

Licensing Sub-Committee Report

Item No:	
Date:	26 January 2017
Licensing Ref No:	16/11875/LIPN - New Premises Licence
Title of Report:	The Wellington Club - Shadow Licence 116A Knightsbridge London
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:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	1 November 2016		
Applicant:	Quaver Limited		
Premises:	The Wellington Club - Shadow Licence		
Premises address:	The Wellington Club 116A Knightsbridge London SW1X 7PL	Ward:	Knightsbridge and Belgravia
		Cumulative Impact Area:	None
Premises description:	The premises is currently operating as a Public House. This is an application for a Shadow Licence.		
Premises licence history:	The premises does currently have a Premises Licence (ref: 16/06685/LIPT).		
Applicant submissions:	None submitted.		

1-B Proposed licensable activities and hours							
Live Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non-standard timings:		From the end of trade on New Years Eve to the start of Trade on New Years Day.					

Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		From the end of trade on New Years Eve to the start of Trade on New Years Day.					

Performance of Dance				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non-standard timings:			From the end of trade on New Years Eve to the start of Trade on New Years Day.				

Anything of a Similar Description to Live music, Recorded Music and Dance				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non-standard timings:			From the end of trade on New Years Eve to the start of Trade on New Years Day.				

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:00
Seasonal variations/ Non-standard timings:			New years Eve from 23:00hrs to 05:00hrs on New Years Day.				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	01:00	02:00	02:00	02:00	02:00	02:00	00:30
Seasonal variations/ Non-standard timings:			From the end of trade on New Years Eve to the start of Trade on New Years Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	10:00	10:00	10:00	10:00	10:00	09:00
End:	01:30	02:00	02:00	02:00	02:00	02:00	01:00
Seasonal variations/ Non-standard timings:			From the end of trade on New Years Eve to the start of Trade on New Years Day.				
Adult Entertainment:			Not applicable.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Adam Deweltz
Received:	7 th November 2016
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.</p> <p>This is a new application which seeks hours past those of Westminster core. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p><i>Following the submission of this representation, the MET Police have confirmed that the Crime Stats for the premises are very low and as a result they have withdrawn their representation.</i></p>	

2-B Other Persons	
Name:	Mr James Legg
Address and/or Residents Association:	LCM Group 3 Orbis Wharf Bridges Court Road London SW11 3GW
Received:	29 th November 2016
<ol style="list-style-type: none">1. We write to make a representation ("objection") on behalf of the Wellington Court RTM Company Limited ("RTM") - address seen above.2. The objection is made in relation to the application made by Quaver Limited for a new premises license for The Wellington Club, 116A Knightsbridge, London SW1X 7PL ("the Club").3. The RTM represents 45 residents living in Wellington Court, which comprises of residential flats and the Club.4. The RTM residents reside in the same building as the Club, which is on the ground floor and basement. The RTM and its residents are therefore in the vicinity.5. Please find attached a written statement from the RTM with the names of all the residents signed by the management committee, all of whom reside in Wellington Court (Annex 1 of the Schedule).	

6. Documents in support of these representations are set out in the Schedule attached hereto.

Reasons for the Objection

7. The objection is made due to the unacceptable impact granting the license will have on the residents of Wellington Court. The Club has historically affected the residents' quality of life.
8. Further, granting the new license is not appropriate for the promotion of the licensing objectives, which are addressed below

Prevention of Public Nuisance

9. The noise emanating from the Club already reaches an unacceptable level late at night. The level of noise (including loud music) after midnight is not acceptable, particularly in a residential area.
10. The patrons of the Club, during the trading period, use the surrounding area for urinating and vomiting. This is a regular occurrence, particularly on Friday and Saturday nights.
11. Further, the patrons of the Club leave the premises well after the trading hours (post 2am). This results in a crowd of drunk youths aggregating around the Club entrance, which is intimidating and a nuisance. The main nuisance is caused by yelling, swearing, fighting and obstruction of access to the building .
12. The police have been called to attend on numerous occasions, an example of such a time is in Annex 5 of the Schedule.
13. Granting the new license will exacerbate this public nuisance.

Prevention of Crime and Disorder

14. This issue has been touched on above.
15. The patrons of the Club already cause crime and disorder by:
 - a. Being drunk and disorderly near the Club and Wellington Court.
 - b. By urinating and vomiting in a public place.
 - c. By yelling, swearing and fighting as they leave the Club, this has caused the police to be called.
 - d. By congregating in large groups when they leave the Club, which often blocks the residents access to the building in which they live - this has caused the police to be called.
16. Granting the new license will exacerbate this problem.

