



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Wednesday 2 February 2022**

Time: **10.00 am**

Venue: **Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**  
Tim Mitchell (Chairman)  
Heather Acton  
Maggie Carman

If you require further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Co-Ordinator.

**Email:** [scraddock@westminster.gov.uk](mailto:scraddock@westminster.gov.uk) **Tel:** 0779098018  
**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. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before 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. ANTIKA, 4 LAUDERDALE PARADE, LAUDERDALE ROAD, W9 1LU

(Pages 1 - 56)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Maida Vale None* None **	Antika, 4 Lauderdale Parade, Lauderdale Road, W9 1LU	Variation to the Premises Licence	21/07529/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

#### 2. CHILTERN FIREHOUSE, 1 CHILTERN STREET, W1U 7PA

(Pages 57 -  
130)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Marylebone High Street None* None**	Chiltern Firehouse, 1 Chiltern Street, W1U 7PA	Variation to the Premises Licence	21/08705/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**3. BAKER AND SPICE, 54-56 ELIZABETH STREET, SW1W 9PB**

**(Pages 131 - 160)**

<b>Ward CIA* SCZ**</b>	<b>Site Name &amp; Address</b>	<b>Application Type</b>	<b>Licensing Reference No.</b>
Knightsbridge and Belgravia  None*  None**	Baker & Spice, 54-56 Elizabeth St, SW1W 9PB	Variation to the Premises Licence	21/09405/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**4. GRAVITY HOUSE, 65-66 FRITH STREET, W1D 3JR**

**(Pages 161 - 186)**

<b>Ward CIA* SCZ**</b>	<b>Site Name &amp; Address</b>	<b>Application Type</b>	<b>Licensing Reference No.</b>
West End West End*  None**	Gravity House, 65-66 Frith Street, W1D 3LR	New Premises Licence	21/07752/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love**  
**Chief Executive**  
**25 January 2022**

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 January 2021.

### **Guidance Considerations**

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

### **Core hours When Customers Are Permitted to Be on The Premises**

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

**Note:** The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

#### **1. Casinos**

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

#### **2. Cinemas, Cultural Venues and Live Sporting Premises**

Monday to Sunday:	09:00 hours to 24:00 hours
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#### **3. Hotels**

Monday to Thursday:	09:00 hours to 23:30 hours
Friday and Saturday:	09:00 hours to 24:00 hours
Sunday:	09:00 hours to 22:30 hours
Sundays Immediately Prior To A Bank Holiday:	09:00 hours to 24:00 hours
Sale of alcohol to guests for consumption in hotel/guest rooms only:	Anytime up to 24 hours

#### **4. Off licences**

Monday to Saturday:	08:00 hours to 23:00 hours
Sunday:	09:00 hours to 22:30 hours

#### **5. Outdoor Spaces**

Monday to Thursday:	09:00 hours to 23:30 hours
Friday and Saturday:	09:00 hours to 24:00 hours
Sunday:	09:00 hours to 22:30 hours
Sundays Immediately Prior To A Bank Holiday:	09:00 hours to 24:00 hours

#### **6. Pubs and bars, Fast Food and Music and Dance venues**

Monday to Thursday:	10:00 hours to 23:30 hours
Friday and Saturday:	10:00 hours to 24:00 hours
Sunday:	09:00 hours to 22:30 hours



Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 hours

## **7. Qualifying Clubs**

Monday to Thursday: 09:00 hours to 24:00 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

## **8. Restaurants**

Monday to Thursday: 09:00 hours to 23:30 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

## **9. Sexual Entertainment Venues and Sex Cinemas**

Monday to Thursday: 09:00 hours to 23:30 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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City of Westminster

# Licensing Sub-Committee Report

Agenda Item 1.

Item No:

Date:

2 February 2022

Licensing Ref No:

21/07529/LIPV - Premises Licence Variation

Title of Report:

Antika  
4 Lauderdale Parade  
Lauderdale Road  
London  
W9 1LU

Report of:

Director of Public Protection and Licensing

Wards involved:

Maida Vale

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Jessica Donovan  
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500  
Email: [Jdonovan@westminster.gov.uk](mailto:Jdonovan@westminster.gov.uk)

## 1. Application

<b>1-A Applicant and premises</b>			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	28 July 2021		
<b>Applicant:</b>	Antika Bar Ltd		
<b>Premises:</b>	Antika		
<b>Premises address:</b>	4 Lauderdale Parade Lauderdale Road London W9 1LU	<b>Ward:</b>	Maida Vale
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises previously operated as an off licence. This application seeks to change the operation of the premises to a restaurant.		
<b>Variation description:</b>	<p>The application seeking the following:</p> <ul style="list-style-type: none"> <li>To add the provision of Late Night Refreshment Monday to Thursday 23.00 to 23.30 and Friday and Saturday 23.00 to 00.00.</li> <li>To add Retail Sale of Alcohol for consumption on the premises Monday to Thursday 10.00 to 23.30, Friday and Saturday 10.00 to 00.00 &amp; Sunday 10.00 to 22.30.</li> <li>To vary the hours for Retail Sale of Alcohol for consumption off the premises from 08:00 to 23:00 Monday to Saturday and Sunday 10:00 to 22:30 to Monday to Thursday 10.00 to 23.30</li> <li>Friday and Saturday 10.00 to 00.00 and Sunday 10.00 to 22.30.</li> <li>To remove condition 6 and 7 from the licence.</li> </ul>		
<b>Premises licence history:</b>	The premises has had the benefit of a premises licence since 2005. The current premises licence (21/05106/LIPDPS) can be viewed at <b>Appendix 3</b> of this report along with the premises history.		
<b>Applicant submissions:</b>	During consultation, the applicant provided a mediation letter for [REDACTED]. The applicant has also provided a supplementary bundle. These documents can be found at <b>Appendix 2</b> .		
<b>Applicant amendments:</b>	During consultation, the applicant agreed with the Metropolitan Police to reduce the hours for Retail Sale of Alcohol for consumption off the premises from Monday to Thursday 10.00 to 23.30 Friday and Saturday 10.00 to 00.00 and Sunday 10.00 to 22.30 to the timings stated at 1-B.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement and Ground Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current: N/A				Proposed: N/A	

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement and Ground Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			N/A		Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A		23:00	23:30	N/A	Basement and Ground Floor
Tuesday			23:00	23:30		
Wednesday			23:00	23:30		
Thursday			23:00	23:30		
Friday			23:00	00:00		
Saturday			23:00	00:00		
Sunday			N/A	N/A		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Off Sales		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	10:00	23:00	Off sales	No change
Tuesday	08:00	23:00	10:00	23:00		
Wednesday	08:00	23:00	10:00	23:00		
Thursday	08:00	23:00	10:00	23:00		
Friday	08:00	23:00	10:00	23:00		
Saturday	08:00	23:00	10:00	23:00		
Sunday	10:00	22:30	10:00	22:30		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	6. Alcohol shall not be sold or supplied except during permitted hours.  In this condition, permitted hours means:  (a) On weekdays, other than Christmas Day, 08:00 to 23:00 (b) On Sundays, other than Christmas Day, 10:00 to 22:30 (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30 (d) On Good Friday, 08:00 to 22:30  The above restrictions do not prohibit:  (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless				Condition 6 is proposed to be removed by the applicant.	

	<p>the alcohol is supplied or taken in an open vessel;</p> <p>(b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</p> <p>(c) sale of alcohol to a trader or club for the purposes of the trade or club;</p> <p>(d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.</p>	
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Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			N/A		On Sales	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A		10:00	23:30	N/A	Basement and Ground Floor
Tuesday			10:00	23:30		
Wednesday			10:00	23:30		
Thursday			10:00	23:30		
Friday			10:00	00:00		
Saturday			10:00	00:00		
Sunday			10:00	22:30		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	08:00	23:30	Basement and Ground Floor	No change
Tuesday	08:00	23:00	08:00	23:30		
Wednesday	08:00	23:00	08:00	23:30		
Thursday	08:00	23:00	08:00	23:30		
Friday	08:00	23:00	08:00	00:00		
Saturday	08:00	23:00	08:00	00:00		
Sunday	10:00	22:30	10:00	23:30		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

<b>1-C Conditions proposed to be removed</b>	
<b>Condition</b>	
6.	<p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <ul style="list-style-type: none"> <li>(a) On weekdays, other than Christmas Day, 08:00 to 23:00</li> <li>(b) On Sundays, other than Christmas Day, 10:00 to 22:30</li> <li>(c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30</li> <li>(d) On Good Friday, 08:00 to 22:30</li> </ul> <p>The above restrictions do not prohibit:</p> <ul style="list-style-type: none"> <li>(a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;</li> <li>(b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</li> <li>(c) sale of alcohol to a trader or club for the purposes of the trade or club;</li> <li>(d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.</li> </ul>
7.	Alcohol shall not be sold in an open container or be consumed in the licensed premises.

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Anil Drayan
<b>Received:</b>	25 August 2021

**I refer to the application to vary the premises licence, 21/05106/LIPDPS, for the above premises.**

The applicant has submitted a plan of the premises showing the ground floor and basement (no reference)

**The applicant is seeking the following:**

- Supply of Alcohol 'On' the premises on Monday to Thursday, 10.00 – 23.30, Friday and Saturday, 10.00 – 00.00 and Sunday 10.00 – 22.30 hours. Also to vary the 'Off' sales to align with these hours.
- Provision of Late-Night Refreshment both indoor and outdoor on Monday to Thursday, 23.00 – 23.30 and Friday and Saturday, 23.00 – 00.00 hours.

**I wish to make the following representations based on the plans and operating schedule submitted:**

- The Supply of Alcohol 'On' and 'Off' and for the hours requested may have the effect of increasing Public Nuisance in the area.



2. Provision of Late-Night Refreshment both indoors and outdoors and for the hours requested may have the effect of increasing Public Nuisance in the area.

**Environmental Health also makes the following further comments:**

- It is unclear from the application if the premises have already been constructed for the proposed use. Nevertheless, prior to commencement of the variations of the licensable activities requested, it will need to be inspected for Public Safety by Environmental Health.
- Any capacity will also be assessed with regards to the provision of sanitary accommodation being in line with BS6465.
- If this is a new café/hot food use then Environmental Health shall require details of how odour nuisance shall be prevented and how internal noise transference shall not occur through party wall connections.
- The plans indicate external areas but it is not clear if these are part of the public highway or private forecourt – this will inform whether Tables and Chairs licences may also be required.
- The Council revised its Statement of Licensing Policy earlier this year. One of the new requirements under the Policy is that greater emphasis has been placed on licensed premises demonstrating compliance with policy CH1, Protection of Children from Harm, (see page 36 of policy). Free advice on complying with this can be found at:
  - [Stat guidance template \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- Some undertakings have been offered in the operating schedule and these will need to be converted into enforceable conditions.

The applicant is therefore requested to contact the undersigned to discuss the above and arrange a site after which Environmental Health may propose additional conditions for the proposed use.

<b>Responsible Authority:</b>	Metropolitan Police Service ( <i>Withdrawn 29 September 2021</i> )
<b>Representative:</b>	PC Bryan Lewis
<b>Received:</b>	24 August 2021

Police object to this application, as we believe it will not promote the licensing objectives contained within the 2003 Licensing Act, namely the prevention of crime and disorder. Police object to this application for the following reasons.

- There are insufficient conditions proposed to support the licensing objectives.
- Hours sought are beyond core hours as set out in the WCC Statement of Licensing Policy for the off sale of alcohol

I will contact you to discuss this application.

**Following agreement of the hours and conditions with the applicant. The Metropolitan Police Services withdrew their representation on 29 September 2021.**

<b>2-B Other Persons</b>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	02 August 2021		
<p>I would like to STRONGLY object to the restaurant/wine bar opening and extended hours application for a number of reasons:</p> <ul style="list-style-type: none"> <li>- [REDACTED] and am concerned by the disruption it will create.</li> <li>- I had no idea that the application for the restaurant/bar had been approved and had not received a notice from the council of this. Why is this? If I had received I would have strongly objected in the first instance.</li> <li>- I am very concerned by the noise - Firstly the building is not sound proofed and secondly the noise from the customers. I STRONGLY object to extended hours. 11.30pm weekdays and 12am weekend is not acceptable in a residential area.</li> <li>- [REDACTED] a restaurant will de-value my property and with regards to future possible rental reduce the rental value.</li> <li>- Health and safety breaches - They already are leaving the kitchen door open which is a fire hazard. The restaurant will also invalidate the building insurance.</li> <li>- The restaurant has already installed an ILLEGAL extractor on the outside of the building without permission of the freeholder or leaseholders. I have seen that this goes AGAINST the licence and what has been approved.</li> <li>- [REDACTED]. Before entering into the letting of the shop the Freeholder by law should have offered the lease to the majority leaseholders. This was NOT done. We did not give consent to the restaurant as [REDACTED]</li> </ul> <p><b>An additional representation was submitted by the interested party on 02 August 2021:</b></p> <p>I would like to object for the following numerous reasons</p> <ul style="list-style-type: none"> <li>- Firstly I was not even aware that the change of use application had been granted as I had not receive formal notification of the change of use. How can this possible be? How did planning get approved without our prior knowledge?</li> <li>- I am deeply concerned by the noise of a restaurant and late licensing hours for 2 reasons- 1) the building is not sound proof and 2) the noise from the customers both in and outside the premise. We already have noise from the Italian restaurant 2 doors down.</li> <li>- It appears that the new tenant, restaurant owner, has put in an illegal extractor at the back of the building without [REDACTED] consent. This is a BREACH of licence application. Please review immediately.</li> <li>- the extractor with cause smells both in the building and outside.</li> <li>- as owner and leaseholder I am concerned that it will devalue my property as well as possible rental value.</li> <li>- the restaurant will cause Health and safety issues. They have already installed a kitchen door in the basement which they are leaving open. This is a fire hazard</li> <li>- any fire of health/safety hazards will invalidate the building insurance</li> <li>- the plans attached to the licence are Incorrect. The courtyard is not access for the restaurant. It is the entrance to the flats.</li> <li>- lastly by law the Freeholder should have offered the premises lease to the [REDACTED] as majority owners of the building. This did not happen and I would never have consented to the shop being converted to a restaurant and late night bar.</li> </ul> <p>I would appreciate if you could look at this as a matter of urgency. Please do let me know if you</p>			

have any questions.

**An additional representation was submitted by the interested party on 04 August 2021:**

Further to my below email I would like to clarify that my objections are to prevent public nuisance. A late night wine bar in a residential area and with 3 residential flats above will create lots of noise and nuisance for all neighbours.

I would also like to point out the relatively large numbers of customers permitted outside - 1/3 of the total overall capacity. This will again caused increased noise levels [REDACTED]

Please also see below photos of the illegal extractor which has been fitted at the back of the building coming from the basement kitchen. The smells from this will waft into [REDACTED] which will be unpleasant for all.

I look forward to hearing from you.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	02 August 2021		

I strongly object to the variation application.

1. The proposed extended opening hours are not acceptable for a predominantly residential area, with secondary commercial premises.
2. The building is not sound proof, as we have discovered with one restaurant on Lauderdale, and doubling the presence of late night venues that serve alcohol has serious and damaging implications for residents, tenants and owners on multiple levels.
3. A Late night licence sets a precedent that will decimate property values.
3. It would appear that the new tenant is already flouting planning, licensing and other permissions, and fire regulations, which is deeply troubling. This situation is turning the residents in the area into enforcement officers, which is not our job.
4. The application appears to contain misleading and/or incorrect information regarding access to the restaurant, which will cause further disturbance to residents.
5. The lease was changed from a shop with regular operating hours to a bar with late night hours without consultation with the leaseholders.

Please feel free to contact me at the above email address should you require any further information.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	09 August 2021		

I object to license request for above premises, [REDACTED] Not only that alcohol will be sold till late at night, it is also that food will be prepared, smells will come into our living room. Having said that a vent has been fitted to the back of the premises, which means food smells will also come through [REDACTED]

<p>Not to mention the disturbances with people coming and going. Noise levels do increase when consuming alcohol and socializing. I also understand that outdoor seating is planned, which will mean on a summer's day we will not be able to open windows.</p>			
<b>Name:</b>			
<b>Address and/or Residents Association</b>			
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	10 August 2021		
<p>We have enough restaurants and a wine bar in this small parade, some of which already sell alcohol. Another bar will create more noise, especially when patrons leave, as well as take up valuable parking spaces.</p>			
<b>Name:</b>			
<b>Address and/or Residents Association</b>			
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	24 August 2021		
<p>hence we are directly affected by the noise from the shops and restaurants of Lauderdale Parade. We already have four restaurants/cafes in this parade with the associated noises ; outdoor diners /drinkers, late night closing up of premises, early morning deliveries ( one deli gets its bread delivery at 4am), and evening/late night moped delivery services. I feel a wine bar with the emphasis on alcohol consumption rather than dining , and with opening hours of up to midnight will make evening noise levels unbearable and affect our sleep. I therefore object to the granting of this license for a wine bar in Lauderdale Parade.</p>			
<b>Name:</b>			
<b>Address and/or Residents Association</b>			
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	24 August 2021		
<p>We strongly object to the proposal to open a wine bar . I have young children and and . I really hope you reject the plan and keep this neighbourhood clear of late night screams and noise.</p>			



<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	24 August 2021		
<p>there are so many drunk guys regularly making trouble around our area.</p> <p>there plenty of store and pub have licence so why we motivating more licence.</p> <p>there are college of students across the road and their ages must be 15 to 20 and i saw many student drinking or doing drugs at nearest pub or store.</p> <p>i object for this premises licence and council should not give licence tho this place or any more which will increase more problems.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	25 August 2021		
<p>[REDACTED] in this road. in our street lots of business holding licence and giving 1 more is a competition for my business and it will effect us deeply.</p> <p>i do pay high business rates and rent and business is not busy as before as you know situation moreover one more store will get licence could be end my business to be a very honest.</p> <p>we do have many problems by drunk people and i can send you CCTV of what they did to [REDACTED] recently so its dengeours for resident.</p> <p>plus we have pub at corner and people always get proble after closing time people still stay there and pub serve them drink after close even so imegine this both streets are messed on night time and you will see often fights and police.</p> <p>i would please request you to not give licence to anyone for now. Thanks</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	21 August 2021		
<p>The proposed licensing hours are far too long, and far too late in the evening. This will cause public nuisance for local residents in the (largely residential) Maida Vale conservation area. There's already an oversupply of alcohol licensed premises in Lauderdale Parade, which is a small parade of shops/cafes in a largely residential area; to protect and improve public health, and to prevent crime, you should refuse further licenses on the parade.</p> <p>The sale of alcohol on the premises will increase fire risk in a mixed retail/residential unit built without escape routes for the apartments situated above the proposed restaurant.</p> <p>The premises historically operated as an off-license, are currently being re-developed into a restaurant for on-site alcohol consumption, so the positive historic licensing decision should not</p>			

be relevant for the current application.			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	12 August 2021		
I would like to object to the application to vary a Premises Licence at 4 Lauderdale Parade.			
[REDACTED] [REDACTED]			
<p>I am concerned about the extra noise and disruption that would be generated by extended opening hours, both inside and outside the premises, especially at closing time.</p> <p>I note that the alcohol licence granted to 4 Lauderdale Parade (21/01341/LIPT) is for the 'Sale by retail of Alcohol'. I further note that Clause 7 - Annex 1 - Mandatory conditions - states that 'Alcohol shall not be sold in an open container or be consumed in the licensed premises.' Therefore, I find it odd that there is an application for an extended retail licence.</p> <p>I note that the recent change of designated use of the premises is now 3(b) - food and drink. The particular usage is listed as a mezze and snack bar. Can you please let me know if an application for change of use to a wine bar has been submitted and when? Has an alcohol licence also been granted for consumption of alcohol on the premises?</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	02 August 2021		
I wish to object to the application to vary a Premises Licence of the following grounds;			
<p>1. There is a fundamental issue here. The lease assigned to these premises (Land Registry Title BB7207) is between Primary Properties Ltd and Nazannen Ebadollahzadeh Namini</p> <p>However, I note that the application states the applicant as Antika Bar Ltd. I can find no registration of a sublease in that company's name at the Land Registry.</p> <p>2. The current licence (21/01341/LIPT) states the designated premises supervisor as Ian Klawitter. This person was an employee of Oddbins Ltd, the previous lessee which no longer exists. This person has no connection with Antika Bar Ltd. Therefore, as the named person is no longer responsible for the premises, on that basis, the current licence is flawed.</p> <p>3. [REDACTED] [REDACTED] If the premises are open until 23:30pm weekdays and midnight at the weekends, I will experience significant additional noise and disruption, especially if there is outside seating, impairing my ability to sleep and having quiet enjoyment of my property.</p> <p>With drinking up time etc. it is most probable that customers could still be in vicinity @ midnight or 00:30am</p>			

4. The restaurant and wine bar (Le Cochonnet) at 1 Lauderdale Parade only has a licence until 23.00pm on weekdays and Saturday. I already experience noise and disruption during the summer and this would be multiplied by the premises at 4 Lauderdale Parade.

I fear that after 23:00pm there will be an increase in customers to 4 Lauderdale Parade from drinkers in other local establishments.

It is unreasonable to allow the premises to be open as planned as they are situated directly underneath and adjacent to multiple residential dwellings.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	31 July 2021		

While I do not oppose the application seeking to supply alcohol on the premises, I do have reservations about the proposed variation to opening hours. I feel that the proposed alterations to provide late-night refreshment and/or late-night sale of alcohol on premise is unnecessary and could be a source of disturbance for the neighbourhood. Several other neighbourhood restaurants close before 2300 (e.g. Murasaki and Chelo), which suggests the same would be appropriate for this venture.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	31 July 2021		

It is not clear how the applicant plans to control for the additional noise of customers exiting the premises or partying alongside it, nor how the possible increase in crime and social misbehaviour caused by selling alcohol late at night would be controlled. The closure hours of the outside area is too late, and the proposed hours during the week are too late for an area which has a lot of kids that need to sleep and go to school.

