; 08:00 - 22:30   Saturday; 08:00 - 22:30
18/00946/LIPDPS	Blacks	Basement To First Floor 67 Dean Street London W1D 4QH	Club or institution	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 01:00
17/03770/LIPDPS	Soho Hotel	Soho Hotel 4 Richmond Mews London W1D 3DH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
19/02052/LIPDPS	Vapiano	84 - 86 Wardour Street London W1F 0TQ	Restaurant	Monday to Thursday; 07:00 - 00:30   Friday to Saturday; 07:00 - 01:30   Sunday; 07:00 - 23:30   Sundays before Bank Holidays; 07:00 - 00:30
14/03817/LIPVM	Lo-Profile	Basement 84 - 86 Wardour Street London W1F 0TG	Club or institution	Monday; 09:00 - 01:30   Monday to Saturday; 10:00 - 23:30   Tuesday to Wednesday; 09:00 - 02:30   Thursday; 09:00 - 03:30   Friday to Saturday; 09:00 - 04:00   Sunday; 12:00 - 23:00

11/02308/LIPDPS	Prix Fixe Brasserie	Basement And Ground Floor 39 Dean Street London W1D 4PU	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/13602/LIPV	Pix	16 Bateman Street London W1D 3AH	Restaurant	Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00   Sunday; 12:00 - 22:30   New Year's Eve; 12:00 - 00:00
19/10489/LIPDPS	Wahaca	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Monday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00
18/03962/LIPDPS	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Restaurant	Monday to Thursday; 10:00 - 00:30   Friday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 23:00   Sundays before Bank Holidays; 12:00 - 00:30
18/03323/LIPDPS	Freak Scene	54 Frith Street London W1D 4SL	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 01:00
13/04147/LIPDPS	40 Dean Street	40 Dean Street London W1D 4PX	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00

18/16244/LIPV	Tortilla	88 Wardour Street London W1F 0TH	Restaurant	Monday; 08:00 - 23:00   Tuesday; 08:00 - 23:00   Wednesday; 08:00 - 23:00   Thursday; 08:00 - 23:00   Friday; 08:00 - 23:00   Saturday; 08:00 - 23:00   Sunday; 08:00 - 23:00
18/08862/LIPVM	Japes	Ground Floor Townsend House 22 - 25 Dean Street London W1D 3RY	Restaurant	Monday to Saturday; 07:00 - 01:00   Sunday; 09:00 - 00:00
19/11795/LIPDPS	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Restaurant	Monday to Wednesday; 09:00 - 02:30   Thursday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 23:00
19/06909/LIPDPS	Mimis	56-57 Frith Street London W1D 3JG	Hotel, 3 star or under	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 07:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
16/07867/LIPN	Frith Street Hotel	56-57 Frith Street London W1D 3JG	Hotel, 4+ star or major chain	Monday to Saturday; 07:00 - 23:30   Monday to Sunday; 00:00 - 00:00   Sunday; 08:00 - 00:00   Sundays before Bank Holidays; 12:00 - 23:30   New Year's Eve; 00:00 - 00:00

11/08882/LIPDPS	Duck Soup	Basement And Ground Floor 41 Dean Street London W1D 4PY	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
19/06836/LIPDPS	Dog & Duck Public House	18 Bateman Street London W1D 3AJ	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30   Monday to Saturday; 07:00 - 00:30   Friday to Saturday; 07:00 - 00:00   Sunday; 07:00 - 00:00   Sunday; 07:00 - 22:30   Sundays before Bank Holidays; 07:00 - 00:00
17/08963/LIPN	Rambla	64 Dean Street London W1D 4QQ	Restaurant	Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 23:00

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