Public Safety

17. The RTM has the upmost concern for the safety of its residents and the public.
18. The constant disturbance from the Club not only reduces our residents' quality of life, but also leaves them with concerns for their safety. This is unacceptable in any area and our residents also pay premium prices to live at Wellington Court.
19. Causing residents to be blocked from the entrance of their building late at night is unsafe.
20. Having crowds of drunk users of the Club lingering outside a residential area is not just a nuisance it's also unsafe.
21. Granting the new license will exacerbate this problem.

Conclusion

22. The issues described above stem mainly from loud music, alcohol consumption and people leaving the Club in the early hours of the morning.
23. The new license seeks to increase these activities with insufficient measures to prevent noise, disturbance and safety issues.
24. The new license will not promote the licensing objectives, but will increase the issues described and reduce further the quality of lives of the residents at Wellington Court.
25. Therefore, the RTM objects to the new licence and requests it be rejected.
26. Further, the RTM puts forwards conditions that should be put in place to reduce the above issues:
 - a. The Club must be fitted with adequate soundproofing to reduce noise emanating from the Club. This needs to be put in place in the Club premises and at the Club's expense.
 - b. A restriction on the Club's licensable activities so it does not trade beyond midnight.
 - c. Crowd control/ security to reduce the anti-social behaviour of the patrons leaving the Club late at night (vomiting, urinating, swearing, fighting etc).
27. Thank you for taking the time to consider our objection, which we stress is not made lightly or to cause inconvenience. The issues described are causing serious anguish to the RTM and its residents.

Mr Legg has also provided a link to CCTV footage and further information which can be found at Appendix 6

Name:	Miss Najy Nasser
Address and/or Residents Association:	199 Knightsbridge London SW7 1RH
Received:	29 th November 2016
<p>I would like to object to this application. When the Wellington nightclub was open in the past, it resulted in nocturnal disturbance at night, with drunk people speaking very loudly, fighting or arguing, revving up engines, right under my children's bedrooms. The result was my children would be woken up in the middle of the night scared and exhausted and unable to go back to sleep. This causes significant problems as our children are then tired the next day, unable to focus at school and my wife and I will not have had a good night sleep either making the next day more challenging.</p> <p>Loud disturbance at night interferes with our right to quiet enjoyment of our family home and for a family to have proper rest before the next day.</p>	
Name:	Mr Francis Corbesier
Address and/or Residents Association:	199 Knightsbridge London SW71RH
Received:	29 th November 2016
<p>There have been numerous issues surrounding this site in the past with rowdy behaviour late at night, various anti-social behaviour including fighting in the streets , people drinking and throwing empty bottles/glasses into the street, drugs, and noise issues related to exit of the customer late at night and their noisy vehicle movements.</p> <p>I wish the Westminster City Council licensing committee to consider my objection which is the same for every neighbour that this new application should be considered as a risk for all of us in terms of :</p> <ul style="list-style-type: none"> - Prevention of crime and disorder - Public safety - Prevention of public nuisance - Protection of children from harm 	
Name:	Mrs Olivia Thornton
Address and/or Residents Association:	20 Rutland St London SW7 1EF
Received:	29 th November 2016
<p>This sort of establishment should be limited to a recreational district like Soho, not lowering the social scene of this smart residential area. Respectable families with children live nearby.</p>	

Name:	Ms Caroline Lemaire
Address and/or Residents Association:	Apartment 122 The Knightsbridge Apartments, 199 Knightsbridge London SW7 1RH

Received:	29 th november 2016
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I object to the application of The Wellington nightclub renewing their premises license. In the past, it resulted in many disturbances at night which would include disruptive people shouting in the streets, fighting and on many occasions the use of abusive language - having three young children woken up by this at unreasonable hours affected them and they would struggle to get back to sleep because of the continuous loud interruptions which were occurring outside. The impact on the children could be felt the next day with difficulty to get through the school day as they were exhausted. This is a residential area in which families ought to have rest at night both during weekdays and weekends.

Name:	Dr Therese Nasser
Address and/or Residents Association:	10 Lancelot Place London SW7 1DR

Received:	29 th November 2016
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I strongly object to this new licence. This nightclub has already caused a lot of nuisance and anti-social behaviour in the past (fights, noise, littering of the street). We already have a lot of street littering and evening noise with Zuma and the pub on Raphael Street.