Therefore i object as i would be directly impacted by the noise, and also as having late alcohol sales with any accompanying nuisances such as noise, possible crime or drunken misbehaviours in the neighbourhood so close to my flat will impact my mental health, reduce my enjoyment of my property and the wellbeing of my kids. I would therefore suggest the applicant revises down significantly their opening times at night.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	02 August 2021		

[REDACTED] and object to the closing times being so late. This is a residential neighborhood and an 11:30pm weekday closing time and 12am on weekends would be extremely disruptive. I would prefer these hours be in line with neighboring restaurants which close at 11pm

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	31 July 2021		
<p>I object to the wine bar opening [REDACTED] as it will be noisy (especially if it's opened after 11pm!) and has a courtyard. [REDACTED] where the courtyard will be. This will also reduce the value of the property and all neighbours are in objection to this.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	04 August 2021		
<p>I object to the application of above premises to a change of license from alcohol off sales to on-sales as well as the provision of late-night refreshment.</p> <p>Reason:</p> <p>The location is in a quiet residential area with apartments above and next to the premises. I am worried that another premises selling food and alcohol on this small concentrated parade of shops will create too much noise from music, customers and vehicle traffic.</p> <p>According to the application the outside area will close each night at 22.30 which will mean that customers will most likely still mingle till 23:00 or later outside the premises.</p> <p>With a late licence till 23:30 and midnight on Friday and Saturday we will automatically get noise from customers smoking and chatting outside the premises.</p> <p>While I understand the business objective I do think that the current number of restaurants and bars on Lauderdale Parade is more than sufficient and that another premises would add unnecessary strain on the neighbourhood and its residents.</p> <p>Thank you for considering my points.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	24 August 2021		
<p>Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).</p> <p>We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.</p> <p><u>Introduction</u></p>			



Our representation is made on the basis that the likely impact of the application, if granted as applied for, would be to harm the licensing objectives, particularly that of prevention of public nuisance.

The premises is part of a parade of shops and commercial premises at ground floor level, with residents above. The wider locality is residential too.

As such, we would ask that the Licensing Authority to pay great attention to any comments submitted by local residents, and we would wish to support them in respect of valid concerns they may have.

#### The application and reasons for representation

We understand that the premises used to be a branch of Oddbins, an off licence. It had a premises licence for off sales to 11pm.

The application is to permit sale of alcohol for consumption on the premises to the full extent of core hours, and to extend the hours for sale of alcohol for consumption off the premises.

The restaurant use appears to be permitted in planning terms as it is within the new Class E so no change of use required. Unfortunately, this means that the planning authority won't be able to scrutinise, consider and, if granting permission, control issues such as noise and odours.

We have concerns about these sorts of issues arising as a result of the operation of the premises should a licence be granted, including the late hour sought, noise from inside the premises and the outside area, and also noise/odours from kitchen extract equipment.

We would also expect the applicant to propose reasonable times for servicing the premises.

We do not believe that the applicant has covered the relevant points in the City Council's Statement of Licensing Policy 2021, particularly PN1 and CD1. These policies state that the application will only be granted if these policies are complied with. Given the proximity of residential accommodation to the premises and the concerns raised above, we do not feel that these policies have been complied with.

Finally we note that there was recently an application for 8 Lauderdale Parade. We are concerned that there may be a cumulative effect arising from an intensification of licensed use in the parade.

We may raise further points in due course when we have more information about the application.

#### Conclusion

We are also aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise with local residents.

If a hearing takes place, we will endeavour to attend. Or appoint Richard Brown to represent us.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</li> <li>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel</li> </ol>

	<p>home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p><b>1. Casinos</b> Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</p> <p><b>2. Cinemas, Cultural Venues and Live Sporting Premises</b> Monday to Sunday: 9am to Midnight.</p> <p><b>3. Delivery Centres</b> Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p><b>4. Hotels</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</p> <p><b>5. Outdoor Spaces</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>6. Pubs and bars, Fast Food and Music and Dance venues</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to Midnight. Sunday: Midday to 10.30pm. Sundays immediately prior to a bank holiday: Midday to Midnight.</p> <p><b>7. Qualifying Clubs</b> Monday to Thursday 9am to 11.30pm</p>
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	<p>Friday and Saturday 9am to Midnight  Sunday: 9am to 10.30pm  Sunday immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>8. Restaurants</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>9. Sexual Entertainment Venues and Sex Cinemas</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)</b>  Monday to Saturday: 8am to 11pm.  Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.  E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<b>Policy RNT1 (A) applies</b>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> <li>1. A premises in which customers are shown to their table or the</li> </ol>

	<p>customer will select a table themselves to which food is either served to them or they have collected themselves.</p> <p>2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.</p> <p>3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.</p> <p>4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> <p>5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.</p>
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#### 4. Equality Implications

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

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

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

#### 5. Appendices

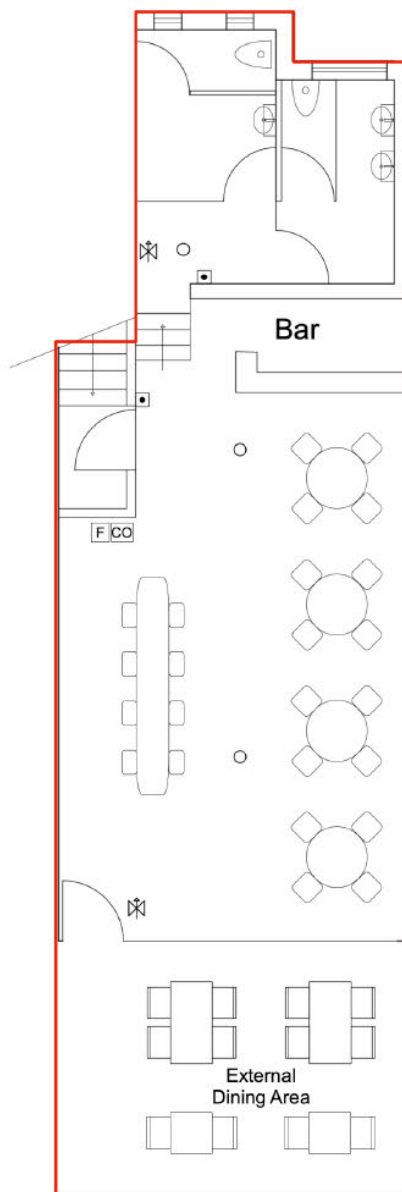
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Existing premises licence and premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

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

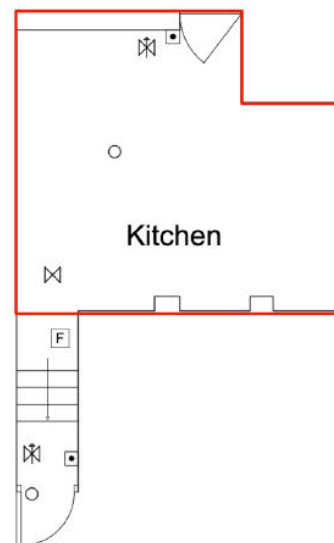
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	1 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	25 August 2021
5	Metropolitan Police Service ( <i>Withdrawn 29 September 2021</i> )	24 August 2021
6	Interested party 1	02 August 2021
7	Interested party 2	02 August 2021
8	Interested party 3	09 August 2021
9	Interested party 4	10 August 2021
10	Interested party 5	24 August 2021
11	Interested party 6	24 August 2021
12	Interested party 7	24 August 2021
13	Interested party 8	25 August 2021
14	Interested party 9	21 August 2021
15	Interested party 10	12 August 2021
16	Interested party 11	02 August 2021
17	Interested party 12	31 July 2021
18	Interested party 13	31 July 2021
19	Interested party 14	02 August 2021
20	Interested party 15	31 July 2021
21	Interested party 16	04 August 2021
22	Interested party 17	24 August 2021



**Ground Floor**



**Basement**

- ⊠ Emergency Light
- ⊠ Emergency Light with directional escape sign
- Fire Detector
- ⊠ Break-glass
- ⊠ Fire Extinguisher
- ⊠ Fire Extinguisher CO2

Do not scale from the plan, all dimensions to be checked on site.

4 Lauderdale Parade W9 1LU

Mediation letter to [REDACTED]

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[REDACTED]

Telephone (24hours) 020 3440 8000 – EXT 8162  
Fax 020 3357 9587  
Email [julian.overton@tvedwards.com](mailto:julian.overton@tvedwards.com)  
Direct Dial 020 3440 8162  
Please ask for Julian Overton

Our ref. JON/LIM64/1

Your ref.

15 December 2021

Dear [REDACTED]

**Re: Application to Vary Premises Licence  
4 Lauderdale Parade, Lauderdale Road, London W9 1LU  
Application ref: 21/07529/LIPV**

I represent Antika Bars Ltd in their application to vary a premises Licence at the above address.

On the 12 August 2021 you made representations on this application on behalf of [REDACTED]

At the conclusion of those representations, you asked that you be informed of any amendments made to the application so that you might consider if those amendments resolved your concerns.

I write simply to confirm that that the following additional Operating Schedule conditions have been agreed with the Westminster Police and Environmental Health Teams after consultation.

**Additional conditions agreed with the Police**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance and all the external seating areas.

*A national reputation built on delivering first-class legal services*

- (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
2. 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
  3. 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.
  4. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed at the outside tables and chairs shown on the licence plan, shall be by waiter or waitress service, served only to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.  
 Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
  5. All outside tables and chairs shall be removed or rendered unusable by 23.00 hours each day.
  6. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
  7. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed (30) persons, and the front external area (15).
  8. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

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

For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

9. The supply of alcohol shall be by waiter or waitress service only.
10. 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.

#### Additional conditions agreed with Environmental Health

1. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
2. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
3. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
4. 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.

5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
6. 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.
7. The outside area will close each night by 22.30 for licensable activities and after this time 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
8. No deliveries to the premises shall take place between (18.00) and (10.00) hours on the following day
9. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
10. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day unless it is during the times for the Council's own waste collection service for the street
11. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day unless it is during the times for the Council's own waste collection service for the street
12. 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
13. 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
14. 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. If there are minor changes during construction new plans shall be submitted to the Licensing Authority when requesting removal of this condition.

Should require any further information or should you wish to discuss the application further, please do not hesitate to contact me.

Yours sincerely

**Julian Overton**

**Julian Overton**  
**Managing Partner**  
**For and on behalf of TV Edwards LLP**

**Westminster City Council Licensing Sub Committee 2<sup>nd</sup> February 2022**

**Application to vary a Premises Licence reference 21/05106/LIPDPS**

**4 Lauderdale Parade, Lauderdale Road, London, W9 1LU**

**Application Ref: 21/07529/LIPV**

**Submissions on behalf of the Applicant**

**The application**

In short, this application seeks to vary an existing Premises Licence so that the premises which previously operated as an off-licence, may operate as a restaurant.

The existing licence permits the following licensable activity:

- Playing of recorded music - timing unlimited
- Private entertainment consisting of dancing music or other entertainment of a like kind and for consideration and with a view to profit – timing unlimited.
- Sale by retain of alcohol (off sales) - Monday to Saturday 08.00 to 23.00, Sunday 10.00 to 22.30.

The application seeks to add the supply of alcohol (on sales) and Late-Night Refreshment in circumstances consistent with the operation of a restaurant.

**The applicant**

The Applicant has owned and operated the Hana Restaurant at 351 West End Lane, West Hampstead NW6 1LT, for over 10 years. Throughout this time, the Applicant as Premises Licence holder has enjoyed an extremely good relationship with the local licensing authority and local residents. This restaurant is situated in a strikingly similar location to the proposed venture at Lauderdale Parade being a largely residential area.

The Applicant is an experienced restaurateur sensitive to the needs of local residents and diligent in its adherence to the licensing objectives. The Applicant is able to demonstrate a good track record of compliance with the operating schedule of a Premises Licence.

Prior to submitting the application to vary, the Applicant sought the views of responsible authorities by circulating early drafts of the application and seeking the input of stakeholders to ensure any concerns were taken on board at an early stage in the process.

**Consultation and Representations**

**Westminster Police Licensing Team**

Representations were received from the Westminster Police Licensing Team and further operating schedule conditions were proposed on the 26<sup>th</sup> August 2021. These conditions were agreed in full on the 7<sup>th</sup> September 2021

The proposed and agreed conditions can be found at Appendix A of this document.

**Environmental Health Consultation Team**

Representations were received from the Environmental Health Consultation Team on the 25<sup>th</sup> August 2021. A dialogue was entered into, and the premises inspected in the first week in October 2021. After discussions, further operating schedule conditions were proposed by the team on 30<sup>th</sup> November 2021. These conditions were agreed in full on the 14<sup>th</sup> December 2021. These conditions are accepted in addition to those originally proposed and in addition to those proposed by the Police.

The proposed and agreed conditions can be found at Appendix B of this document.

██████████

The ██████████ submitted representations on the 12<sup>th</sup> August 2021. At the conclusion of their letter, the ██████████ asked that they be informed of any changes or amendments to the application arrived at as a result of consultation. The Applicant wrote to the ██████████ on the 15<sup>th</sup> December 2021 to confirm the additional conditions agreed with the Police and Environmental Health teams referred to above. It was hoped that the ██████████ would draw some reassurance from these additional conditions being adopted, since they addressed the concerns raised by them in August.

Back in August the ██████████ set out a general concern that although the change of use to a restaurant was permitted in planning terms, the planning authority would not be able to scrutinise, consider and control issues such as noise and odours.

It is hoped that the following point will ally that general concern:

Additional conditions have been agreed with the Environmental Health Team specifically to deal with the issues of noise and odours as outlined below. Moreover, a 'works' condition has been agreed that no licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team. Furthermore, a number of planning applications have been submitted to the planning authority who are aware of and engaged in the premises' change of use.

The Applicant respectfully summarises the other concerns raised in these representations as follows:

- The late hours sought

The hours sought are consistent with Westminster City Council Statement of Licensing Policy.

The Applicant has agreed to reduce the hours of operation in that the outside area will now close at 22.30 (see Appendix B).

- Noise from inside the premises

The premises has received soundproofing treatment (detailed below).

The Applicant has agreed to a condition that a sound limiter be installed and has adopted restrictions on the use of speakers.

Conditions have been agreed that no noise shall emanate from the building likely to cause a nuisance.

The Applicant has agreed to provide a direct telephone number to local residents so that any potential nuisance may be reported and dealt with swiftly.

- Noise from the outside area

The Applicant has agreed to reduce the hours of operation in that the outside area will close at 22.30.

The Applicant has agreed to provide a direct telephone number to local residents so that any potential nuisance may be reported and dealt with swiftly.

- Noise and odours from the kitchen area

The Applicant's intention is that very little primary cooking take place at the premises – cooking in the main being performed at the sister restaurant and the food then being re-heated on these premises.

A condition has been agreed that no fumes, steam or odours so as to cause a nuisance shall be emitted from the premises.

#### Public representations

Representations were received from a number of local residents and members of the public which raised a variety of issues. The applicant respectfully summarises the relevant issues raised as follows:

- The nature of the business

A number of representations appear to have been based on the erroneous assumption that the premises is to be a wine bar. For example, reference is made to a 'Late night wine bar' and also to a 'Wine Bar with an emphasis on alcohol consumption'.

On the contrary, the premises is to be a restaurant and full 'restaurant conditions', requiring patrons to take a substantial table meal and alcohol to be supplied only by waiters/waitresses have been agreed with the police.

- Late Hours

The hours sought are consistent with Westminster City Council Statement of Licensing Policy.

The Applicant has agreed to reduce the hours of operation in that the outside area will close at 22.30

- Building has not been soundproofed

On the contrary, the building has the benefit of the soundproofing treatment outlined below:

*New 100mm insulating between existing timber joists (Isova Acoustic Partition Roll (10kg/m3));*

*New 50mm Speed Pro Resilient Bar 3000mm system bar fitted to existing timber joists.*



*X1 no. layer of British Gypsum Gyproc SoundBloc F 15mm Plasterboard (x1 No. 15mm thick);*

*100ml x 50mm new treated timber suspended ceiling with 150mm gap;*

*X1 No. layer of British Gypsum Gyproc SoundBloc 12.5mm Plasterboard (x1 No. 12.5mm thick*

- ‘The applicant has flouted planning, licensing and other permissions’.

These allegations are not accepted. The Applicant has retained the services of an accredited planning consultant and to date has registered necessary planning applications with the local authority in respect of:

- Shopfront
- Signage
- Rear grille

The Applicant has flouted no planning, licensing and other permissions. The Applicant takes its responsibilities very seriously and, in all respects, has sought to make the necessary applications as appropriate and will continue to do so.

In addition, the Applicant is to imminently submit an application for a Pavement licence and further applications are likely to follow for a Table and Chairs Licence.

- Odours

The Applicant’s intention is that very little primary cooking take place at the premises – cooking in the main being performed at the sister restaurant and the food then being re-heated on these premises.

A condition has been agreed that no fumes, steam or odours so as to cause a nuisance shall be emitted from the premises.

- Too many licensed premises in the area

The area is not designated by the local authority as a special consideration or cumulative impact zone saturated with licensed premises.

The Applicant submits that as a restaurant, rather than an alcohol led establishment, the premises will not add to any cumulative impact of licensed premises.

The Applicant respectfully refers the members to the extensive operating schedule designed to specifically address issues of public nuisance and crime and disorder arrived at after lengthy consultation with responsible authorities.

A number of other issues were raised by residents and members of the public, but the Applicant does not seek to address these issues here on the grounds that they are not relevant to the licensing objectives.

- The apparent effect on house prices
- Whether lease holders were so consulted
- Whether the freeholder should have offered the lease to other free holders.

- Customers taking up car parking spaces
- Business competition for local off-licence owner
- The Sub-lease not being correctly registered with the land registry
- The Designated Premises Supervisor (DPS) needing to be changed

## Appendix A

### Conditions agreed with Westminster police licensing team

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance and all the external seating areas.
  - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
2. 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
3. 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.
4. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed at the outside tables and chairs shown on the licence plan, shall be by waiter or waitress service, served only to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.  
Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
5. All outside tables and chairs shall be removed or rendered unusable by 23.00 hours each day.
6. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
7. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed (30) persons, and the front external area (15).

8. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

9. The supply of alcohol shall be by waiter or waitress service only.
10. 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.

## **Appendix B**

### **Conditions agreed with Environmental Health**

NB Police condition 5 is to be replaced with the condition 7 below in order to be consistent with the rest of the application.

- 1.** Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- 2.** A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be affected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
- 3.** Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- 4.** 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.
- 5.** Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 6.** 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.
- 7.** The outside area will close each night by 22.30 for licensable activities and after this time 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
- 8.** No deliveries to the premises shall take place between (18.00) and (10.00) hours on the following day
- 9.** All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 10.** No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the

following day unless it is during the times for the Council's own waste collection service for the street

- 11.** No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day unless it is during the times for the Council's own waste collection service for the street
- 12.** 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
- 13.** 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
- 14.** 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. If there are minor changes during construction new plans shall be submitted to the Licensing Authority when requesting removal of this condition.



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

Schedule 12  
Part A

WARD: Maida Vale  
UPRN: 100023510463

## Premises licence

Regulation 33, 34

Premises licence  
number:

21/05106/LIPDPS

Original Reference:

05/10803/LIPC

## Part 1 – Premises details

## Postal address of premises:

4 Lauderdale Parade  
Lauderdale Road  
London  
W9 1LU

Telephone Number: Not Supplied

## Where the licence is time limited, the dates:

Not applicable

## Licensable activities authorised by the licence:

Playing of Recorded Music  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

Playing of Recorded Music

Unrestricted

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Unrestricted

Sale by Retail of Alcohol

Monday to Saturday:

08:00 to 23:00

Sunday:

10:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 08:00 to 23:00  
Sunday: 10:00 to 22:30

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

Alcohol is supplied for consumption off the Premises.

**Part 2****Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Antika Bar Ltd  
351 Westend Lane  
West Hampstead  
London  
NW61LT

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

13185902

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

**Name:** Davood Najafloo

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

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

**Licence Number:** PERS-LIC\2518  
**Licensing Authority:** London Borough of Camden

**Date:** 11 June 2021

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



## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The 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.
- 5(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.
- 5(ii) For the purposes of the condition set out in paragraph 5(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.
- 5(iii). Where the permitted price given by Paragraph 5(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.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(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 which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.**

**Conditions for Sale of Alcohol**

6. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (d) On Good Friday, 08:00 to 22:30

The above restrictions do not prohibit:

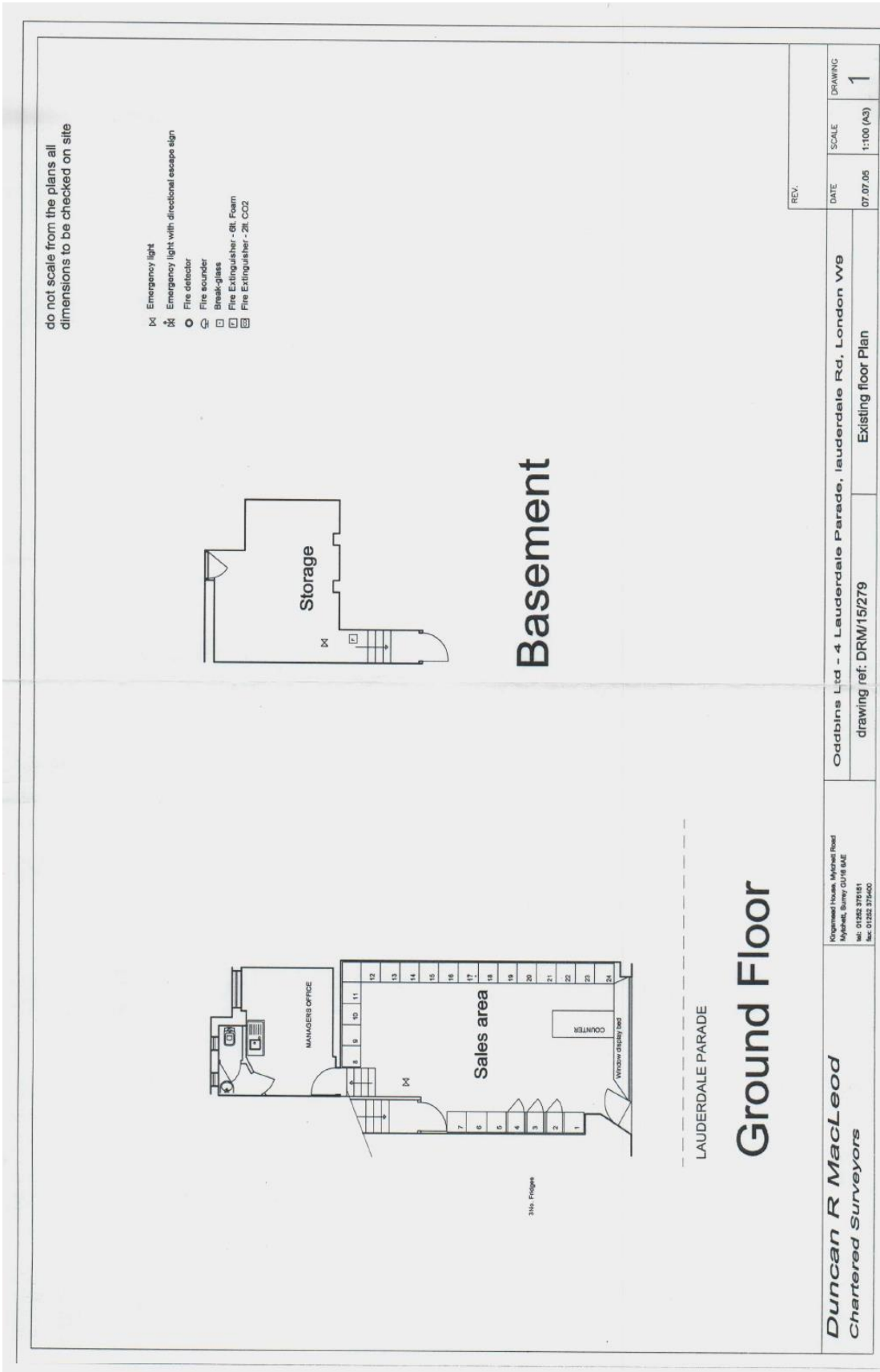
- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
  - (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - (c) sale of alcohol to a trader or club for the purposes of the trade or club;
  - (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
7. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

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

None

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

None





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

Schedule 12  
Part B

Premises licence  
summary

WARD: Maida Vale  
UPRN: 100023510463

Regulation 33, 34

Premises licence  
number:

21/05106/LIPDPS

Part 1 – Premises details

Postal address of premises:

4 Lauderdale Parade  
Lauderdale Road  
London  
W9 1LU

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

Playing of Recorded Music	Unrestricted
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

The opening hours of the premises:

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

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

Alcohol is supplied for consumption off the Premises.

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

Antika Bar Ltd  
351 Westend Lane  
West Hampstead  
London  
NW61LT

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

13185902

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

**Name:** Davood Najafloo

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

Restricted

**Date:** 11 June 2021

**This licence has been authorised by Kevin Jackaman on behalf of the Director - Public Protection and Licensing.**

### Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/10803/LIPC	<p>Conversion Licence</p> <p>Playing of Recorded Music: Unrestricted</p> <p>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view profit: Unrestricted</p> <p>Sale by Retail of Alcohol: Monday to Saturday 08:00 to 23:00 Sunday 10:00 to 22:30</p>	05.10.2005	Granted under Delegated Authority
07/02144/LIPT	Transfer application - Nicolas UK Ltd	13.04.2007	Granted under Delegated Authority
07/03398/LIPDPS	Application to vary the Designated Premises Supervisor	31.05.2007	Granted under Delegated Authority
06/11626/WCCMAP	<p>Master Licence</p> <p>Playing of Recorded Music: Unrestricted</p> <p>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view profit: Unrestricted</p> <p>Sale by Retail of Alcohol: Monday to Saturday 08:00 to 23:00 Sunday 10:00 to 22:30</p>	20.05.2007	Granted under Delegated Authority
09/09854/LIPDPS	Application to vary the Designated Premises Supervisor	24.03.2010	Granted under Delegated Authority



10/01360/LIPCH	Change of details	25.03.2010	Granted under Delegated Authority
11/04311/LIPDPS	Application to vary the Designated Premises Supervisor	15.06.2011	Granted under Delegated Authority
11/05398/LIPDPS	Application to vary the Designated Premises Supervisor	15.06.2011	Granted under Delegated Authority
12/03325/LIPDPS	Application to vary the Designated Premises Supervisor	14.06.2012	Granted under Delegated Authority
12/10368/LIPDPS	Application to vary the Designated Premises Supervisor	28.12.2012	Granted under Delegated Authority
13/04269/LIPDPS	Application to vary the Designated Premises Supervisor	19.07.2013	Granted under Delegated Authority
13/04903/LIPDPS	Application to vary the Designated Premises Supervisor	19.07.2013	Granted under Delegated Authority
14/06589/LIPDPS	Application to vary the Designated Premises Supervisor	03.09.2014	Granted under Delegated Authority
14/07857/LIPT	Transfer application - Whittalls Wine Merchants 1 Ltd	08.10.2014	Granted under Delegated Authority
14/07858/LIPDPS	Application to vary the Designated Premises Supervisor	08.10.2014	Granted under Delegated Authority
19/01994/LIAN	Interim Authority Notice	06.03.2019	Granted under Delegated Authority
19/04953/LIPT	Transfer application - Wine Retail Limited	22.05.2019	Granted under Delegated Authority
21/01341/LIPT	Transfer application -	29.03.2021	Granted under Delegated Authority
21/05106/LIPDPS	Application to vary the Designated Premises Supervisor	11.06.2021	Granted under Delegated Authority

**There is no Temporary Event Notice and appeal history.**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The 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.
- 5(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.
- 5(ii) For the purposes of the condition set out in paragraph 5(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.

5(iii). Where the permitted price given by Paragraph 5(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.

- 5(iv).
  - (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(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 which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.**

**Conditions for Sale of Alcohol**

6. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (d) On Good Friday, 08:00 to 22:30

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

**Condition 6 is proposed to be removed by the applicant.**

7. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

**Condition 7 is proposed to be removed by the applicant.**

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

None

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

None

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

8. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

9. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
10. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
11. 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.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. 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.
14. The outside area will close each night by 22.30 for licensable activities and after this time 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
15. No deliveries to the premises shall take place between (18.00) and (10.00) hours on the following day
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day unless it is during the times for the Council's own waste collection service for the street
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day unless it is during the times for the Council's own waste collection service for the street
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 close of business
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. 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. If there are minor changes during construction new plans shall be submitted to the Licensing Authority when requesting removal of this condition.

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

22. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.  
(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.  
(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance and all the external seating areas.  
(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.  
(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
23. 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
24. 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.
25. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed at the outside tables and chairs shown on the licence plan, shall be by waiter or waitress service, served only to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.
- Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
26. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
27. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed (30) persons, and the front external area (15).

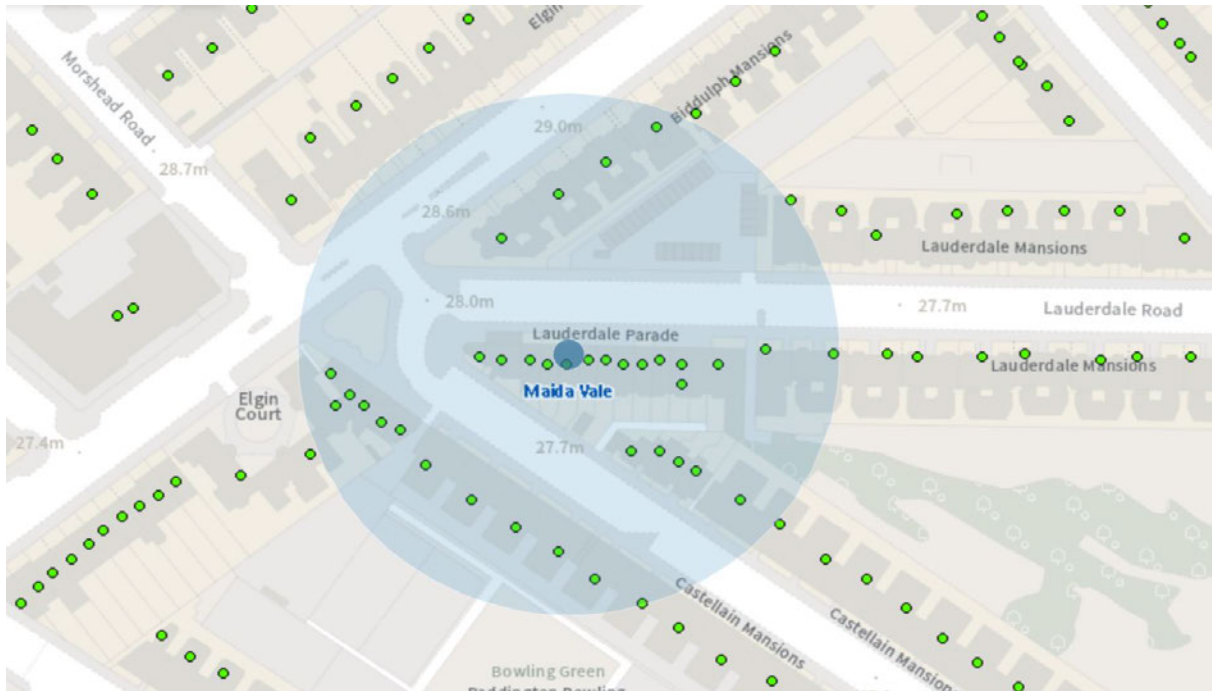
28. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

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

For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

29. The supply of alcohol shall be by waiter or waitress service only.
30. 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.





Resident: 234

<b>Licensed premises within 75 metres of 4 Lauderdale Parade, Lauderdale Road, London, W9 1LU</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
21/05106/LIPDPS	Oddbins	4 Lauderdale Parade Lauderdale Road London W9 1LU	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
16/09147/LIPN	La Piccola Dely	6 Lauderdale Parade Lauderdale Road London W9 1LU	Shop	Sunday; 07:00 - 19:00   Monday to Saturday; 07:00 - 20:00
06/03719/WCCMAP	Le Cochonnet	Basement And Ground Floor 1 Lauderdale Parade Lauderdale Road London W9 1LU	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/04285/LIPN	Chelo	8 Lauderdale Parade Lauderdale Road London W9 1LU	Restaurant	Monday to Sunday; 10:00 - 23:00
18/02152/LIPN	Sushi Murasaki	12 Lauderdale Parade Lauderdale Road London W9 1LU	Restaurant	Monday to Sunday; 12:00 - 23:00
14/02585/LIPN	Bon Appetite	73 Castellain Road London W9 1EU	Cafe	Monday to Sunday; 08:00 - 22:00
20/08957/LIPRW	Hamish 2	77 Castellain Road London W9 1EU	Shop	Monday to Sunday; 07:00 - 23:00
15/04172/LIPN	Nail Bar	79 Castellain Road London W9 1EU	Salon in another property	Monday to Sunday; 10:00 - 19:00

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City of Westminster

# Agenda Item 2. Licensing Sub-Committee Report

Item No:	
Date:	2 February 2022
Licensing Ref No:	21/08705/LIPV - Premises Licence Variation
Title of Report:	Chiltern Firehouse 1 Chiltern Street London W1U 7PA
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: <a href="mailto:Jdonovan@westminster.gov.uk">Jdonovan@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	28 August 2021		
<b>Applicant:</b>	Chiltern Street Hotel Limited		
<b>Premises:</b>	Chiltern Firehouse		
<b>Premises address:</b>	1 Chiltern Street London W1U 7PA	<b>Ward:</b>	Marylebone High Street
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates as a hotel.		
<b>Variation description:</b>	<p>This application seeks the following:</p> <p>To vary condition 46 which states:</p> <p>46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2021 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect</p> <p>To the following:</p> <p>46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2022 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.</p>		
<b>Premises licence history:</b>	The premises had the benefit of a licence from 2012, Licence number 20/11588/LIPV. A copy of the current premises licence can be found at <b>Appendix 3</b> . The premises have also had the benefit of Temporary Even Notices.		
<b>Applicant submissions:</b>	There are no supporting documents from the applicant.		
<b>Applicant amendments:</b>	None		

1-B	Current and proposed licensable activities, areas and hours					
Regulated Entertainment						
Performance of Dance – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal Variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Dance – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Dance – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

Performance of Dance – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Exhibition of a Film – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Exhibition of a Film – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	



Exhibition of a Film – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Exhibition of a Film – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Live Music – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Live Music – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Live Music – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Live Music – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Playing of Recorded Music – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Playing of Recorded Music – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Recorded Music – Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Late night refreshment – Patrons of the hotel proprietor						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	23:00	05:00				
Wednesday	23:00	05:00				
Thursday	23:00	05:00				
Friday	23:00	05:00				
Saturday	23:00	05:00				
Sunday	23:00	05:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Late night refreshment – Hotel Lounge Bar/Function Space, Chiltern Street Restaurant and pre-booked events in the ground floor meeting room						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:00	No change		Hotel Lounge Bar and Function Space, Chiltern Street Restaurant, and ground floor meeting room	No change
Tuesday	23:00	01:00				
Wednesday	23:00	01:00				
Thursday	23:00	01:00				
Friday	23:00	01:00				
Saturday	23:00	01:00				
Sunday	23:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Sale by Retail of Alcohol - Residents, their bona fide guests and patrons of the hotel proprietor						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	



Sale by Retail of Alcohol – Chiltern restaurant and pre-booked events in the ground floor meeting room						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No Change		Ground floor meeting and Chiltern restaurant	
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Sale by Retail of Alcohol – Ground floor meeting room						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No Change		Ground floor meeting	None
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				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Sale by Retail of Alcohol – Hotel Lounge Bar/Function Space						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No Change		Hotel Lounge Bar and Function Space	None
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

1-C Conditions proposed to be varied	
Condition	Proposed variation
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2021 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.	46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2022 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.



## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Ian Watson
<b>Received:</b>	28 September 2021

I refer to the application for variation of the Premises Licence.

This representation is based on the operating schedule submitted.

The applicant is seeking the following

1. To amend condition 46 that states,  
  
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2021 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.

To

46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2022 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.

I wish to make the following representation

1. The additional hours requested for the provision of tables and chairs will have the likely effect of causing an increase in Public Nuisance within the area.

The applicant states there are existing conditions on the premises licence to promote the licensing objectives but would consider addition conditions if required. The noise complaint history will be checked following the previous application granted.

Should you wish to discuss the matter further please do not hesitate to contact me.

<b>2-B Other Persons</b>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	28 September 2021		
<p>[REDACTED] and am writing to strongly object to this license variation. The noise associated with the ever increasing amount of tables in the courtyard without any adequate noise dampening measures in place is a strong nuisance for local residents.</p> <p>[REDACTED] the Firehouse, noise travels strongly [REDACTED] and when the courtyard is busy, loud voices can constantly be heard.</p> <p>Unfortunately, despite frequent reassurance to local residents, the Firehouse has not been a considerate neighbour, any noise dampening measurements seem ineffective and noise levels have increased since the glass canopy seems to be used as a seating area rather than the walk through it had received planning permission for.</p> <p>I am afraid the extension of outside operations will only continue to worsen the situation, and I therefore object on the grounds of nuisance.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	27 September 2021		
<p>I would like to object on the grounds of nuisance. I can hear the courtyard quite clearly [REDACTED] and it is a source of disturbance at current levels.</p> <p>Since the Firehouse was granted consent (at a much lower cover capacity than they currently operate), express conditions were devised by LB Westminster in order to allow this operation to exist in close proximity to residential neighbourhoods. The noise and traffic impacts have always been excessive and in breach of those conditions imposed on the operation. The Firehouse continues to grow its licensing hours, number of adjacent properties and number of covers, whilst never operating within the initial conditions that were imposed on it by Westminster. Loopholes are exploited and Enforcement is never applied - this all serves to create nuisance.</p> <p>In consultation, when asked what their normal business model was, they said that what is proposed was their ideal configuration for the foreseeable future. The application therefore does not represent a temporary Covid change but in effect is a deliberate effect to exploit a liberalisation towards nuisance to increase the scale of operation permanently counter to normal Policy. The current temporary measure was only granted on the understanding it would not be renewed / further expanded at this time.</p> <p>We frequently call the Firehouse about noise, and none of this is reported back in licensing meetings. They don't accurately represent the degree of complaints they receive. We have</p>			

stopped calling Westminster Noise Control as they have stopped visiting, such was the frequency.

The Firehouse is constantly in breach of its planning and licensing conditions with noise and disturbance through guests and music creating severe nuisance. Please don't allow a further expansion of operation until they can get the current issues under control.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	28 September 2021		

I am writing as a neighbour consulted by letter. We object to this application on the grounds of public nuisance and safety.

[REDACTED]. The Firehouse has been a persistent source of noise and other nuisance since its opening. They have never been able to satisfactorily control noise and eliminate nuisance emanating from their premises. Instead they continue to try to expand their activities - making the problems worse, not better.

While we are not unsympathetic to the plight of the hospitality industry in general, more late outdoor drinking is surely not the best answer here. Allowing people to remain in the courtyard after 9 p.m. so more alcohol can be consumed will generate much more noise related nuisance. The Firehouse is not able to contain the current level of late night activity. Any relaxation of the present conditions would be a move towards a general extension of late night activities, exacerbating the current situation. Residents as well as businesses have been hit hard by the pandemic and Westminster needs to recognise this and not allow a rolling expansion outdoor Licensing hours that will be in effect permanent.

There should be a lower limit on the number of patrons allowed to be seated and drinking in the courtyard. In addition, a large amount of the present seating arrangements appear to be permanent and cannot be put out of use after the licensing cut off, with the result that the late night 'guests' of the Firehouse are often unofficially using them.

Customers of the Firehouse are currently much more likely to want to sit outdoors than they were before the pandemic and so the management are trying both to maximise the covers and the licensing hours of the courtyard - at the expense of neighbours. The current extension was allowed on a temporary basis only is very disruptive for residents who have to live with noise and traffic later into the night as a consequence. It should not be extended.

We are happy for Mr Richard Brown to represent us at any hearing related to this application.



<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	27 September 2021		
<p>We have made numerous representations regarding the nuisance to residents in the street caused by the Chiltern Firehouse when in the past they have made licensing applications. The accounts we have read written by residents are heart rending and we can barely imagine the stress being caused by the hotel management's continued refusal to control the noise nuisance emanating from the courtyard in question. The fact that the CFH have resorted to ad hominem attacks on residents in previous applications must have added to the stress. The hotel has in the past asked for an extension to hours which have been granted on a temporary basis most likely due to the apparent need to counter profitability problems caused by Covid. It has always been clear that these extensions are time limited. Now that Covid as an issue is retreating, we now believe the LSC should examine the nuisance being caused by the hotel and consider its policies regarding public nuisance, take into account the serious disruption to the lives, health and wellbeing of residents and revert to the original hours that were granted before all these temporary measures were introduced.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	28 September 2021		
<p>I write to make a 'relevant representation' under the Licensing Act 2003 about this application to increase outside hospitality hours at the Chiltern Firehouse for a full year until September 2022. This objection is made on the basis that the likely impact of the application, if granted, will be to harm the licensing objectives, particularly 'prevention of public nuisance' to we local residents [REDACTED]. I respectfully ask the Committee at least to maintain the pre-covid balance in the courtyard of closedown at 2100, especially now that all covid restrictions relating to hospitality have been lifted.</p> <p>Chiltern Firehouse is by far the largest hospitality hotel complex in Marylebone, offering drinking and dining for around 300+ customers and 26 suites and rooms (the latter disproportionate compared with other hotels in the area) over many different noisy hospitality areas both indoor and out at this one huge site, as the licence shows. The courtyard - currently seating 90, not counting staff - is by far the largest - and nosiest - outdoor hospitality space for at least a mile around. In contrast, Chiltern Street and the surrounding area is a mix of quiet, predominately residential, properties and small shops which usually close at 1800 on most days (2000 at the very latest). During the day the street is busy, but noise levels are mostly tolerable for residents, except for the noise from the huge complex that is Chiltern Firehouse and the frequent 'performance' vehicles which race or sit outside it. Residential units predominate with a comfortable mix of families, babies, school-children, young and old, working or retired, people living here within earshot of FH, none of us super-rich.</p> <p>The licence amendment the FH seek now would mean that the 90+ tables and chairs in the courtyard would be available for use to customers for an additional hour every day, crucially into the night-time hours when residents are either winding down or trying to sleep. This extension to 2200 has been in place this summer and the noise has been horrendous. FH recently</p>			

answered residents that the hour extension does not accommodate a second dinner sitting but is needed 'for puddings'. Residents believe that it is in fact for drinking – with the noise that accompanies it - and as a step towards the 2300 courtyard close down that FH first requested in its original licence application before it opened in 2014.

I therefore oppose the application. I am an elderly resident, CV19 vulnerable, and the increase in both voices and traffic in the street and surrounding area during this time has already severely impact on my physical, mental and emotional health, over and above the covid impact.