I am afraid this club which opens very late will attract more problems in the area and will ruin the fine balance there is between permitting people to have fun and letting local residents enjoy a good night and living in a safe area.

There are also many children in this area. I really think that there should not be too many nightclubs.

I sincerely hope you will reject the application for this club.

Name:	Ian Fergusson
Address and/or Residents Association:	Turley The Charlotte Building 17 Gresse Street London W1T 1QL

Received:	29 th November 2016
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We are instructed by KRMC to object to the above application.

KRMC represents the residents of 199 Knightsbridge which is occupied by over 200

families, approximately 500 adults and children. 199 Knightsbridge is located on the opposite side of Knightsbridge from the subject site and is affected by its activities.

License Sought

The application suggests the Wellington Club, or 'The Welly' as per its website, has a 'main restaurant use', with ancillary music and dancing. The Club's capacity is identified as 180 (ground floor-80, basement-100). Information online indicates the basement has hosted music and dancing, with food served on the ground floor. The main use accordingly appears to be a nightclub. This accords with online reviews.

The application also refers to the Wellington Club as a 'private members' club' and sets a condition that there shall be 'no admission to membership of the Club within 48 hours of making a written application for membership'. Reviews online indicate this requirement has been waived in the past.

The proposed license will allow for up to 180 people to exit the premises at closing time (generally 02:00). The activity (and the scale of it) that this has and would cause is a concern to KRMC.

Objection

The Wellington Club has, in recent years, been an un-neighbourly presence in Knightsbridge. The license sought would create public nuisance and risk of crime and disorder and to public safety.

Residents of 199 Knightsbridge have witnessed fights on the street outside of the Club and been disturbed by cars revving engines in the early hours and patrons remaining in the vicinity and making noise after closing time.

The premises license seeks opening hours that exceed the Council's 'Core Hours'. It is considered that, if this license is granted, given the nature of the proposed use and for the reasons outlined above, the hours of operation should be restricted to the Core Hours and on-going monitoring of harm undertaken by the Council.

Name:	Robert Hays
Address and/or Residents Association:	General Manager Lancelot Place Knightsbridge 10 Lancelot Place London SW7 1DR
Received:	29 th November 2016

1. I write to make a representation ("objection") on behalf of the residents at 10 Lancelot Place ("10LP") – address seen above.
2. The objection is made in relation to the application made by Quaver Limited for a new premises license for The Wellington Club, 116A Knightsbridge, London SW1X 7PL ("the Club").
3. 10LP represents residents living in 10 Lancelot Place, which comprises of 53 residential flats.

REASONS FOR THE OBJECTION

4. Further, granting the new license is not appropriate for the promotion of the licensing objectives, which are addressed below.

Prevention of public nuisance

5. The noise emanating from the Club already reaches an unacceptable level late at night. The level of noise (including loud music) after midnight is not acceptable, particularly in a residential area.
6. The patrons of the Club, during the trading period, use the surrounding area for urinating and vomiting. This is a regular occurrence, particularly on Friday and Saturday nights.
7. Further, the patrons of the Club leave the premises well after the trading hours (post 2am). This results in a crowd of drunken youths aggregating around the Club entrance, which is intimidating and a nuisance. The main nuisance is caused by yelling, swearing, fighting and obstruction around the building and the surrounding area. There are many routes for the crowds to disperse by using Trevor Square and the alley ways surrounding 10 Lancelot Place moving into Brompton Road area and causing much disruption.
8. Granting the new license will exacerbate this public nuisance.

Prevention of Crime and Disorder

9. The patrons of the Club have already cause crime and disorder by:
 - a. Being drunk and disorderly near the Club and surrounding residential areas.
 - b. By urinating and vomiting in a public place.
 - c. By yelling, swearing and fighting as they leave the Club.

- d. By congregating in large groups when they leave the Club and making their way through to Brompton Road using various alley ways and routes near 10 Lancelot.

10. Granting the new license will exacerbate this problem.

Public Safety

11. 10LP has the up most concern for the safety of its residents and the public.

12. The constant disturbance from the Club not only reduces all local residents' quality of life, but also leaves them with concerns for their safety, especially late at night. This is unacceptable in any area.

13. Having crowds of drunk users of the Club lingering outside a in the vicinity of residential area is not just a nuisance it's also unsafe.

14. Granting the new license will exacerbate this problem.

CONCLUSION

15. The issues described above stem mainly from loud music, alcohol consumption and people leaving the Club in the early hours of the morning.

16. The new license seeks to increase these activities with insufficient measures to prevent noise, disturbance and safety issues.