**Earlier Planning and Licensing requests to extend courtyard hours until 2200 during the summer were made and granted by WCC in Spring 2021. At that point, due to Government intentions to help out following lockdown, residents, although objecting, recognised that Councillors had little choice but to agree. This time, despite Central government relaxations, there is no such pressing obligation on Councillors and therefore a decent balance should be maintained with a return to pre-covid hours. But in addition, residents request that the Council takes the opportunity to curb existing nuisance by imposing reasonable licence conditions which limit courtyard numbers, and licence conditions which (as at the Prince Regent) require customers to leave quietly and that notices be displayed prominently to promote this (see photos), as well as mandating more noise dampening and requiring the return of the 'walkway' to a walkway without customers seated underneath.**

**I have asked Richard Brown to act for me at any hearing.**

#### Background

so I cannot escape the Firehouse. Here is a history for Councillors who are unfamiliar with the background of Chiltern Street and the Firehouse. in 1997 the street was quiet with no outside hospitality and businesses closed at 1800 except for the pub on the corner, the Bok Bar, which had no outside presence at that time (and I have no record of residents ever being consulted about outside use). The Firehouse premises used to be a fire station but after it was vacated, the owners, the Portman Estate, actively mounted a campaign to persuade residential owners to support a change of use from community to commercial hotel use. The Portman's directors repeatedly allayed residents' and the community's concerns about noise by actively telling us that the plan was to 'sell sleep'. The American hotel operator, who was briefly introduced to us, heard this and did not demur, and another resident recalls him saying that the premises would be 'quieter than Durrants', the very quiet residential hotel nearby in George Street. It was on this basis - that both our landlord, the Portman Estate, and the hotel owner/operator, Andre Balazs, had assured us that our support was for a premises 'selling sleep' and not noise and other undesirable nuisance - that residents (kindly in support of our landlord) either actively supported the plan or did not object to it.

Residents were not told about possible use of any outside area. We believed, and were actively given the impression, that we were getting a quiet hotel such as nearby Durrants whose business was residential for overnight travellers. I anticipated there might perhaps a few quiet hotel residents sitting in a garden area courtyard during the day, as I have observed in European and US hotels, but that the outside space would be closed at night as in those urban boutique hotels.

However, when the premises opened, residents found that its main business was the very opposite of what residents had been promised in order to obtain our support. Bluntly, we were not told the truth: what we were promised was exactly contrary to the truth. The truth is that Firehouse is a continuously noisy nuisance which dominates the south end of Chiltern Street and makes life continuously stressful and unbearable 24/7 for residents who surround it. The main business of Chiltern Firehouse appears to be as a vast hospitality complex over at least five areas – the indoor restaurant, the indoor bar, the ladder-shed bar (some with DJs and loud music), the courtyard and, recently, the pavement café (not counting the Bok Bar pub, which the company also owns and is due to reopen shortly on the pavement, adding to the noise). The

FH bars appear to operate until 5.00 am and are open to non-residents, so there is almost no respite for residents from noise and activity except for a small window of about 90 minutes each very early morning when drinkers have left and before outside cleaners begin. In addition, the FH continues to put in applications to WCC to expand its business bit by bit, as a schedule of applications and a record of changes will show. Please come into Chiltern Street on a fine evening and listen to the noise and decide whether your family could live with it every day.

FH promises to residents are hardly ever kept, especially over time. FH have mandated regular meetings with residents, for which we residents have to offer our valuable time and effort pro bono, but without any lasting improvements. These meetings are with staff and never with the business owners. Resident owner-occupiers have asked to meet the FH owners as a meeting of equals but our requests are met with silence and we are obliged to give our valuable time and effort to negotiate instead with hapless FH staff who can offer us very little and have no final say in decision making. It does appear that there has been a genuine change of attitude amongst new staff managers who are trying to listen and alleviate where they can - residents are grateful for that - but it also appears that staff efforts are let down by their owners and by what appears to be the owners' business plan, especially at night-time.

It appears to residents that FH owners are never satisfied and constantly look to expand the complex at the expense of the amenity, peace and, in some cases, the eventual livelihoods of their neighbours. Chiltern Street is predominately quietly residential with quiet – and previously prosperous - individual small shops who sell at affordable prices with previously affordable rents. Firehouse is, by its own admission today in the FT, 'high-end': it is expensive, expansive, noisy and anomalous here; many nearby suffering residents and businesses feel that it is entirely the wrong business model for the family culture of the Marylebone area, most especially at night-time. A family affordable venue like the nearby Wallace Collection which keeps reasonable family hours and has well-mannered customers would be much more in tune. Now steep prices and an inharmonious culture mean that Chiltern Street is hollowing out with many business voids, with several nearby family restaurants like Casa Becci priced out, and empty properties owned by overseas buyers who rarely appear and who contribute nothing to the real local community. Ironically, the latter is something that one of the FH owners says in media interviews that he dislikes: regrettably – for all of us - he has so far not responded to invitations to meet residents and engage with us about what he can really do to alleviate what has happened here. [REDACTED], which is an arm of the [REDACTED] by FH, in their support letter gives a partial and therefore inaccurate picture of our nearby community and the FH place in it. It is worth Councillors noting that [REDACTED] have also not sought the views of nearby residents who would give a very different account from that given by those residents to whom [REDACTED] say they have spoken, nor does it seem that [REDACTED] know the real views of small traders. FH is not, as claimed, at the heart of the Chiltern Street community. Other supporting comments include those from another restaurant owner and what are clearly orchestrated responses.)

There is no other hospitality venue which is anywhere near on this vast scale in any other part of Marylebone, and certainly not in a residential area. Nearby Nobu hotel, for example, has an outside dining area in its frontage but it is totally covered by a marquee so that noise is contained. Nobu's marquee is usually full when I pass, so diners are obviously content to sit inside, and other indoor restaurants in the area are also busy, so one argument given by FH that diners only want to sit outside because of the pandemic, and will go elsewhere if they cannot, does not seem to be entirely the case.

In all of FH's activity, the FH courtyard is a major noise nuisance while it is open, currently from 0800-2200, the last hour having been granted temporarily by WCC because of clear government policy towards supporting hospitality through the pandemic. Residents understood this at the time, and recognised that WCC Licence Committee had little choice but to grant the request, even though it meant that residents have had to endure a huge amount of noise and stress from the FH courtyard over the summer. However, the pandemic restrictions on hospitality have now been lifted and WCC does have a choice. At the last licence hearing, Officers recommended that the hours should not be extended again and I ask that Councillors

honour this now. It is time for conditions at least to return to pre-restrictions conditions, so that residents can again have some respite between 2100 and 2200 from the continuous courtyard noise.

My points are these:

- Noise and nuisance 24/7 is the problem for residents in this predominately residential street with otherwise small businesses which usually close at 1800
- It has had a terrible impact on me, as it is a constant stressor and loss of my amenity [REDACTED]
- My blood pressure, which is usually normal, rocketed over the summer, entirely due to stress from FH noise: my doctor's surgery confirms that other nearby residents have also reported stress from continuous FH noise.
- I can hear courtyard noise – continuous voices, shouting and laughter - from about midday on every day, even with double glazed windows closed. I have to close my windows at around 1500 or earlier every day to get any kind of peace but I can still hear the noise
- Staff are usually quiet in the courtyard and elsewhere and I cannot hear them; the problem is the customers, and the type of customers, especially at night when many customers appear to be self-entitled, young and under 35 years, most of them probably non-local, as many arrive in vehicles.
- Noise levels from the courtyard and nuisance are much worse than before the pandemic. This is because the area has been reconfigured and there are almost no dampening measures in place
- **The extra noise dampening measures, especially foliage, which FH promised to WCC Licensing in March 2021 at time of applying for the current courtyard extension, have not been implemented, even though there has been plenty of time to do this.** Photos from 2016 v 2021 (attached) prove this, showing much more foliage in 2016. (FH claim they have cushions and throws but these make hardly any impact on noise dampening.)
- FH say foliage will mature but it needs to be plentiful now
- There is no foliage at all in central area which is not under umbrellas, as the photos show.
- At the very least, WCC should ask questions about this and receive meaningful answers.
- **I ask that no extension of hours be granted at the very least until promises made to WCC and to residents earlier this year are fulfilled.**
- FH are using a much greater courtyard area for seating than before covid
- Post covid many customers have been seated under the new glass canopy but, as the attached letter from May 2020 shows, WCC Planning Permission was granted for a walkway to shelter guests entering the hotel, not for seating. This usage appears to be a breach of Planning permission.
- There is a great deal of noise from those seated under the glass canopy. **The glass canopy's hard surface appears to act as a sounding board and bounce the sound, totally contrary to the 'expert' opinion given by FH to WCC at the last Planning**

**and Licensing hearings.**

- Residents would certainly have objected to the glass canopy had we been told that it was for seating rather than a walkway.
- **Please can WCC Licensing insist that no customers be seated under the walkway, which should be sectioned off as in 2016 and used for the purposes for which Planning Permission was sought and granted in 2020?**
- **There is currently no limit on courtyard numbers.** FH say they have decreased courtyard numbers post covid from 126 to 90 but the photos don't appear to bear this out (possible that 126 was a maximum on special events or people standing but not an everyday number)
- 90 is still a huge number of people, plus many staff in that area, too. This is by far the largest outside hospitality venue in the Marylebone area, and a predominately residential area, especially at night.
- **Therefore, please can WCC Licensing set a limit on numbers in the courtyard, especially at night? Say perhaps 40 people.**
- **May I draw your attention to the licence conditions on the Prince Regent pub on Marylebone High Street, which is a very much smaller venue but one from which nearby residents were also troubled by customer noise. I would like, please, to request the same licence conditions as on Prince Regent Pub, that is that patrons must leave quietly and there is licence condition that prominent notices must say this. Please see the photographs of window notices attached.**

I have a few further points to make:

- At the previous Licence Hearing, a requirement for a marshal was imposed on FH to keep the peace in the street around the premises. Residents are grateful and would like the post retained but it has had limited success, especially at night, sometimes depending on the effectiveness of the personality in post. The main obstacle is the type of customer and hangers-on that FH attracts. Self-entitled people, 'adolescents of all ages' (as a neighbour describes them) including those in large noisy cars of which there are many which park illegally outside the FH, often are not quiet and do not respond to attempts to encourage them to behave or move on, especially those who gather at FH to be seen. These customers and hangers-on are in and around FH in large numbers on most days. Their behaviour is very selfish and a noise nuisance in daytime but in the evening and at night, as residents try to wind down, it is a much greater problem.
- At the previous Licence Hearing, one Councillor tried to be helpful by suggesting a WhatsApp group to deal instantly with problems (as he is part of such a group near his local pub). We appreciate his efforts but regrettably this is not feasible here because:
  - (a) some residents, particularly older ones, do not have WhatsApp or smart phones
  - (b) there is a GDPR issue as residents are not happy to give private phone numbers to FH which has 150-250 staff with considerable turnover.
  - (c) this does not solve the many ongoing problems, as FH noise nuisance is not confined to occasional isolated incidents but is ongoing continuously most days at all hours.
- At the penultimate Licence Hearing to decide an application for a pavement café, a different Councillor suggested that the FH request must be granted 'otherwise they (FH) would take (WCC) to court'. It was very disappointing indeed for residents to hear this



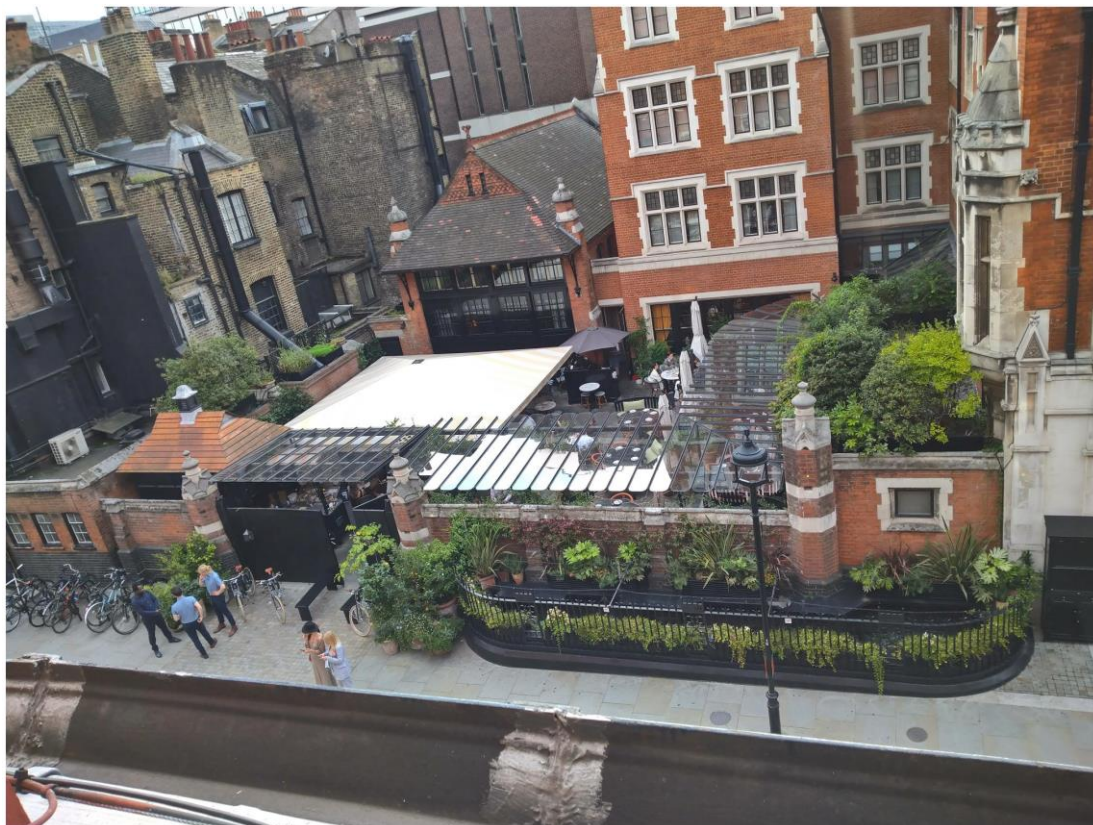
remark, which was disputed by another Councillor who found substantial grounds to refuse the application, but permission was granted on a vote of 2:1. Residents would support WCC's refusals at any court case brought against them by FH, using our well-documented incident log and photos. Incidentally, this pavement cafe has been discontinued, presumably because it had very few customers and on some days none at all.

## Complaints

- I am mindful that when deciding on applications, WCC take into account complaints made to them. WCC will find that they have recorded few, if any, complaints about the courtyard over the summer, despite the fact that the FH courtyard, especially as currently configured, has been a continuous source of noise nuisance over the summer almost every day from midday to when it closes (and beyond as people leave the main building).
- Please can officers ensure that the WCC Licensing Committee is aware that this lack of complaints to them is because most residents believe that WCC cannot take action on voices alone. When I queried this, WCC Noise Team staff (though obviously frustrated by this) told me that continuous voices from a licensed premises, unlike music etc, is not treated as a Statutory Nuisance, (albeit it is a nuisance) so the WCC Noise Team cannot take on the spot action, and that this must be dealt with via Licensing. I have only just found out how to complain directly to Licensing, as I find the website confusing and most of the previous WCC Licensing staff with whom residents were in touch are no longer in post.
- I have however, made many complaints over this year both by phone and by email about the continuous courtyard noise and many other matters to the FH direct, sometimes several times in one day. I know that several of my neighbours have done the same. On other days I am too busy or too weary from continuous complaining to phone FH, so I close the windows, turn on Radio 3 to drown the noise or must retreat into the back of my flat with serious loss of my amenity. All this at cost of my time, effort, and good health when I would much rather be getting on with my life and doing other things.
- If a residential lease holder or tenant in our block was a continuous noise and nuisance like FH, our Management Board would long ago have registered a breach of lease conditions and legally threatened a removal of the lease.
- FH staff are helpful and willing but some admit that they are only staff and that there is only so much they can do to control customers who make noise and nuisance. I feel sorry for staff, as they appear to be making a genuine effort to bring harmony and want to do so but appear unsupported by the FH owners, who do not seem willing to engage with residents. The solution lies with those who have the power to make changes. FH has mandated meetings with residents but they are not working, as FH does not field those who have the power to make changes. Many residents now refuse to attend. My neighbour has decided that only the Portman Estate, the FH owners and WCC can take effective action for the benefit of all
- **Therefore, I respectfully ask that WCC Licensing Committee takes action in the interests of the real community in Chiltern Street and Marylebone beyond. That it not only refuses this application but imposes conditions on the use of the courtyard walkway as a walkway only, that it limits numbers in the courtyard, and that it imposes licence conditions identical to those on the Prince Regent pub, detailed above.**

Overall, I therefore respectfully ask WCC to reject this application on the grounds that it does not strike the right balance between, on the one hand, the needs of residents for peace and quiet and the needs of much smaller family businesses in Chiltern Street for custom and affordable rents (which they used to enjoy before Firehouse opened), and on the other hand, the expansion ambitions of the wealthy absentee backers and their wealthy directors who own and run the Firehouse. An extra hour in the courtyard at 2100-2200 will not benefit the other traders on the street and will be a crucial nuisance for residents.

Many thanks for reading this. Best wishes and be well.







### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</li> <li>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</li> <li>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</li> <li>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</li> <li>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days</li> </ol>

	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> <li>1. <b>Casinos:</b> Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</li> <li>2. <b>Cinemas, Cultural Venues and Live Sporting Premises:</b> Monday to Sunday: 9am to 12am</li> <li>3. <b>Hotels:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</li> <li>4. <b>Off licences:</b> Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</li> <li>5. <b>Outdoor Spaces:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>6. <b>Pubs and bars, Fast Food and Music and Dance venues:</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.</li> <li>7. <b>Qualifying Clubs:</b> Monday to Thursday: 9am to 12am. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>8. <b>Restaurants:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>9. <b>Sexual Entertainment Venues and Sex Cinemas:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> </ol> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<b>Policy HOT1 applies</b>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel.</li> <li>5. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>6. The application and operation of the venue meeting the definition</li> </ol>

	<p>of a Hotel as per Clause C.</p> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel.</li> <li>5. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>6. The application and operation of the venue meeting the definition of a Hotel as per Clause C.</li> </ol> <p>C. For the purposes of this policy a Hotel is defined as a premises that is primarily used as an establishment providing overnight accommodation for customers.</p>
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#### 4. Equality Implications

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

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

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



## 5. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Existing premises licence and 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>	Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

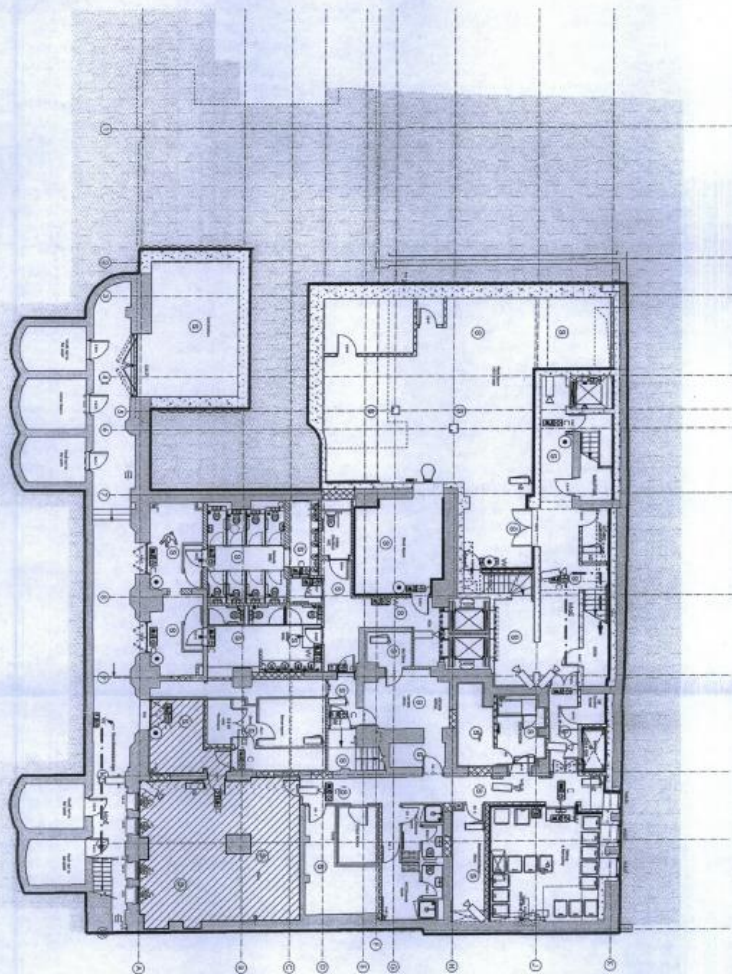
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

### 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	01 October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health Service	28 September 2021
<b>5</b>	Interested Party 1	28 September 2021
<b>6</b>	Interested Party 2	27 September 2021
<b>7</b>	Interested Party 3	28 September 2021
<b>8</b>	Interested Party 4	27 September 2021
<b>9</b>	Interested Party 5	28 September 2021







Dated: 09/12/13

[illegible]

Member of Staff

Masters of Escape

\*\*\*\*\*

Fire Curtain

Fire Extinguisher

CCTV Camera

Escape Signage

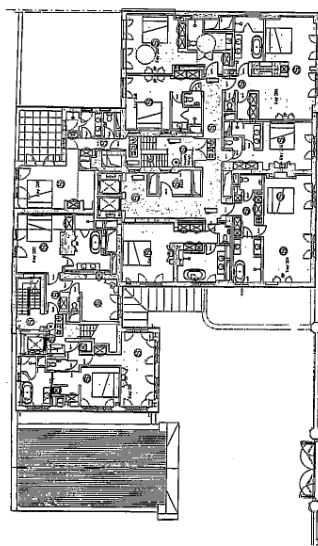
Fire Detector

Fire Alarm Control Panel

David Young  
140 Crawford Street  
London  
EC1V 6JX  
T: 020 7291 8000

[illegible]





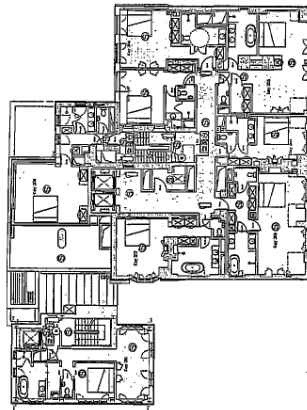
**LEGEND:**

- Member of Staff
- Means of Escape
- Fire Catch
- Fire Extinguisher
- CCTV Camera
- Escape Signage
- Fire Detector
- Fire Alarm Call Point

[illegible]

The red line shows the ambit of the premises and licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

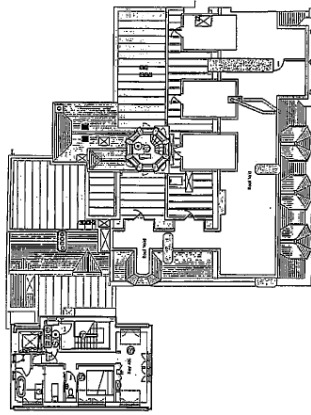
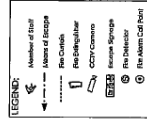
Dated 23.01.2012...