17. The new license will not promote the licensing objectives, but will increase the issues described and reduce further the quality of lives of the surrounding residents near the club.

18. Therefore, 10LP objects to the new licence and requests it be rejected.

Name:	Mrs Caroline Stoclin
Address and/or Residents Association:	10 Lancelot Place London SW7 1DR
Received:	20 th November 2016

I strongly object to this application.

- Knightsbridge is a residential area where there are already enough places to go out. There are children, elderly people who live and work in this area.

- This is a night club which will open very late until 2 o'clock. They also state that they will perform dance and other things. As they serve alcohol and stay open late at night I am VERY worried as to what kind of activity this club will have.

- Please object to this licence as I am just trying to raise my 3 children and I want a quiet area to raise them.

Name:	Rana Almudhaf
Address and/or Residents Association:	Flat 6, Albert Gate Court, 124 Knightsbridge, London SW1X 7PE
Received:	28 th November 2016

I am the owner of Flat 6, Albert Gate Court, 124 Knightsbridge, London SW1X 7PE.

I have received a Notification of a New Premises Licence Application Under The Licensing Act 2003. The application is for The Wellington Club.

This club is directly next door to my residential building.

I have suffered for many years as a result of disturbances emanating from the patrons of this nightclub. I have been forced to call the Council's noise abatement team many times over the years. The nuisance is caused by the gathering of the patrons outside the club through the night, to smoke. They are very loud throughout.

There have been numerous instances of criminal behaviour. The police have been called a number of times, leading to arrests.

All this has made our lives as neighbours very difficult.

The new application seeks to reopen the club for even more days. I would like to register my objection to this application.

Name:	Mr Robert Crichton
Address and/or Residents Association:	No 5, Trevor Square, London SW7 1DT
Received:	29 th November 2016

Re: Representation to application reference: 16/11875/LIPM

1. We write to make a representation ("objection")

2. The objection is made in relation to the application made by Quaver Limited for a new premises license for The Wellington Club, 116A Knightsbridge, London SW1X 7PL ("the Club").

REASONS FOR THE OBJECTION

3. The objection is made due to the unacceptable impact granting the license will have on the residents of the neighbourhood. The Club has historically affected the residents' quality of life.

4. Further, granting the new license is not appropriate for the promotion of the licensing objectives, which are addressed below.

Prevention of public nuisance

5. The noise emanating from the Club already reaches an unacceptable level late at night. The level of noise (including loud music) after midnight is not acceptable, particularly in a residential area.

6. The patrons of the Club, during the trading period, use the surrounding area for urinating and vomiting. This is a regular occurrence, particularly on Friday and Saturday nights.

7. Further, the patrons of the Club leave the premises well after the trading hours (post 2am). This results in a crowd of drunk youths aggregating around the Club entrance.

3. Policy & Guidance

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

Policy HRS1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Appendix 6	Additional information from Mr Legg