Donald Arthur Aschbrecht  
 President and  
 Managing Director  
 10000  
 10000  
 10000

Dated 23.01.2012.

NOT TO SCALE  
 THIS DRAWING IS A REPRESENTATION OF THE  
 INFORMATION PROVIDED TO THE AUTHOR AND IS NOT  
 TO BE USED FOR ANY OTHER PURPOSES WITHOUT  
 THE WRITTEN CONSENT OF THE AUTHOR.  
 THE AUTHOR ASSUMES NO LIABILITY FOR ANY  
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 BY ANY INFORMATION STORAGE AND  
 RETRIEVAL SYSTEM, WITHOUT THE WRITTEN  
 PERMISSION OF THE AUTHOR.



Author	David Andrew Adkins
Project	Fire Alarm System
Client	Fire Alarm System
Location	Fire Alarm System
Scale	1:100
Sheet	1 of 1
Date	2012

The red line shows the path of the premises and reasonable activities may take place anywhere within the premises. The location of fire equipment is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated 22.01.2012

## **Applicant Supporting Documents**

## **Appendix 2**

There are no supporting documents from the applicant.



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

Schedule 12  
Part A

WARD: Marylebone  
High Street  
UPRN: 010033616706

## Premises licence

Regulation 33, 34

Premises licence  
number:

20/11588/LIPV

Original Reference:

12/00502/LIPN

## Part 1 – Premises details

## Postal address of premises:

Chiltern Firehouse  
1 Chiltern Street  
London  
W1U 7PA

Telephone Number: Not Supplied

## Where the licence is time limited, the dates:

Not applicable

## Licensable activities authorised by the licence:

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Sale by Retail of Alcohol

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

## Performance of Dance

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

## Exhibition of a Film

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Performance of Live Music**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Playing of Recorded Music**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Hotel Lounge Bar/Function Space)

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Late Night Refreshment**

Monday to Sunday: 23:00 to 05:00  
(Patrons of the hotel proprietor)  
Monday to Sunday: 23:00 to 01:00  
(Hotel Lounge Bar/Function Space, Chiltern Street Restaurant and pre-booked events in ground floor meeting room)

**Sale by Retail of Alcohol**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Chiltern Street Restaurant and pre-booked events in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Hotel Lounge Bar/Function Space)



**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

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

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

## Part 2

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

Chiltern Street Hotel Limited  
C/o Manhattan Loft Corporation  
Edison House  
223 - 231 Old Marylebone Road  
London  
NW1 5QT

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

07218870

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

**Name:** Hamish Thompson

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

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

**Licence Number:** LN/000013135  
**Licensing Authority:** London Borough Of Islington

**Date:** 14 May 2021

**This licence has been authorised by Jessica Donovan on behalf of the Director - Public Protection and Licensing.**

## **Annex 1 – Mandatory conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
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.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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

11. The Premises Licence Holder shall, if requested in writing by local residents, host publicised meetings with local residents to discuss concerns relating to the operation of the Premises Licence. Notice of such meetings shall be notified in writing to local residents and other interested parties who have registered their wish to be notified to the Premises Licence Holder. The notice period shall be at least 10 days.
12. The Premises Licence holder shall appoint a competent Acoustic Consultant who is registered with the Institute of Acoustics to:
  - (i) carry out a survey,
  - (ii) produce a report and
  - (iii) assist the Premises Licence Holder in producing a 'Noise Mitigation Policy'.

The Noise Mitigation Policy shall have regard to all matters contained in the 'Guidance on Noise' Section of the City Council's Licensing Policy (currently Appendix 11 of the 2011 Policy).

13. The Premises Licence Holder shall ensure that the Noise Mitigation Policy is:
  - (i) implemented in full to ensure that, so far as is reasonably practicable, risk of Public Nuisance is minimized;
  - (ii) made available to local residents and to authorised Officers of the City Council upon request.
  - (iii) reviewed from time to time or in response to complaints or concerns received from local residents and, if necessary, amended. The Policy shall also be reviewed and amended if requested by the Environmental Health Consultation Team.
14. A copy of the policy shall be kept at the Hotel reception and shall be available immediately upon request by any local resident or licensing officer.
15. At all times the Hotel will be overseen by at least two SIA Door Supervisors.

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

16. The licence holder shall maintain a comprehensive CCTV system that ensures all public areas of the licensed premises are monitored, including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised City Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.
17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent recording with the absolute minimum of delay when requested.
18. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
19. All refuse will be stored internally prior to collection.
20. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
23. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
24. When films are shown cinema style linked seating will not be provided except as agreed with the Environmental Health Consultation Team.
25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:-
  - dry ice and cryogenic fog (except for food presentations)
  - smoke machines and fog generators
  - pyrotechnics including fire works
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame (except for candles)
  - strobe lighting.

26. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

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

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 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.
29. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
30. All self closing doors shall be effectively maintained and not held open other than by an approved device.
31. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- Any emergency lighting battery or system
  - Any electrical installation
  - Any emergency warning system.
34. Except for the hotel bedrooms, the licensee shall not permit striptease in the premises. Except for the hotel bedrooms, the Licensee shall not permit nudity and all persons shall be decently attired at all times.
35. With the exception of the showing of films in Hotel Bedrooms, no entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided under the authority of this licence.
36. With the exception of public and life safety emergency speakers, Loudspeakers shall not be located in the external entrance lobby or outside the premises building.
37. With the exception of designated smoking bedrooms (if any), 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.
38. Waiter or Waitress service will be available at all times.
39. Capacities:



Ground floor:

The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 620, with no more than;

Restaurant 200 persons

Lounge Bar/Function Bar 340 persons

Meeting Room 80 persons

40. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
41. No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised Officer of the Environmental Health Service.
42. No additional sound generating equipment shall be used without being routed through the sound limiter device.
43. All windows and external doors to the ground floor bar and restaurant shall be kept closed from 18:00 hours except for immediate access and egress of persons.
44. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
45. There shall be no regulated entertainment within the external Courtyard area at any time except for unamplified live music for pre-booked private events and up to four musicians between the hours of 10:00 and 21:00.
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2021 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.
47. A Challenge 21 scheme, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
48. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. As part of this agreement that shall require the company to inform all drivers not to wait in the street with the engine running.
49. There shall be at least 1 SIA door supervisor or a dedicated and trained duty manager in the courtyard to manage the courtyard area whose primary purpose is to ensure that the four licensing objectives are promoted in particular that of prevention of public nuisance.

#### CHILTERN STREET RESTAURANT

50. i) There shall be no entry to new customers after 23:30 Monday to Thursday, 00:00

Friday and Saturday and 22:30 Sundays (00:00 on Sundays before Bank ); and/or

- ii) No customer shall be permitted to remain in the Restaurant between 01:00 and 07:00 hours Monday to Sunday;
- iii) Subsections i) and ii) above do not apply to the following persons:-
  - a) Residents of the hotel and their bona fide guests
  - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.

51. The restaurant shall only operate as a restaurant:

- (i) in which customers are shown to their table,
- (ii) 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,
- (iii) which do not provide any take away service of food or drink for immediate consumption, and
- (iv) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals except in:
  - (i) the holding bar area; and
  - (ii) during pre-booked private functions.

52. There shall be no regulated entertainment in the restaurant.

53. After 11pm and before 7am admission to the restaurant shall be through the hotel only.

#### THE CHILTERN STREET HOTEL LOUNGE BAR/ FUNCTION ROOM

- 54. i) No customer shall be permitted to remain in the Hotel Function Room/Lounge Bar between 01:00 and 10:00 hours Monday to Sunday;
- ii) Subsection i) above does not apply to the following persons:-
  - a) Residents of the hotel and their bona fide guests
  - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.

55. After 9pm and before 7am admission to the Hotel Lounge Bar shall be through the hotel reception only.

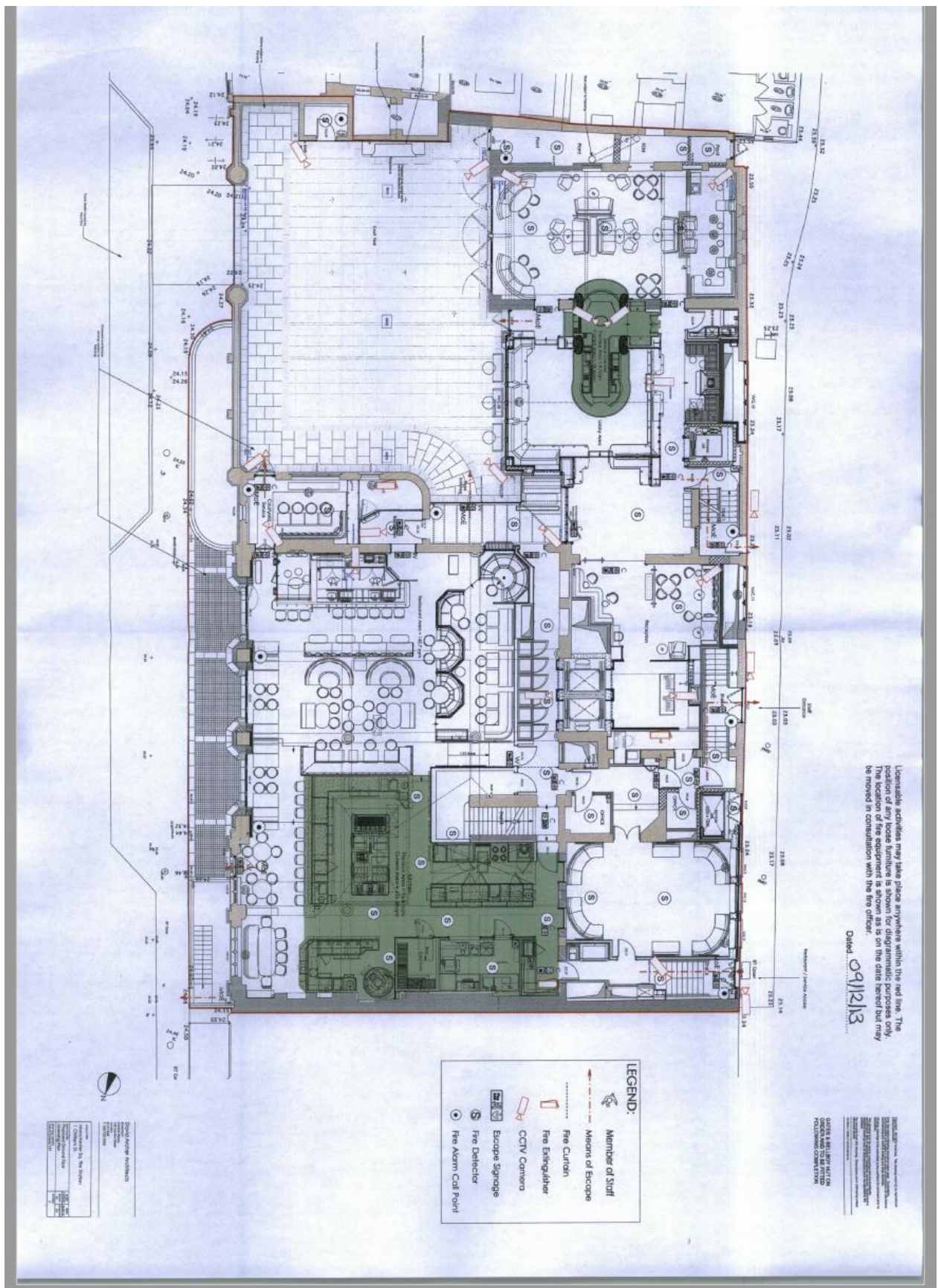
56. Except for recorded music, any regulated entertainment shall be restricted to pre-booked private functions. A copy of the booking including any guest list shall be kept at the reception and shall be available for inspection by any officer from one of the Responsible Authorities for a period of 31 days following the event.

#### GROUND FLOOR MEETING ROOM

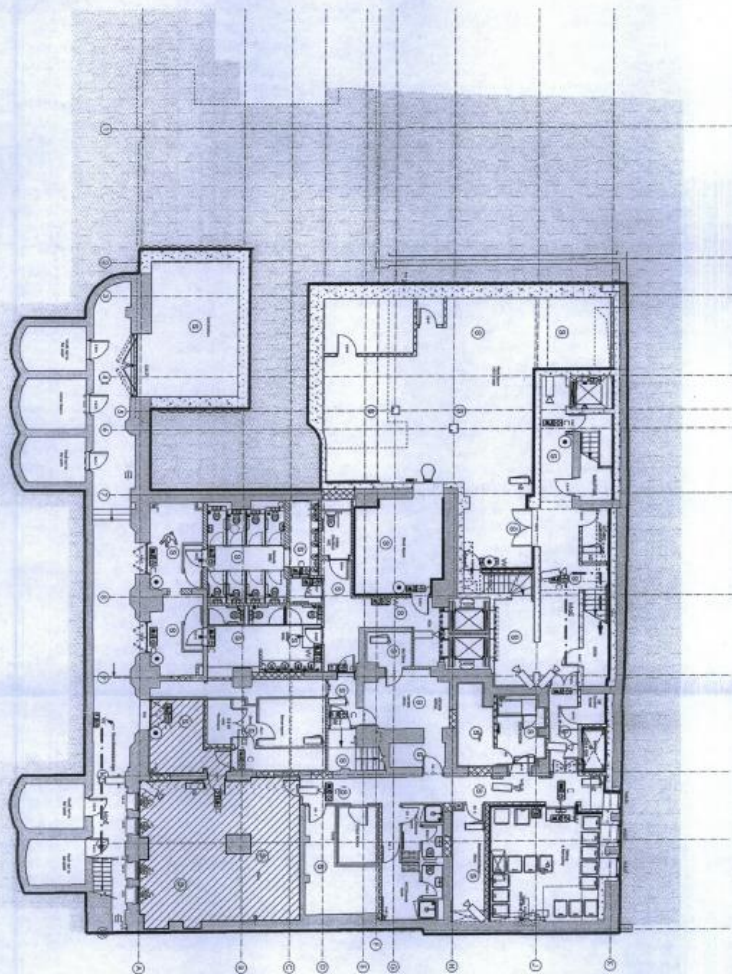
57. From 23:00 hours to 08:00 following morning, the Ground Floor Meeting Room shall only be used by:-
- i) Hotel residents and their bona fide guests; and/or
  - ii) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
  - iii) For pre-booked events to 1am.
58. Between the hours of 21:00 and 22:00 daily the consumption of alcohol in the courtyard shall only be to patrons seated and served by waiter or waitress service. This condition shall only apply until 30 September 2021, after which it shall be removed from the Licence.
59. A Street Warden shall be employed to patrol the vicinity of the premises from 17:00 to midnight on Monday to Saturday and 17:00 to 23:00 on Sunday.
60. 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 are 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.
61. 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 Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

62. 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.
63. 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
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

## Annex 4 – Plans







Dated: 09/12/13

[illegible]

Member of Staff

Means of Escape

Fire Alarm

Fire Extinguisher

CCTV Camera

Escape Signage

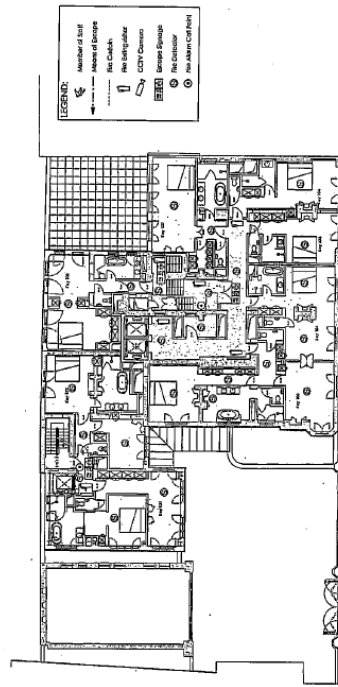
Fire Detector

Fire Alarm Control Panel

David Young  
140 Crawford Street  
London  
EC1V 6JX  
T: 020 7291 8000

Project No.	
Mechanical Sq. Ft. Station	
Children St.	
Proposed basement floor	
Existing floor	
Existing columns	
CALC/PAGE/LIVE	

Don't Answer Anything If you are not a member of the American Medical Association	
Name _____ Address _____ City _____ State _____ Zip _____	Date _____ Page _____



The red line shows the ambit of the premises and licensable activities may take place anywhere within the red line. The position of any house furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

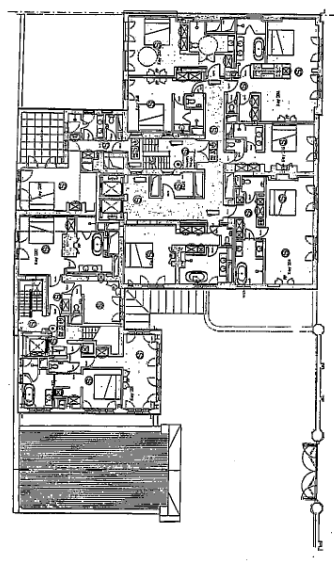
Dated..23.01.2012..

1. The fire alarm system is a conventional system with a central alarm control unit (ACU) and a number of call points (CPs) distributed throughout the premises. The ACU is located in the central corridor on the ground floor. The CPs are located in the following areas:

Drawn by: [Name] Date: [Date] Scale: [Scale]	
Checked by: [Name] Date: [Date]	
Approved by: [Name] Date: [Date]	
Project Name: [Name] Project No: [Number]	

**LEGEND:**

- Alarm of Bell
- Alarm of Escape
- Fire Alarm
- Fire Alarm Control Unit (FACU)
- Fire Alarm Control Unit (FACU) - Manual Call Point
- Fire Alarm Control Unit (FACU) - Automatic Call Point
- Fire Alarm Control Unit (FACU) - Remote Call Point
- Fire Alarm Control Unit (FACU) - Remote Call Point
- Fire Alarm Control Unit (FACU) - Remote Call Point
- Fire Alarm Control Unit (FACU) - Remote Call Point



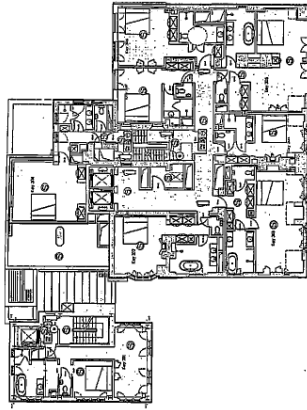
The red line shows the ambit of the premises and licensable activities may be carried out. The red line is shown for diagrammatic purposes only. The location of the red line is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated 21.01.2012...



I hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am duly qualified to give such information.

**LEGEND:**  
 - Location of door  
 - Location of stairs  
 - Fire Escape  
 - Fire Alarm  
 - Fire Extinguisher  
 - Fire Hose  
 - Fire Alarm Control Panel  
 - Fire Alarm Pull Station  
 - Fire Alarm Sounder  
 - Fire Alarm Bell  
 - Fire Alarm Horn  
 - Fire Alarm Siren  
 - Fire Alarm Speaker  
 - Fire Alarm Light  
 - Fire Alarm Sign  
 - Fire Alarm Symbol

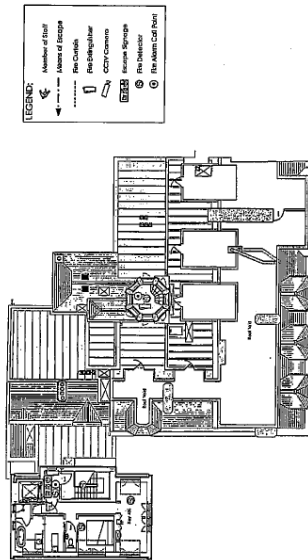


I hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am duly qualified to give such information.

The red line shows the ambience of the premises and licensable activities may be carried out in the premises. The position of any loose furniture is shown for diagrammatic purposes only. The position of any loose furniture is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated 23.01.2012

A circle with a shaded sector. The central angle is labeled  $z$ .



**David Arthur Architects**  
 10000 Wilshire Blvd.  
 Suite 1000  
 Los Angeles, CA 90024  
 Tel: 310.277.1111  
 Fax: 310.277.1112  
 Email: info@daa.com

The red line shows the ambit of the premises and licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated, 23.01.2012.



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

Schedule 12  
Part B

Premises licence  
summary

WARD: Marylebone  
High Street  
UPRN: 010033616706

Regulation 33, 34

Premises licence  
number:

20/11588/LIPV

Part 1 – Premises details

Postal address of premises:

Chiltern Firehouse  
1 Chiltern Street  
London  
W1U 7PA

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Exhibition of a Film**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Performance of Live Music**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Playing of Recorded Music**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Hotel Lounge Bar/Function Space)

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Late Night Refreshment**

Monday to Sunday: 23:00 to 05:00  
(Patrons of the hotel proprietor)  
Monday to Sunday: 23:00 to 01:00  
(Hotel Lounge Bar/Function Space, Chiltern Street Restaurant and pre-booked events in ground floor meeting room)

**Sale by Retail of Alcohol**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Chiltern Street Restaurant and pre-booked events in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Hotel Lounge Bar/Function Space)

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

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

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

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

Chiltern Street Hotel Limited  
C/o Manhattan Loft Corporation  
Edison House  
223 - 231 Old Marylebone Road  
London  
NW1 5QT

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

07218870

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

Name: Hamish Thompson

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

Restricted

**Date:** 14 May 2021

**This licence has been authorised by Jessica Donovan on behalf of the Director - Public Protection and Licensing.**

### Licence & Appeal History

Application	Details of Application	Date Determined	Decision
12/00502/LIPN	New premises application	15.03.2012	Granted by Licensing Sub-Committee
13/00561/LIPT	Transfer application - Chiltern Street Hotel Limited	09.05.2013	Granted Under Delegated Authority
13/09884/LIPV	Variation application:  To vary the layout of the Ground floor and Basement.  To add two works conditions.	10.01.2014	Granted Under Delegated Authority
13/10084/LIPVM	Minor Variation application:  To vary the layout of the Ground floor and Basement.	24.12.2013	Refused
14/01670/LIPDPS	Application to Vary the Designated Premises Supervisor	31.03.2014	Granted Under Delegated Authority
14/10069/LIPVM	Minor Variation application:  Remove Regulated Entertainment  Remove condition 48 'There shall be no regulated entertainment in the Restaurant.'  Add 7 conditions	05.12.2014	Granted Under Delegated Authority
14/11358/LIPDPS	Application to Vary the Designated Premises Supervisor	06.02.2015	Granted Under Delegated Authority
15/04899/LIPDPS	Application to Vary the Designated Premises Supervisor	05.07.2015	Granted Under Delegated Authority
19/00047/LIPDPS	Application to Vary the Designated Premises Supervisor	25.01.2019	Granted Under Delegated Authority

19/01197/LIPDPS	Application to Vary the Designated Premises Supervisor	12.02.2019	Granted Under Delegated Authority
20/08437/LIPDPS	Application to Vary the Designated Premises Supervisor	06.11.2020	Granted Under Delegated Authority
20/11588/LIPV	Variation application: To vary condition 46	08.04.2021	Granted by Licensing Sub-Committee

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
19/01080/LITENP	Temporary Event Notice	13.03.2019	Event allowed to proceed
19/01081/LITENP	Temporary Event Notice	13.03.2019	Event allowed to proceed
19/04723/LITENP	Temporary Event Notice	27.06.2019	Event allowed to proceed
19/10339/LITENP	Temporary Event Notice	23.08.2019	Event allowed to proceed
19/10340/LITENP	Temporary Event Notice	23.08.2019	Event allowed to proceed
19/10341/LITENP	Temporary Event Notice	20.08.2019	Event allowed to proceed
19/14635/LITENP	Temporary Event Notice	14.11.2019	Event allowed to proceed
19/14636/LITENP	Temporary Event Notice	12.11.2019	Event allowed to proceed
20/00743/LITENP	Temporary Event Notice	24.01.2020	Event allowed to proceed
20/01572/LITENP	Temporary Event Notice	11.02.2020	Event allowed to proceed



20/11070/LITENP	Temporary Event Notice	30.11.2020	Event allowed to proceed
20/11146/LITENN	Temporary Event Notice	04.12.2020	Event allowed to proceed
20/11226/LITENP	Temporary Event Notice	09.12.2020	Event allowed to proceed
20/11268/LITENP	Temporary Event Notice	08.12.2020	Event allowed to proceed
20/11269/LITENP	Temporary Event Notice	08.12.2020	Event allowed to proceed
20/11270/LITENP	Temporary Event Notice	08.12.2020	Event allowed to proceed
21/10447/LITENP	Temporary Event Notice	11.10.2021	Event allowed to proceed
21/10446/LITENP	Temporary Event Notice	11.10.2021	Event allowed to proceed
21/10448/LITENP	Temporary Event Notice	28.10.2021	Event allowed to proceed
21/13434/LITENP	Temporary Event Notice	01.12.2021	Event allowed to proceed
21/13428/LITENP	Temporary Event Notice	21.12.2021	Event allowed to proceed
21/13432/LITENP	Temporary Event Notice	21.12.2021	Event allowed to proceed
21/13433/LITENP	Temporary Event Notice	25.11.2021	Event allowed to proceed
21/13668/LITENP	Temporary Event Notice	06.12.2021	Event allowed to proceed

**There is no appeal history**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

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.

10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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

11. The Premises Licence Holder shall, if requested in writing by local residents, host publicised meetings with local residents to discuss concerns relating to the operation of the Premises Licence. Notice of such meetings shall be notified in writing to local residents and other interested parties who have registered their wish to be notified to the Premises Licence Holder. The notice period shall be at least 10 days.
12. The Premises Licence holder shall appoint a competent Acoustic Consultant who is registered with the Institute of Acoustics to:
  - (i) carry out a survey,
  - (ii) produce a report and
  - (iii) assist the Premises Licence Holder in producing a 'Noise Mitigation Policy'.

The Noise Mitigation Policy shall have regard to all matters contained in the 'Guidance on Noise' Section of the City Council's Licensing Policy (currently Appendix 11 of the 2011 Policy).

13. The Premises Licence Holder shall ensure that the Noise Mitigation Policy is:
  - (i) implemented in full to ensure that, so far as is reasonably practicable, risk of Public Nuisance is minimized;
  - (ii) made available to local residents and to authorised Officers of the City Council upon request.
  - (iii) reviewed from time to time or in response to complaints or concerns received from local residents and, if necessary, amended. The Policy shall also be reviewed and amended if requested by the Environmental Health Consultation Team.
14. A copy of the policy shall be kept at the Hotel reception and shall be available immediately upon request by any local resident or licensing officer.
15. At all times the Hotel will be overseen by at least two SIA Door Supervisors.

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

16. The licence holder shall maintain a comprehensive CCTV system that ensures all public areas of the licensed premises are monitored, including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised City Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.
17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent recording with the absolute minimum of delay when requested.

18. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
19. All refuse will be stored internally prior to collection.
20. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
23. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
24. When films are shown cinema style linked seating will not be provided except as agreed with the Environmental Health Consultation Team.
25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:-
  - dry ice and cryogenic fog (except for food presentations)
  - smoke machines and fog generators
  - pyrotechnics including fire works
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame (except for candles)
  - strobe lighting.
26. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

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

29. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
30. All self closing doors shall be effectively maintained and not held open other than by an approved device.
31. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- Any emergency lighting battery or system
  - Any electrical installation
  - Any emergency warning system.
34. Except for the hotel bedrooms, the licensee shall not permit striptease in the premises. Except for the hotel bedrooms, the Licensee shall not permit nudity and all persons shall be decently attired at all times.
35. With the exception of the showing of films in Hotel Bedrooms, no entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided under the authority of this licence.
36. With the exception of public and life safety emergency speakers, Loudspeakers shall not be located in the external entrance lobby or outside the premises building.
37. With the exception of designated smoking bedrooms (if any), 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.
38. Waiter or Waitress service will be available at all times.
39. Capacities:
- Ground floor:  
The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 620, with no more than;
- Restaurant 200 persons  
Lounge Bar/Function Bar 340 persons  
Meeting Room 80 persons
40. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.

41. No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised Officer of the Environmental Health Service.
42. No additional sound generating equipment shall be used without being routed through the sound limiter device.
43. All windows and external doors to the ground floor bar and restaurant shall be kept closed from 18:00 hours except for immediate access and egress of persons.
44. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
45. There shall be no regulated entertainment within the external Courtyard area at any time except for unamplified live music for pre-booked private events and up to four musicians between the hours of 10:00 and 21:00.
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2021 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.

**Condition 46 is proposed to be varied by the applicant to the following:**

46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2022 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.
47. A Challenge 21 scheme, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
48. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. As part of this agreement that shall require the company to inform all drivers not to wait in the street with the engine running.
49. There shall be at least 1 SIA door supervisor or a dedicated and trained duty manager in the courtyard to manage the courtyard area whose primary purpose is to ensure that the four licensing objectives are promoted in particular that of prevention of public nuisance.



## CHILTERN STREET RESTAURANT

50. i) There shall be no entry to new customers after 23:30 Monday to Thursday, 00:00 Friday and Saturday and 22:30 Sundays (00:00 on Sundays before Bank ); and/or
- ii) No customer shall be permitted to remain in the Restaurant between 01:00 and 07:00 hours Monday to Sunday;
- iii) Subsections i) and ii) above do not apply to the following persons:-
- a) Residents of the hotel and their bona fide guests
- b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
51. The restaurant shall only operate as a restaurant:
- (i) in which customers are shown to their table,
- (ii) 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,
- (iii) which do not provide any take away service of food or drink for immediate consumption, and
- (iv) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals except in:
- (i) the holding bar area; and
- (ii) during pre-booked private functions.

52. There shall be no regulated entertainment in the restaurant.

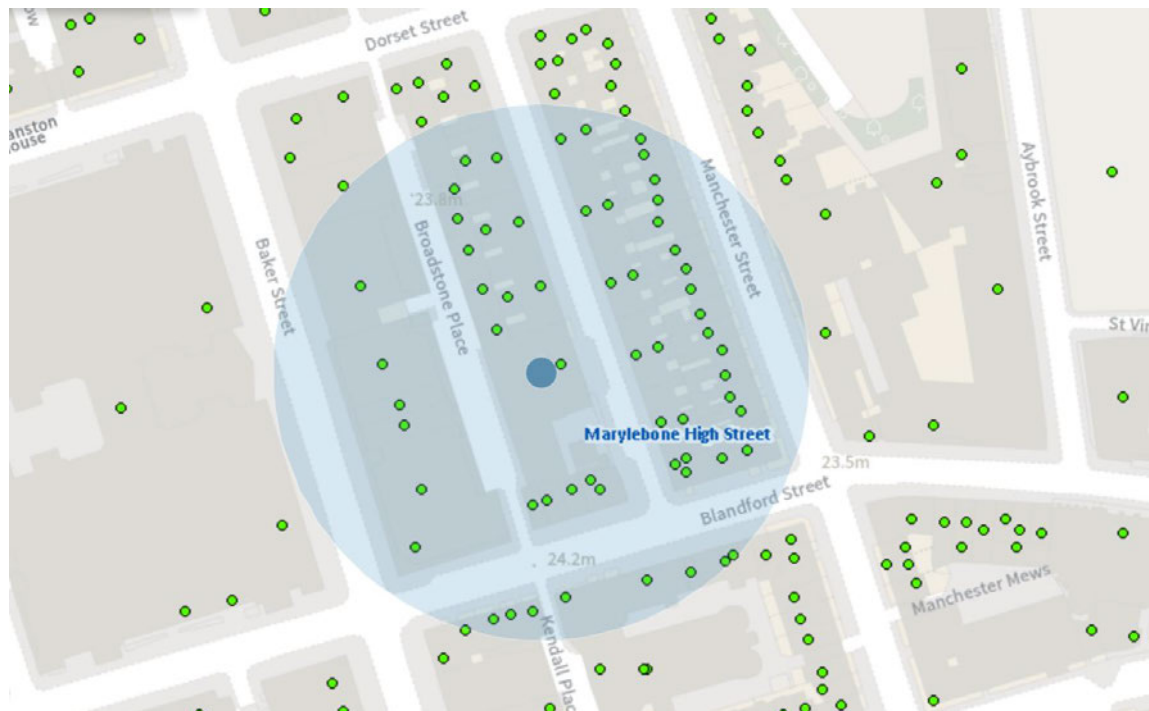
53. After 11pm and before 7am admission to the restaurant shall be through the hotel only.

## THE CHILTERN STREET HOTEL LOUNGE BAR/ FUNCTION ROOM

54. i) No customer shall be permitted to remain in the Hotel Function Room/Lounge Bar between 01:00 and 10:00 hours Monday to Sunday;
- ii) Subsection i) above does not apply to the following persons:-
- a) Residents of the hotel and their bona fide guests
- b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
55. After 9pm and before 7am admission to the Hotel Lounge Bar shall be through the hotel reception only.
56. Except for recorded music, any regulated entertainment shall be restricted to pre-booked private functions. A copy of the booking including any guest list shall be kept at the reception and shall be available for inspection by any officer from one of the Responsible Authorities for a period of 31 days following the event.

## GROUND FLOOR MEETING ROOM

57. From 23:00 hours to 08:00 following morning, the Ground Floor Meeting Room shall only be used by:-
- i) Hotel residents and their bona fide guests; and/or
  - ii) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
  - iii) For pre-booked events to 1am.
58. Between the hours of 21:00 and 22:00 daily the consumption of alcohol in the courtyard shall only be to patrons seated and served by waiter or waitress service. This condition shall only apply until 30 September 2021, after which it shall be removed from the Licence.
59. A Street Warden shall be employed to patrol the vicinity of the premises from 17:00 to midnight on Monday to Saturday and 17:00 to 23:00 on Sunday.
60. 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 are 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.
61. 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 Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
62. 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.
63. 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
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.



**Resident Count: 186**

Licensed premises within 75 Metres of 1 Chiltern Street, London, W1U 7PA				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/11588/LIPV	Chiltern Firehouse	1 Chiltern Street London W1U 7PA	Hotel, 4+ star or major chain	Monday; 00:00 - 00:00   Tuesday; 00:00 - 00:00   Wednesday; 00:00 - 00:00   Thursday; 00:00 - 00:00   Friday; 00:00 - 00:00   Saturday; 00:00 - 00:00   Sunday; 00:00 - 00:00
19/11466/LIPDPS	Monocle Cafe	18 Chiltern Street London W1U 7QA	Cafe	Saturday; 08:00 - 20:00   Sunday; 09:00 - 19:00   Monday to Friday; 07:00 - 20:00
15/02384/LIPVM	Cadenhead's Whisky Shop London	26 Chiltern Street London W1U 7QF	Shop	Monday; 10:00 - 18:30   Friday; 11:30 - 20:00   Saturday; 10:00 - 18:30   Tuesday to Thursday; 10:00 - 20:00
19/16724/LIPDPS	The Bok Bar	56 Blandford Street London W1U 7JA	Public house or pub restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
17/05008/LIPN	Simple Health Kitchen	48 Baker Street London W1U 7BS	Cafe	Monday to Sunday; 07:30 - 22:30
09/02972/LIPV	A D Supermarket	48 Baker Street London W1U 7BS	Shop	Sunday; 08:00 - 22:30   Monday to Thursday; 07:00 - 02:00   Friday to Saturday; 07:00 - 03:00
17/11228/LIPDPS	Purl London	Basement 50-54 Blandford Street London W1U 7HX	Wine bar	Sunday; 12:00 - 23:00   Monday to Thursday; 12:00 - 00:00   Friday to Saturday; 12:00 - 00:30   New Year's Eve;

19/05495/LIPN	Royal China Club	40 - 42 Baker Street London W1U 7AJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/06266/LIPDPS	Chiltern Street Deli	27 Chiltern Street London W1U 7PJ	Cafe within another property	Monday to Sunday; 08:00 - 20:00
13/00772/LIPN	Il Baretto	43 Blandford Street London W1U 7HF	Restaurant	Sunday; 10:00 - 23:00   Monday to Saturday; 10:00 - 23:30
21/04530/LIPDPS	Il Baretto	43 Blandford Street London W1U 7HF	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30

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Item No:	
Date:	02 February 2021
Licensing Ref No:	21/09405/LIPV - New Premises Licence
Title of Report:	Baker and Spice 54-56 Elizabeth Street London SW1W 9PB
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
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

<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	13 September 2021		
<b>Applicant:</b>	Baker And Spice (London) Limited		
<b>Premises:</b>	Baker and Spice		
<b>Premises address:</b>	54-56 Elizabeth Street London SW1W 9PB	<b>Ward:</b>	Knightsbridge And Belgravia
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises trade as local delicatessen serving Coffee all day, home made cakes and a full range of deli items and a dine in menu offering brunch and light mains.		
<b>Variation description:</b>	<p>The application proposes to vary the premises licence as follows:</p> <ol style="list-style-type: none"> <li>1. Regularise changes to the premises layout as shown on the plans appended to the application.</li> <li>2. Extend the permitted hours for the sale of alcohol for consumption on and off the premises to 22:30 each day.</li> <li>3. Extend the opening hours to 23:00 each day.</li> <li>4. Vary condition 20 as follows: The consumption of alcohol in any area appropriately authorised for the use of tables and chairs shall cease at 22:00 hours.</li> <li>5. Vary condition 23 as follows: There shall be no draught beer and spirits, except for cocktails.</li> <li>6. Vary condition 32 as follows: The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a cafe/delicatessen/restaurant</li> </ol>		
<b>Premises licence history:</b>	The premises have had the benefit of a premises licence since January 2007. The current premises licence (licence number 21/08753/LIPDPS) is attached as Appendix 2 of this report. A full licence history for the premises appears at appendix 3.		
<b>Applicant submissions:</b>	None		
<b>Applicant amendments:</b>	None		



<b>1-B</b>	<b>Current and proposed licensable activities, areas and hours</b>					
<b>Sale by Retail of Alcohol</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			Both		No change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	21:00	10:00	22:30	Ground and lower ground floors	No change
<b>Tuesday</b>	10:00	21:00	10:00	22:30		
<b>Wednesday</b>	10:00	21:00	10:00	22:30		
<b>Thursday</b>	10:00	21:00	10:00	22:30		
<b>Friday</b>	10:0	21:00	10:00	22:30		
<b>Saturday</b>	10:00	21:00	10:00	22:30		
<b>Sunday</b>	12:00	21:00	12:00	22:30		
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b>			<b>Proposed:</b>	
		None			No change	

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	07:30	21:00	07:30	23:00	Ground and lower ground floors	No change
<b>Tuesday</b>	07:30	21:00	07:30	23:00		
<b>Wednesday</b>	07:30	21:00	07:30	23:00		
<b>Thursday</b>	07:30	21:00	07:30	23:00		
<b>Friday</b>	07:30	21:00	07:30	23:00		
<b>Saturday</b>	07:30	21:00	07:30	23:00		
<b>Sunday</b>	07:30	21:00	07:30	23:00		
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b>			<b>Proposed:</b>	
		None			No change	

<b>1-C</b>	<b>Layout alteration</b>
Regularise changes to the premises layout as shown on the plans appended to the application.	

1-D	Conditions being varied, added or removed	
Condition	Proposed variation	
20. The consumption of alcohol in any area appropriately authorised for the use of tables and chairs shall cease at 21:00 hours	20. The consumption of alcohol in any area appropriately authorised for the use of tables and chairs shall cease at 22:00 hours.	
23. There shall be no draught beer and spirits.	23. There shall be no draught beer and spirits, except for cocktails.	
32. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a café/delicatessen.	32. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a cafe/delicatessen/restaurant	
Adult entertainment:	Current position:	Proposed position:
	None	No change

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Environmental Heath
<b>Representative:</b>	Dave Nevitt
<b>Received:</b>	11 October 2021
<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>	

<b>2-B</b>	<b>Other Persons</b>
<b>Name:</b>	██████████t
<b>Address and/or Residents Association:</b>	██████████ ██████████ ██████████
<b>Received:</b>	21 September 2021
<p>Our right to peace and quiet in our home has been severely breached by the allowing so much outside dining. Operators to operate all day and night gives us no peace and quiet.</p> <p>The residents and neighbours of Elizabeth Street as well as the local residence organisations objected to the sale of alcohol. The council DID not listen to its people. To further this neglect of residence wishes to add hours and to increase the operation hours of the business will mean this business is in operation for over 12 hours. There is increased noise and breach of our rights with outside.</p> <p>When a chair moves inside I hear it in my home.</p> <p>We do not need later food options on an already over crowded street.</p> <p>Please listen to the people that live here.</p>	

<b>Name:</b>		[REDACTED]
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	15 September 2021	
<p>I live in extremely close proximity to the cafe and have four small children.</p> <p>Our lives would be significantly disturbed if this licence application were to succeed for several reasons. First, this Trojan horse application is a 'by stealth' attempt to convert what is essentially a cafe licence into that of a wine bar or restaurant. Second, this extension of time would create additional noise from movement until 11pm on what is a significant residential street (not just commercial) where there is already more than adequate restaurant and pub amenity. I strongly object. Living in proximity to a cafe that serves alcohol until 10pm is very different to a licence application that extends this to 1030pm and opening to 11pm.</p>		
<b>Name:</b>		[REDACTED]
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	22 September 2022	
<p>This is to firmly protest against any and all extensions of opening hours and additional time limits to the current alcohol licence. To extend the licence to 11pm, strongly goes against our rights as residents to enjoy some peace and quiet in our homes. Baker and Spice started off as a morning and lunchtime service . In the space of a couple years it has spread over the pavement, greatly increased the number of patrons using it and has become a hazard on the pavement. Their plans to extend their business on every day of the week, by opening until very late (bearing in mind that drinking and noise continues well past the "official" closing time) is quite unacceptable. We chose to live in Chester Square as it was fairly quiet with just one or two eating places in the vicinity. Now we have a plague of eating and drinking establishments well within earshot of our house. It must be even worse for residents living along Elizabeth Street!</p> <p>We already have more than enough noise and disturbances from the now doubled Thomas Cubitt and other outfits in the area, all of whom are suddenly claiming to occupy sidewalks and parking in addition to their own premises. Frankly, it is simply gone much too far.</p> <p><b>On 19 January 2022, the objector submitted the following additional comments in support of the representation:</b></p> <p>This is to comment on your hearing about the Baker and Spice application for yet another extension of their licence.</p> <p>Unfortunately, we will not be able to attend the meeting because of Corona, but we would like to lodge a very strong objection to any further extension of their licence.</p> <p>Since there is already considerable disturbance of the peace and lots of evening noise which is caused by the Thomas Cubitt, there is no need to double this disturbance by allowing Baker and Spice to extend their licence. This noise happens (as would be expected with inebriated persons exiting the premises), despite the signs which Thomas Cubitt put up to forbid the noise, which all their clients ignore.</p> <p>Further, there has been a long standing complaint against the bakery Poilane, which continues to emit soot and black particles, in addition to possibly toxic fumes from wood and fire, through</p>		

their very low chimney stacks. It has been suggested before, that they install simple and technically possible scrubbers on their chimney stacks, but that has been ignored by Poilane and Westminster Council. This should now, after many years, finally be pursued by your council, as new targets for cleaning the air in London are progressing and getting much stricter.