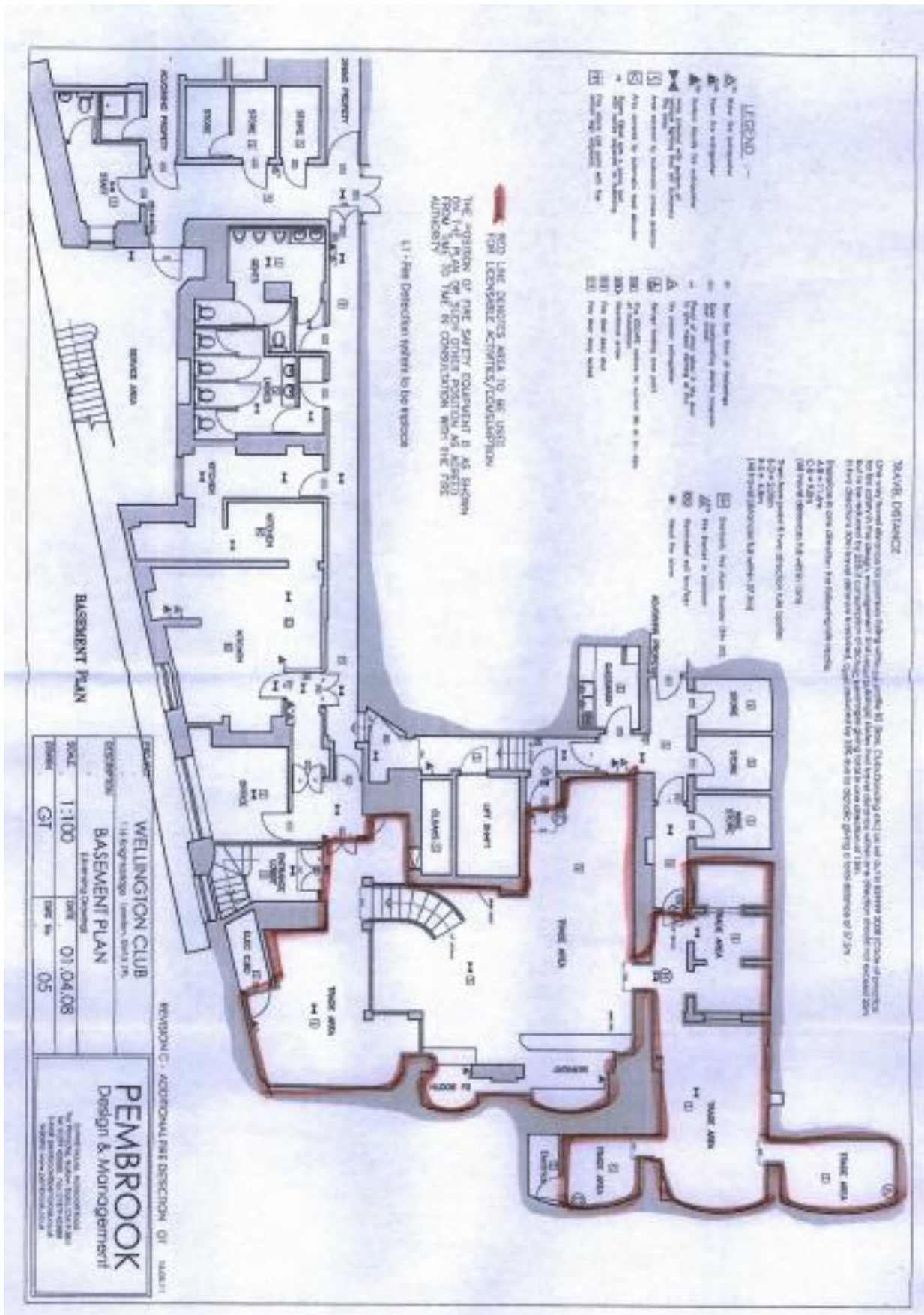
Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	1 st November 2016
5	Representation – PC Adam Deweltz	7 th December 2016
6	Representation – Mr James Legg	29 th November 2016
7	Representation – Miss Najy Nasser	29 th November 2016
8	Representation – Mr Francis Corbesier	29 th November 2016
9	Representation – Mrs Oliver Thornton	29 th November 2016
10	Representation – Ms Caroline Lemaire	29 th November 2016
11	Representation – Dr Therese Nasser	29 th November 2016
12	Representation – Mr Ian Fergusson	29 th December 2016
13	Representation – Mr Robert Hayes	29 th November 2016
14	Representation – Mrs Caroline Stoclin	29 th November 2016
15	Representation - Rana Almudhaf	28 th November 2016
16	Representation - Mr Robert Crichton	29 th November 2016

Premises Plans



Applicant Supporting Documents



18 Soho Square, London W1D 3QL

18 January 2017

Licensing Team
Westminster City Council
4th Floor, City Hall
64 Victoria Street
LONDON SW1E 6QP

Our ref: LT/1543

By Email

Dear Heidi

RE: The Wellington Club - Shadow Licence, 116A Knightsbridge, London, SW1X

I act for Quaver Limited, the landlord, in relation to the shadow licence application listed for hearing on 26 January 2017. I confirm the hearing is necessary and myself and Mr Brijesh Patel, representing the company, will be in attendance at the hearing.

The premises are currently licensed under reference 13/09283/LIPMV and this application has been made for a duplicate shadow licence in terms of conditions, hours, plans and licensable activities.

The shadow licence applied for, in accordance with *Extreme Oyster & Anor V Guildford BC* [2013] EWHC 2174 (Admin) (22 July 2013) is on identical terms in relation to hours and activities as the existing licence. The licence is also for the same capacity as the existing licence, and relies on the same layout plans. My client is not seeking anything additional in terms of the existing licence. Accordingly, there will be no additional impact as the licence sought is on identical terms as the existing licence in terms of numbers, hours and activities.

The Police and Environmental Health have not objected to the application on the above basis.

In relation to the proposed conditions, my client has taken the opportunity to update some of the operational conditions on the licence, thereby improving the existing licence, having regard to the Council's standard conditions. The updated wording of some of the conditions do not detract from the existing licence, but assist in terms of enforcement and clarity.