Please understand that we are not against good bread, although this is now a factory, not an artisan small little bakery, but we think that a certain respect and consideration for the health of your neighbours would be in order. Can you please send our comments on this through to the appropriate department

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	23 September 2021

This seems yet another step by step encroachment that favours businesses rather than residents. The last application mentioned the sale of alcohol by retail to embellish revenue streams that had been hit by the pandemic. Likewise the hours of availability until 9pm. As a cafe does it really need alcohol to be served until 22. 30pm?

Elizabeth Street has become very busy with the added street seating under the temporary Westminster (Alfresco) licenses. The downside for residents has been all sorts of new traffic, congestion and noise problems. Whilst local residents have been keen to support these temporary policies for businesses, it seems businesses, some more so than others, are now using the pandemic as a Trojan horse for ever continuing expansion with a view to colonising the pavements for their own benefit at out expense. Baker and Spice have obviously seen the success of other venues in the street and want to emulate it, fair enough, but it comes at a cost to us all.

<b>3.</b>	<b>Policy &amp; Guidance</b>
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> </ol>

	<p>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p>
<b>Policy RTN1 applies</b>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>4. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>4. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> <li>1. A premises in which customers are shown to their table or the</li> </ol>

	<p>customer will select a table themselves to which food is either served to them or they have collected themselves.</p> <p>2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.</p> <p>3. Which do not provide any takeaway service of food and/or drink for immediate consumption.</p> <p>4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> <p>5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal</p>
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#### 4. Equality Implications

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

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

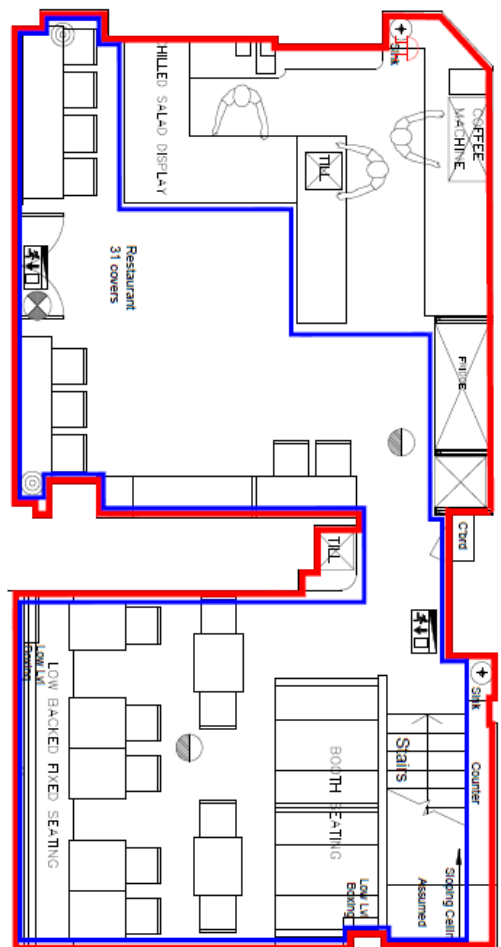
Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.



















<b>5.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Premises Plans
<b>Appendix 2</b>	Existing Premises Licence (20/06415/LIPN)
<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>	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		
1	Licensing Act 2003	N/A

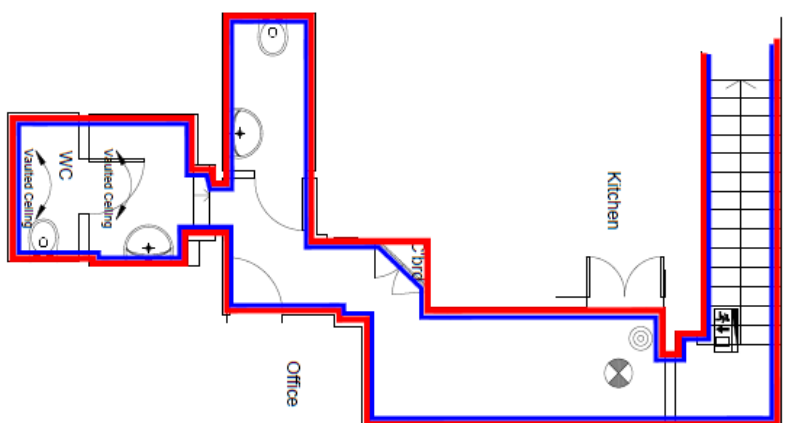
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health representation	11 October 2021
<b>5</b>	Interested Part representation (1)	21 September 2021
<b>6</b>	Interested Part representation (2)	15 September 2021
<b>7</b>	Interested Part representation (3)	22 September 2021
<b>8</b>	Interested Part representation (4)	23 September 2021

## T&amp;C IN LICENSED AREA



SYMBOL KEY	SYMBOL KEY
           	<p> Make passage with the extinguisher</p> <p> Dry powder the extinguisher</p> <p> Carbon dioxide the extinguisher</p> <p> From the extinguisher</p> <p> Fire labeled the extinguisher</p> <p> Class X the extinguisher (Kitchen area only)</p>
<p>Emergency Light Flaring</p> <p>Automatic Direction (Smaller head)</p> <p>Sounder Bell</p> <p>Illuminated exit sign (Directional)</p> <p>Fire Alarm Call Point</p> <p>Fire assistance door and frame to allow 30 minutes protection, fitted with translucent optical, cold egress glass and self-closing mechanism. Understand, see page 10</p> <p>Fire alarm Call Point</p> <p>Fire assistance door and frame to allow 30 minutes protection, fitted with translucent optical, cold egress glass and self-closing mechanism. Understand, see page 10</p> <p>Fire alarm Call Point</p> <p>Fire assistance door and frame to allow 30 minutes protection, fitted with translucent optical, cold egress glass and self-closing mechanism. Understand, see page 10</p> <p>Fire alarm Call Point</p> <p>Fire assistance door and frame to allow 30 minutes protection, fitted with translucent optical, cold egress glass and self-closing mechanism. Understand, see page 10</p>	<p>Make passage with the extinguisher</p> <p>Dry powder the extinguisher</p> <p>Carbon dioxide the extinguisher</p> <p>From the extinguisher</p> <p>Fire labeled the extinguisher</p> <p>Class X the extinguisher (Kitchen area only)</p>
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## LOWER GROUND FLOOR PLAN

[illegible]





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

Schedule 12  
Part A

WARD: Knightsbridge  
And Belgravia  
UPRN: 100023346814

Premises licence

Regulation 33, 34

Premises licence number:

21/08753/LIPDPS

Original Reference:

20/06415/LIPN

#### Part 1 – Premises details

**Postal address of premises:**

54-56 Elizabeth Street  
London  
SW1W 9PB

**Telephone Number:**

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol  
Monday to Saturday: 10:00 to 21:00  
Sunday: 12:00 to 21:00

**The opening hours of the premises:**

Monday to Sunday: 07:30 to 21:00

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

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

#### Part 2

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

Baker And Spice (London) Limited  
31 Haverscroft Industrial Estate

New Road  
Attleborough  
Norfolk  
United Kingdom NR17 1YE  
Electronic Mail : Mide@armsmanagementco.com  
Business Phone Number :

**Registered number of holder, for example company number, charity number (where applicable)**  
10777417

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

**Name:**

Avinash Jethwa

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

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

Licence Number: 18/PSL 02149  
Licensing Authority: Cherwell District Council

**Date:** 30 October 2021

**This licence has been authorised by Abigail Mugisa on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

None

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

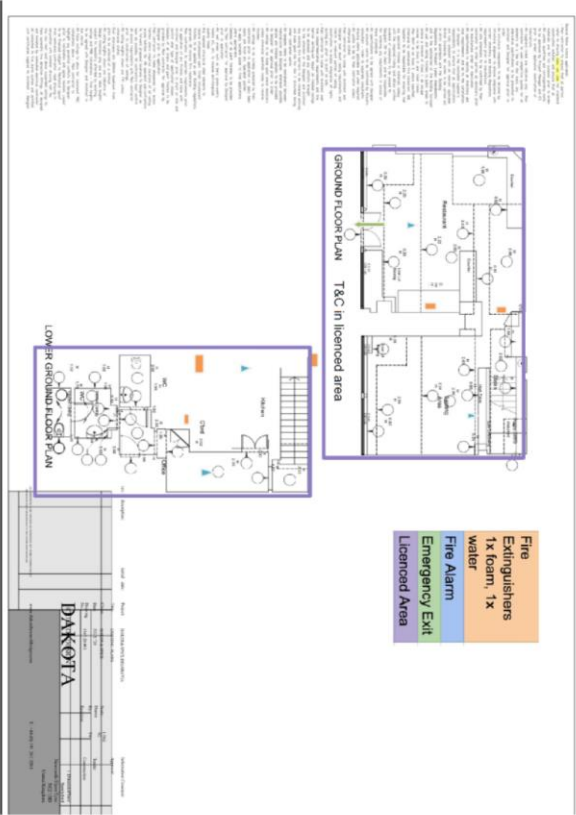
9. The supply of alcohol at the premises shall only be to persons seated at tables.
10. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises, except for alcohol provided to patrons seated at tables within the authorised external seating area.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
14. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
15. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business. Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the operating schedule.
18. The supply of alcohol at the premises, including any area appropriately authorised for the use of tables and chairs, shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
19. The supply of alcohol at the premises, including any area appropriately authorised for the use of tables and chairs, shall be by waiter or waitress service only.
20. The consumption of alcohol in any area appropriately authorised for the use of tables and chairs shall cease at 21:00 hours.



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



Annex 4 – Plans





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

**Schedule 12  
Part B**

**Premises licence  
summary**

**WARD: Knightsbridge  
And Belgravia  
UPRN: 100023346814**

Regulation 33, 34

**Premises licence number:**

21/08753/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

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

**Telephone Number:**

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol  
Monday to Saturday: 10:00 to 21:00  
Sunday: 12:00 to 21:00

**The opening hours of the premises:**

Monday to Sunday: 07:30 to 21:00

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

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

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

Baker And Spice (London) Limited  
31 Haverscroft Industrial Estate  
New Road  
Attleborough

Norfolk  
United Kingdom NR17 1YE

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

10777417

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

Name: Avinash Jethwa

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

Restricted

**Date:** 30 October 2021

**This licence has been authorised by Abigail Mugisa on behalf of the Director - Public Protection and Licensing.**

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
06/11816/LIPN	New premises licence	25.01.2007	Granted by Licensing Sub Committee
08/06121/LIPDPS	Variation of DPS	03.07.2008	Granted under delegated authority (Licence surrendered 23.06.2008)
20/06415/LIPN	New premises licence	23.09.2020	Granted by Licensing Sub Committee
21/08753/LIPDPS	Variation of DPS	31.10.2021	Granted under delegated authority

**There is no appeal history**

<b>Temporary Event Notices</b>	<b>Date of Event</b>	<b>Activities/Hours</b>	<b>Decision</b>
21/08776/LITENP	10.09.2021 to 12.09.2021	Supply of Alcohol – 21:00 to 23:00	Event permitted
21/09160/LITENP	16.09.2021 to 18.09.2021	Supply of Alcohol – 21:00 to 23:00	Event permitted
21/09296/LITENP	23.09.2021 to 25.09.2021	Supply of Alcohol – 21:00 to 23:00	Event permitted
21/09673/LITENP	30.09.2021 to 02.10.2021	Supply of Alcohol – 21:00 to 23:00	Event permitted
21/10006/LITENP	07.10.2021 to 08.10.2021	Supply of Alcohol – 21:00 to 23:00	Event permitted
21/10551/LITENP	14.10.2021 to 16.10.2021	Supply of Alcohol – 21:00 to 23:00	Event permitted

**Tables and Chairs History**

<b>Application</b>	<b>Details of Application</b>	<b>Duration</b>	<b>Decision</b>
21/01354/STTCPL	5 Tables, 14 chairs, 1 Planter, 2 Heaters	10.03.2021 to 30.09.2021	Granted under delegated authority
21/10476/STTCPF	5 Tables, 14 chairs, 1 Planter, 2 Heaters	13.10.2021 to 12.04.2022	Granted under delegated authority

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.

For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

None

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

9. The supply of alcohol at the premises shall only be to persons seated at tables.
10. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises, except for alcohol provided to patrons seated at tables within the authorised external seating area.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
14. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
15. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business. Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the operating schedule.
18. The supply of alcohol at the premises, including any area appropriately authorised for the use of tables and chairs, shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
19. The supply of alcohol at the premises, including any area appropriately authorised for the use of tables and chairs, shall be by waiter or waitress service only.
20. The consumption of alcohol in any area appropriately authorised for the use of tables and chairs shall cease at 21:00 hours.



**The applicant has proposed the following amended condition**

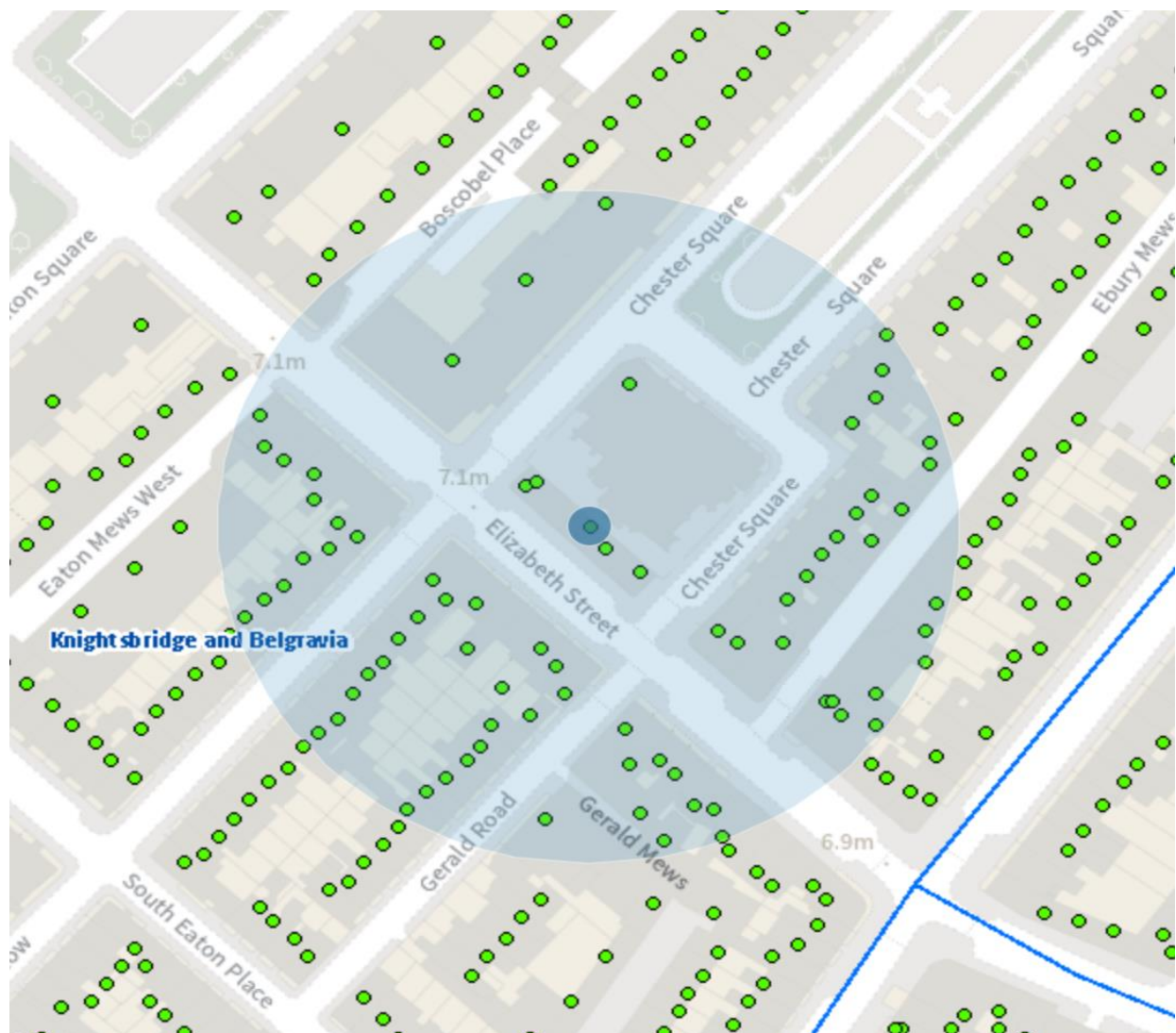
- 20. The consumption of alcohol in any area appropriately authorised for the use of tables and chairs shall cease at 22:00 hours.**
- 21. All tables and chairs shall be removed from the outside area by 22:00 hours each day.
- 22. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- 23. There shall be no draught beer and spirits.

**The applicant has proposed the following amended condition**

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

**The applicant has proposed the following amended conditions**

- 32. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a cafe/delicatessen/restaurant**



Resident count: 142

License premises within 75m of 54-56 Elizabeth Street, London, SW1				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/08753/LIPDPS	Not Recorded	54-56 Elizabeth Street London SW1W 9PB	Cafe	Monday; 07:30 - 21:00   Tuesday; 07:30 - 21:00   Wednesday; 07:30 - 21:00   Thursday; 07:30 - 21:00   Friday; 07:30 - 21:00   Saturday; 07:30 - 21:00   Sunday; 07:30 - 21:00
19/04970/LIPDPS	Jeroboams	50-52 Elizabeth Street London SW1W 9PB	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
12/06300/LIPN	TomTom Cigars	63 Elizabeth Street London SW1W 9PP	Shop	Saturday; 09:00 - 18:00   Sunday; 11:00 - 17:00   Monday to Friday; 09:00 - 20:00
20/01748/LIPDPS	The Thomas Cubitt	44 Elizabeth Street London SW1W 9PA	Public house or pub restaurant	Sunday; 12:00 - 22:30   Monday to Saturday; 10:00 - 23:30
14/06020/LIPDPS	Olivocarne Restaurant	61 Elizabeth Street London SW1W 9PP	Restaurant	Monday to Sunday; 09:00 - 00:30
19/11536/LIPVM	Belgravia Traders Association	Elizabeth Street London	Miscellaneous	Tuesday; 18:00 - 23:00   Wednesday; 18:00 - 23:00   Thursday; 18:00 - 23:00   Saturday; 11:00 - 18:00   Sunday; 11:00 - 18:00   Tuesday to Thursday; 18:00 - 23:00

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City of Westminster

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

## Licensing Sub-Committee Report

02 February 2022

21/07752/LIPN - New Premises Licence

Gravity House  
65 - 66 Frith Street  
London  
W1D 3JR

Director of Public Protection and Licensing

West End

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman  
Senior Licensing Officer

Telephone: 020 7641 6500  
Email: [kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)

<b>1.</b>	<b>Application</b>						
<b>1-A</b>	<b>Applicant and premises</b>						
<b>Application Type:</b>		New Premises Licence, Licensing Act 2003					
<b>Application received date:</b>		4 August 2021					
<b>Applicant:</b>		Gravity Media UK Ltd					
<b>Premises:</b>		Gravity House					
<b>Premises address:</b>		65 - 66 Frith Street London W1D 3JR	<b>Ward:</b>		West End		
			<b>Cumulative Impact Area:</b>		West End		
			<b>Special Consideration Zone:</b>		None		
<b>Premises description:</b>		According to the application form, the premises will be a dedicated post-production facility					
<b>Premises licence history:</b>		This is an application for a new premises licence and therefore has no licence history.					
<b>Applicant submissions:</b>		<p>Gravity House on Frith Street in Soho, London is the culmination of our 30+ years of dedicated support to the broadcast TV and feature film market. Ranged over five floors, this dedicated post-production facility boasts 40 offline rooms that can be dressed for your specific needs, from editing to production meetings to private screenings.</p> <p>Every room is spacious and high-spec, and there are breakout spaces on the upper floors, a street-level bar and a hospitality service to give Gravity House the feel of an exclusive club – a great place to be both social and creative.</p>					
<b>Applicant amendments:</b>		None					

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<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>	14:00	14:00	14:00	14:00	14:00	None	None
<b>End:</b>	23:00	23:00	23:00	23:00	23:00		
<b>Seasonal variations/ Non-standard timings:</b>			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	None	None
End:	23:00	23:00	23:00	23:00	23:00		
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service ( <b>withdrawn</b> )
Representative:	Dave Morgan
Received:	16 September 2021
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are <b>objecting</b> to this application as it is our belief that if granted, the application would undermine the Licensing Objectives.</p> <p>The venue is situated in the West End Cumulative Impact Zone, a locality where there is traditionally high crime and disorder and we have concerns that this application will cause further policing problems in an already demanding area.</p> <p>There is insufficient detail within the operating schedule to promote the Licensing Objectives and it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.</p> <p><b>Following agreement of additional conditions, the Metropolitan Police withdrew their representation on 22 October 2021</b></p>	
Responsible Authority:	Environmental Health
Representative:	Dave Nevitt
Received:	01 October 2022
<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>	
Responsible Authority:	Licensing Authority
Representative:	Roxsana Haq
Received:	30 September 2021
<p>Dear Mr Warren Symonds</p> <p>I write in relation to the application (<b>21/07752/LIPN</b>) submitted for a new Premises Licence for:</p>	

## **Gravity House, 65 - 66 Frith Street, London W1D 3JR**

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 Licensing Objectives:

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

This application seeks to permit the following licensable activities:

1. Supply of alcohol for consumption on the premises:  
Monday – Friday: 14:00 – 23:00 hours

The premises are located within the West End Cumulative Impact Area and as such policy points CIP1, and PB1 must be considered.

### **Cumulative Impact Policy CIP1 states:**

- A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:
  1. Vary the hours within Core Hours under Policy HRS1, and/or
  2. Vary the licence to reduce the overall capacity of the premises.
- C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.
- D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

### **Public Houses and Bars Policy PB1 states:**

- B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:
  1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
  2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.

D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.

The Licensing Authority note the applicant has stated "This is a private establishment so alcohol will not be sold to the general public. All access to this site will be invite only. The site is manned by security 24/7"

Please clarify how the proposed events will be managed; is the security personnel SIA licenced? and what is the minimum number of security personnel present at all times? What is the capacity of the premises?

Furthermore, there will be a street level bar as stated in the application; the Licensing Authority are concerned that this premises does not become a vertical drinking establishment. Therefore, we propose the following model conditions:

MC86 "The licensable activities authorised by this licence and provided at the premises shall be



ancillary to the main function of the premises as offices”

MC45 “No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public”.

The Licensing Authority’s policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the Cumulative Impact Zone, as per policy CIP1 and PB1. For ease please find attached a copy of the Council’s Statement of Licensing Policy.

Subject to any further submissions, it will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact zone and the proposed style of operation.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

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>A. It is the Licensing Authority’s policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"><li>1. Vary the hours within Core Hours under Policy HRS1, and/or</li><li>2. Vary the licence to reduce the overall capacity of the premises.</li></ol> <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"><li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li><li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li><li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises</li></ol>

	<p>being open or carrying out operations at the hours proposed.</p> <p>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</p> <p>5. The proposed hours when any music, including incidental music, will be played.</p> <p>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>6. Pubs and bars, Fast Food and Music and Dance venues Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to Midnight. Sunday: Midday to 10.30pm. Sundays immediately prior to a bank holiday: Midday to Midnight.</p>
<b>Policy PB1(B) applies</b>	<p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <p>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.</p> <p>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</p> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <p>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,</p> <p>2. The operation of any delivery services for alcohol and/or late night</p>

	<p>refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</p> <p>3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.</p> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>
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#### 4. Equality Implications

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

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

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

<b>5.</b>	<b>Appendices</b>
<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

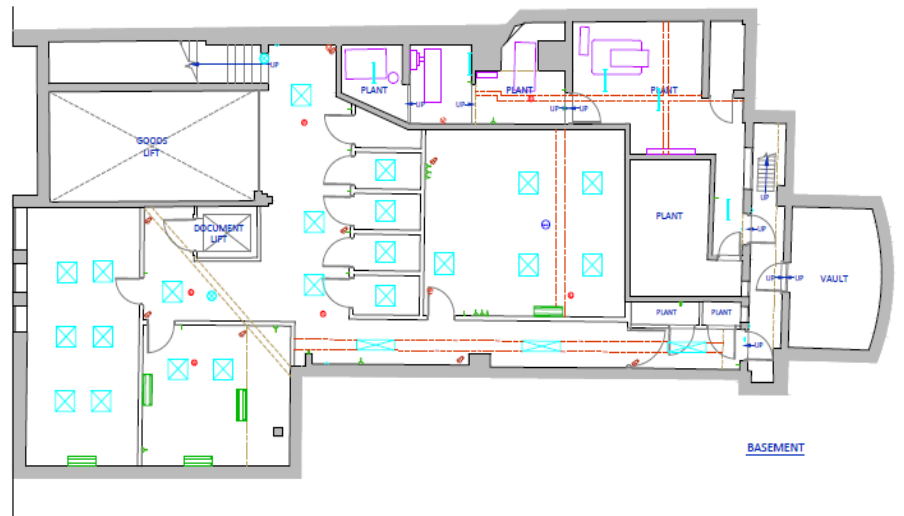
<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

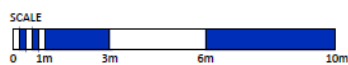
**Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service representation	16 September 2021 <b>(withdrawn 22 October 2021)</b>
<b>5</b>	Environmental Health representation	01 October 2021
<b>6</b>	Licensing Authority representation	30 September 2021

## Basement



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KEY	
	A/C UNIT
	DIRECTIONAL DOWNLIGHT
	LIGHT
	600x1200MM LUMINAIRE
	600x600MM LUMINAIRE
	WALL LIGHT
	FLUORESCENT STRIP LIGHT
	1 GANG LIGHT SWITCH
	DOUBLE SWITCHED WALL SOCKET
	CAT 5 OR 6 DATA SOCKET
	DOUBLE SWITCHED WALL SOCKET
	MOTION SENSOR
	SECURITY CAMERA
	SPEAKER
	VENT
	BREX GLASS CALLPOINT
	EMERGENCY DOOR RELEASE
	SMOKE DETECTOR / SPRINKLER
	WI-FI RANGE EXTENDER
	SPUR SWITCH
	DOOR RELEASE BUTTON
	FOB KEY ACCESS UNIT
	DOOR RELEASE BUTTON

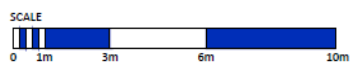
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## Ground Floor



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KEY			
	A/C UNIT		MOTION SENSOR
	DIRECTIONAL DOWNLIGHT		SECURITY CAMERA
	LIGHT		SPEAKER
	600x1200MM LUMINAIRE		VENT
	600x600MM LUMINAIRE		BREX GLASS CALLPOINT
	WALL LIGHT		EMERGENCY DOOR RELEASE
	FLUORESCENT STRIP LIGHT		SMOKE DETECTOR / SPRINKLER
	1 GANG LIGHT SWITCH		WI-FI RANGE EXTENDER
	DOUBLE SWITCHED WALL SOCKET		SPUR SWITCH
	CAT 5 OR 6 DATA SOCKET		DOOR RELEASE BUTTON
	DOUBLE SWITCHED WALL SOCKET		FOB KEY ACCESS UNIT
			DOOR RELEASE BUTTON

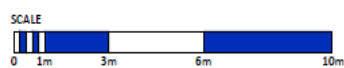
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# 1st Floor



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KEY	
	A/C UNIT
	DIRECTIONAL DOWNLIGHT
	LIGHT
	600x1200MM LUMINAIRE
	600x600MM LUMINAIRE
	WALL LIGHT
	FLUORESCENT STRIP LIGHT
	1 GANG LIGHT SWITCH
	DOUBLE SWITCHED WALL SOCKET
	CAT 5 OR 6 DATA SOCKET
	DOUBLE SWITCHED WALL SOCKET
	MOTION SENSOR
	SECURITY CAMERA
	SPEAKER
	VENT
	BREAL GLASS CALLPOINT
	EMERGENCY DOOR RELEASE
	SMOKE DETECTOR / SPRINKLER
	WI-FI RANGE EXTENDER
	SPUR SWITCH
	DOOR RELEASE BUTTON
	FOB KEY ACCESS UNIT
	DOOR RELEASE BUTTON

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## 2<sup>nd</sup> Floor



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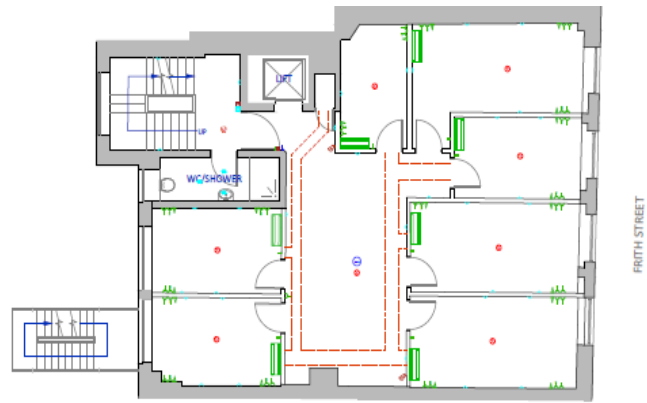
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	600x600MM LUMINAIRE
	WALL LIGHT
	FLUORESCENT STRIP LIGHT
	1 GANG LIGHT SWITCH
	DOUBLE SWITCHED WALL SOCKET
	CAT 5 OR 6 DATA SOCKET
	DOUBLE SWITCHED WALL SOCKET
	MOTION SENSOR
	SECURITY CAMERA
	SPEAKER
	VENT
	BREAR GLASS CALLPOINT
	EMERGENCY DOOR RELEASE
	SMOKE DETECTOR / SPRINKLER
	WI-FI RANGE EXTENDER
	SPUR SWITCH
	DOOR RELEASE BUTTON
	FOB KEY ACCESS UNIT
	DOOR RELEASE BUTTON

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client	address 65-66 FRITH STREET LONDON W1D 3JR	location SECOND FLOOR SERVICES PLAN	date 19.12.2017	scale 1:200	sheet A4	<p>Plan London Ltd   15 Gaud's Road   London   SE20 8EP T 02045 2262770 E service@plan-london.co.uk W plan-london.co.uk</p>
			dwg no. PL11210-04	revision	drawn GC	checked EJ



### 3<sup>rd</sup> Floor



THIRD FLOOR

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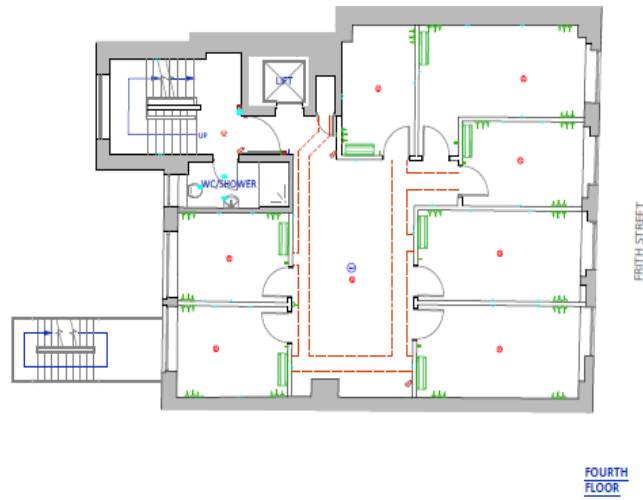


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	600x600MM LUMINAIRE
	WALL LIGHT
	FLUORESCENT STRIP LIGHT
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	WI-FI RANGE EXTENDER
	SPUR SWITCH
	DOOR RELEASE BUTTON
	FOB KEY ACCESS UNIT
	DOOR RELEASE BUTTON

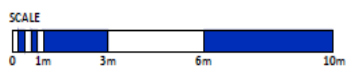
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			dwg no. PL11210-05	revision	drawn GC	checked EJ

## 4<sup>th</sup> Floor



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KEY	
	A/C UNIT
	DIRECTIONAL DOWNLIGHT
	LIGHT
	600x1200MM LUMINAIRE
	600x600MM LUMINAIRE
	WALL LIGHT
	FLUORESCENT STRIP LIGHT
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	SPEAKER
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	WI-FI RANGE EXTENDER
	SPUR SWITCH
	DOOR RELEASE BUTTON
	FOB KEY ACCESS UNIT
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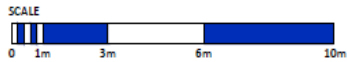
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5<sup>th</sup> Floor



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KEY	
	A/C UNIT
	DIRECTIONAL DOWNLIGHT
	LIGHT
	600x1200MM LUMINAIRE
	600x600MM LUMINAIRE
	WALL LIGHT
	FLUORESCENT STRIP LIGHT
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	SPUR SWITCH
	DOOR RELEASE BUTTON
	FOB KEY ACCESS UNIT
	DOOR RELEASE BUTTON

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client	address 65-66 FRITH STREET LONDON W1D 3JR	location FIFTH FLOOR AND ROOF SERVICES PLAN	date 19.12.2017	scale 1:200	sheet A4	
			dwg no. PL11210-07	revision GC	drawn EJ	

**Applicant Supporting Documents**

**Appendix 2**

None

There is no premises licence or appeal history for the premises

<b>Temporary Event Notices</b>	<b>Date of Event</b>	<b>Activities/Hours</b>	<b>Decision</b>
21/07789/LITENN	13.08.2021	Supply of Alcohol – 17:00 to 23:00	Event permitted
21/07743/LITENN	19.08.2021	Supply of Alcohol – 17:00 to 23:00	Event permitted
21/07737/LITENN	26.08.2021	Supply of Alcohol – 14:00 to 23:00	Event permitted

**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**

None



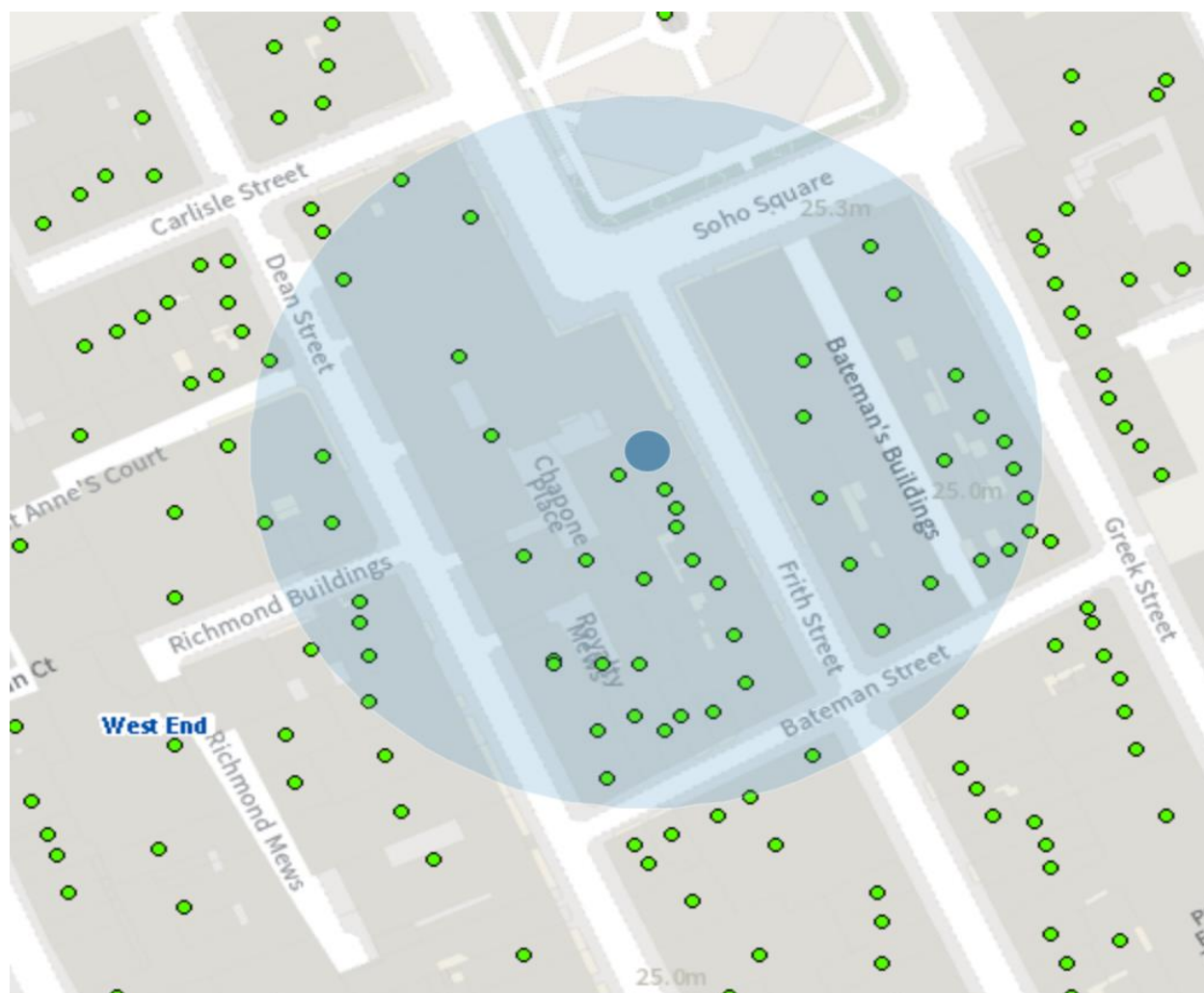
**Conditions proposed by the Police and agreed by the applicant so as to form part of the operating schedule**

9. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices.
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 and will include the external area immediately outside the premises entrance. 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. The supply of alcohol shall be limited to the pre-booked clients and/or bona fide guests of Gravity Media UK LTD only.
13. The supply of alcohol shall be by waiter or waitress service only.
14. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
16. 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.
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. All promotional events shall be fully risk assessed and a register of persons attending these events shall be made. A copy of this risk assessment and the register shall be available to the Police or an authorised officer of the Council on request and shall be kept for a minimum period of 31 days.

19. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.

**Conditions proposed by Environmental Health**

None



Resident count:64

Licensed premises within 75m of 65-66 Frith Street, London, W1D 3JR				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/09121/LIPDPS	Sussex Restaurant	63 - 64 Frith Street London W1D 3JW	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
17/09349/LIPRW	Circa	Basement And Ground Floor 62 Frith Street London W1D 3JN	Night clubs and discos	Monday to Sunday; 11:00 - 01:00
19/07112/LIPV	Soho Theatre	Basement And Ground Floor 21 Dean Street London W1D 3NE	Theatre	Sunday; 10:00 - 01:00   Monday to Saturday; 10:00 - 02:30

19/07312/LIPDPS	Soho Theatre Company	First Floor To Second Floor 21 Dean Street London W1D 3NE	Theatre	Sunday; 12:00 - 23:30   Monday to Saturday; 09:00 - 00:00   Bank Holiday; 14:00 - 23:30
18/08862/LIPVM	Japes	Ground Floor Townsend House 22 - 25 Dean Street London W1D 3RY	Restaurant	Sunday; 09:00 - 00:00   Monday to Saturday; 07:00 - 01:00
18/01285/LIPDPS	Hazlitts Hotel	6 Frith Street London W1D 3JA	Hotel, 3 star or under	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
16/08358/LIPT	Barrafina Quo Vadis	26 Dean Street London W1D 3LL	Restaurant	Sunday; 09:00 - 00:00   Monday to Saturday; 09:00 - 02:30
20/07618/LIPDPS	Mimis	56-57 Frith Street London W1D 3JG	Hotel, 3 star or under	Sunday; 07:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
19/14930/LIPVM	Manzis	Basement North 1-8 Bateman's Buildings London W1D 3EN	Restaurant	Sunday; 11:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00
16/13602/LIPV	Pix	16 Bateman Street London W1D 3AH	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00   New Year's Eve; 12:00 - 00:00
21/05164/LIPDPS	Pix	16 Bateman Street London W1D 3AH	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00   New Year's Eve; 12:00 - 00:00

19/06836/LIPDPS	Dog & Duck Public House	18 Bateman Street London W1D 3AJ	Public house or pub restaurant	Sunday; 07:00 - 00:00   Sunday; 07:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Monday to Saturday; 07:00 - 00:30   Friday to Saturday; 07:00 - 00:00   Sundays before Bank Holidays; 07:00 - 00:00
17/08427/LIPV	Nandos	Ground Floor 10 Frith Street London W1D 3JF	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
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
18/03674/LIPN	Not Recorded	59 Greek Street London W1D 3DZ	Cafe	Sunday; 10:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30   Sundays before Bank Holidays; 12:00 - 23:00   New Year's Eve; 00:00 - 00:00
18/09098/LIPDPS	Sunset Strip	Basement To First Floor 30 Dean Street London W1D 3SA	Night clubs and discos	Sunday; 09:00 - 00:00   Monday to Saturday; 09:00 - 01:30
20/09123/LIPCH	Wagamama	81 Dean Street London W1D 3SW	Restaurant	Sunday; 08:00 - 23:00   Monday to Thursday; 08:00 - 00:00   Friday to Saturday; 08:00 - 00:30   Sundays before

				Bank Holidays; 08:00 - 00:30
20/06963/LIPN	Not Recorded	Ground Floor 57 Greek Street London W1D 3DX	Cafe	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
18/16088/LIPN	New Evaristo Club	Basement 57 Greek Street London W1D 3DX	Club or institution	Monday to Sunday; 11:00 - 01:30
19/09656/LIPDPS	La Capannina Club	Basement 21 Bateman Street London W1D 3AL	Night clubs and discos	Sunday; 09:00 - 00:30   Monday to Saturday; 09:00 - 03:30
20/05637/LIPDPS	Suvlaki	Ground Floor 21 Bateman Street London W1D 3AL	Restaurant	Friday to Saturday; 12:00 - 03:00   Sunday to Thursday; 12:00 - 00:00
15/03854/LIPVM	The Crown & Two Chairmen	31-32 Dean Street London W1D 3SB	Pub or pub restaurant with lodge	Sunday; 07:00 - 22:50   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sundays before Bank Holidays; 07:00 - 00:00
20/06878/LIPDPS	Truffle Burgers	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
17/11842/LIPDPS	Bonnie Gull	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
18/08454/LIPT	Not Recorded	55 Frith Street London W1D 4SJ	Restaurant	Sunday; 12:00 - 22:00   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 23:59
20/08309/LIPN	Not Recorded	55 Frith Street London W1D 4SJ	Restaurant	Saturday to Sunday; 10:00 - 23:30