Should you have any further queries in the interim please contact Lana Tricker on 020 375505138.

Yours faithfully

LT LAW

Wellington Club-16/11875/LIPN - Message (HTML)

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From: Lana Tricker <lana@ltlaw.co.uk> Sent: Wed 18/01/2017 18:53
To: Lana Tricker
Cc: Lawrance, Heidi: WCC
Subject: Wellington Club-16/11875/LIPN

Dear Neighbour

I have been forwarded, by Westminster Licensing Team, a copy of your representation against my client's application for a new premises licence for the Wellington Club and I wanted to take the time to explain the application to you further. I act for the landlord of the premises who has applied for a shadow licence for the Wellington Club, as part of its asset protection for the premises. The premises is already licensed on exactly the same terms as my client has applied for- and this application is just a copy of the existing licence which remains in force. This means that there is no new licence for the site as such, just a copy of the existing licence. The Council will be able to confirm this and I confirm that as my client has not asked for more hours or different licensable activities, with the same conditions (albeit updated versions of the council's standard conditions where applicable to assist in enforcement and clarity) the Police and EH have not objected to the application. Please note that I have forwarded copies of your representations to my client so that he is aware of your concerns and it is able to take steps to ensure compliance with the licence conditions. My clients are disappointed to hear of the issues you have had with the premises previously and will be ensuring the lease provisions are tight so that they have the power to remove the tenants from the property if issues continue.

If you would like any further clarification pls let me know, or alternatively, if you would like confirmation of the above, you are also able to contact the Westminster Licensing Case officer, Heidi Lawrance, who I have cc'd into this email.

If you are satisfied with the above you are able to withdraw your representation by emailing Heidi Lawrance.

Thank you for your time.

Kind regards
Lana

Lana Tricker
Principal, LT Law

M: 075257 11530
T: 020 3755 5138

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See more about: Lana Tricker.

Wellington Club-16/11875/LIPN - Message (HTML) (Read-Only)

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From: Lana Tricker <lana@ltlaw.co.uk> Sent: Mon 28/11/2016 12:50
To: mharding@uk-doctors.co.uk
Cc: Lawrance, Heidi: WCC
Subject: Wellington Club-16/11875/LIPN

Dear Dr Harding

I have been forwarded, by Westminster Licensing Team, a copy of your representation against my client's application for a new premises licence for the Wellington Club and I wanted to take the time to explain the application to you further. I act for the landlord of the premises who has applied for a shadow licence for the Wellington Club, as part of its asset protection for the premises. The premises is already licensed on exactly the same terms as my client has applied for- and this application is just a copy of the existing licence. This means that there is no new licence for the site as such, just a copy of the existing licence. The Council will be able to confirm this but as my client has not asked for more hours or different licensable activities, with the same conditions (albeit updated versions of the council's standard conditions where applicable,) the Police and EH have not objected to the application. If you would like any further clarification pls let me know, or alternatively, if you would like confirmation of the above, you are also able to contact the Westminster Licensing Case officer, Heidi Lawrance, who I have cc'd into this email.

If you are satisfied with the above you are able to withdraw your representation by emailing Heidi Lawrance.

Thank you for your time.

Kind regards
Lana

Lana Tricker
Principal, LT Law

M: 075257 11530
T: 020 3755 5138

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See more about: Lana Tricker.

Premises History – Current Licence 16/06685/LIPT

Application	Details of Application	Date Determined	Decision
05/06275/LIPC	Premises Licence conversion with new Act	12/08/2005	Granted under Delegated Authority
07/01476/LIPV	<p>Application to Vary the Premises Licence:</p> <p>1. To provide for a terminal hour for the supply of alcohol of 02:00 Monday to Saturday and 01:00 on Sunday.</p> <p>The premises are never open to the public. This is a private members club, hence no change in opening hours.</p>	04/06/2007	Granted by Licensing Sub Committee
08/04413/LIPV	<p>Application to Vary the Premises Licence:</p> <p>Reconfigure lobby access to toilet facilities.</p>	10/06/2008	Granted under Delegated Authority
09/04686/LIPV	<p>Application to Vary the Premises Licence:</p> <p>To extend the terminal hour for provision of facilities for dancing (when the public are admitted) from Tuesday to Saturday</p>		Application Withdrawn

	until 02:00.		
11/03788/LIPVM	Application for a Minor Variation: Amend layout of trading areas in basement.	17/05/2011	Application Refused
11/05694/LIPVM	Application for a Minor variation: Amend Layout of Trading areas in basement.	24/06/2011	Granted under Delegated Authority
13/09283/LIPVM	Application for a Minor variation: To vary the premises licence in order to install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.	09/12/2013	Granted under Delegated Authority
16/06685/LIPT	Transfer of the Premises Licence	Pending	

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

Conditions consistent with the operating schedule

9. This licence is subject to all the former rules of management for places of public entertainment licensed by Westminster city council, in force from 4 September 1998 and incorporating amendments agreed by the council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
10. On new year's eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on new year's eve to the time when regulated entertainment can commence on new year's day (or until midnight on new year's eve where no regulated entertainment takes place on new year's day).
11. Notwithstanding the provisions of rule of management no. 6 the premises shall remain open for the purposes of this licence from 11pm on each of the days Sunday to Saturday to 1am on the day following.
12. 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.
13. All doors giving access/egress to the premises and all open-able windows shall not be fixed open after 11pm.
14. The number of persons accommodated at any one time in the premises (excluding staff) shall not exceed: ground floor- 80, basement- 100
15. Music and dancing shall remain ancillary to the main restaurant use.
16. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on new year's eve through to the commencement time for those activities on new year's day.
17. 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 CCTVsystem 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.

18. 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.
19. 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.
20. Alcohol may be sold or supplied:
 - a. Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 01.00 on Monday and at 10:00 to 02:00 Tuesday to Saturday on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00.00 midnight and 01.00, the permitted hours shall end when the music and dancing end;
 - b. In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - (i) with the substitution of references to 02.00 for references to 01.00
 - c. Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following [or, if an earlier hour is specified in the special hours certificate, that hour], except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end (or, in the case of casino premises, gaming ends) between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
 - d. The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
 - f. The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December.

NOTE - The above restrictions do not prohibit:

- (a) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or registered 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;
- (e) the taking of alcohol from the premises by a person residing there;
- (f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied
- (g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 21. The Premises to operate as a private members' club with no admission to the premises to the general public in accordance with the Club Rules.
- 22. No admission to membership of the Club within 48 hours of making a written application for membership.

Conditions proposed by the Environmental Health

None proposed.

Conditions proposed by the Police

None proposed.

Residential Map and List of Premises in the Vicinity

		<p>City of Westminster</p> <p>The Wellington Club</p>	
<p>The product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and database right 2013. All rights reserved. Licence number: LA 1000196197</p>		<p>Data Source: Uniform Database Date: 10/01/2017</p>	
Residential / Proposed Residential	67	Under Construction	
Other Uses			
Proportion Residential of all Uses			

Premises within 75m of : The Wellington Club, 116A Knightsbridge, SW1X 7PL

p / n	Name of Premises	Premises Address	Licensed Hours
-24114	Mari Vanna	Basement And Ground Floor Right 116 Knightsbridge London SW1X 7PJ	Monday to Saturday 10:00 - 01:30 Sunday 11:00 - 01:30
-14767	The Wellington Club	Basement And Ground Floor Right 116 Knightsbridge London SW1X 7PJ	Sunday 09:00 - 01:00 Monday 09:00 - 01:30 Tuesday to Saturday 10:00 - 02:00
22578	Mari Vanna	Basement And Ground Floor Right 116 Knightsbridge London SW1X 7PJ	Monday to Saturday 10:00 - 01:30 Sunday 11:00 - 01:30
29291	Paxton's Head Public House	153 Knightsbridge London SW1X 7PA	Monday to Sunday 10:00 - 01:30

Additional information from Mr James Legg

Annex 1

WELLINGTON COURT RTM COMPANY LTDWellington court, 116 Knightsbridge, London, SW1X 7PL, United Kingdom
Tel: +44 7538821945 Email: wellingtonrtm@gmail.comLicensing Team
Westminster City Council
4th Floor East
64 Victoria Street
London
SW1P 6QP

23 November 2016

Dear Sirs

Re: Representation to application reference: 16/11875/LIPM

In reference to our representations objecting to the application made by Quaver Limited for a new premises license for The Wellington Club, 116A Knightsbridge, London SW1X 7PL, we attach below a list of those residing at Wellington Court, on whose behalf the representations have been made, all of whom subscribe to the contents of the objection.

Marquess Conyngham	Flat 2 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mrs Shiram	3 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Syed & Sara Ahmed	4 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr F Houston	5 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Madame Areej	6 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Father Palmer & Dr Cole	7 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr P Cahill	9 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr S Saab	11 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Cheval Property	14 Wellington Court, 116 Knightsbridge, London SW1X 7PL

Mr Al-Nabooda	15 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Lesley Hall	16 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Dr Carlos M Duran	18a Wellington Court, 116 Knightsbridge, London SW1X 7PL
Bob Yaspan	18b Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mrs Mariza	19a Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Dmitry Malyshev & Ms Maria Razumeeva	19b Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mrs Shiram	20 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mrs Bokser	21 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr & Mrs Bryce	22 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mrs Al-Ghanem	23 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Baron Von Buch	24a Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mrs Al Saud	24b Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Al -Thani	25 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr H Al -Nakeeb	26 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Perucci	27 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr & Mrs Petrakis	28 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Al-Nabooda	29 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Rapoport	30 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mrs Al Abood	31 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Simon Cross	37 Wellington Court, 116 Knightsbridge, London SW1X 7PL

Mr Blumquist	38a Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mrs Al-Ghanem	38b Wellington Court, 116 Knightsbridge, London SW1X 7PL
Peter Gutridge	39 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Vikas Nath	40 Wellington Court, 116 Knightsbridge, London SW1X 7PL
Mr Paul Davis	Penthouse Wellington Court, 116 Knightsbridge, London SW1X 7PL
Yannis Syrigos	Wellington Court, 116 Knightsbridge, London SW1X 7PL

All of the above named agree that granting the proposed license will have an unacceptable impact on the residents of Wellington Court's quality of life. The reasons for which are set out in the letter of objection dated 23 November 2016.

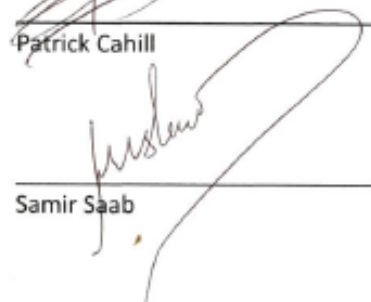
Yours faithfully,

The Management Committee.


Yuri Rapoport


Brigitta Bryce


Patrick Cahill


Samir Saab

James & Brigitta Bryce
22 Wellington Court
116 Knightsbridge
London SW1X 7PL

Licensing Team
Westminster City Council
4th Floor East
64 Victoria Street
London SW1P 6QP

25 November 2016

Dear Sirs,

We are writing to register our objection to the application for a premises licence by the above stated Club. The basis for this opposition is that granting, or extending, a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

We have lived in Wellington Court for over 20 years, and have seen the Club evolve from a restaurant, to a Club, to a place of antisocial behaviour including violence and disorder over that period of time. On almost a constant basis noise, yelling, smoking, and antisocial behaviour (fighting, urinating and vomiting), has increasingly taken place, especially in the early hours as the Club would begin to close. The sale of alcohol seemed to continue to exceed licencing hours, and the noise was unbearable even after 3-3:30 AM, when the so called members began to leave. We were also disturbed by car horns when drunk club members would move out onto the street, thus blocking traffic causing repeated car horn usage.

The closure of the Club this year has been the only period in many years where we can finally go to sleep without almost constant nocturnal disruptions in the early hours. The weekends, Friday through Sunday were certainly the worst. Enabling the premises

to extend or even sell alcohol would be totally detrimental to the many residents in the building. Granting or extending a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police. Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. They have endured this inconvenience since 2003, when the licensing legislation was first amended, and it is totally unacceptable to expect them to continue to do so.

In view of the above, I would urge the Licensing Authority to refuse the application. Wellington Court is primarily a residential building with a large number of residents and their children, and having concerns over the continued increase in the disorder and antisocial behaviour of the customers of the Club.

Yours faithfully,

James & Brigitta Bryce

Flat 37 Wellington Court
116 Knightsbridge
London
SW1X 7PL

Licensing Team
Westminster City Council
4th Floor East
64 Victoria Street
London
SW1P 6QP

23 November 2016

Dear Sir,

I have been resident in Flat 37 Wellington Court (directly adjoining the old Wellington Club) for almost 21 years.

For the last 15 of these my life and living standard has been particularly affected by the constant noise and disruption caused by these premises on an almost daily basis.

Indeed, after one complaint I made, your noise team attended my apartment and decided it was not fit for human habitation and closed the club on the spot.

I would urge you to refuse any licensing application similar to the preceding one to allow me to fully enjoy my lovely apartment and indeed the wider area which this premises affects, especially as I have some health issues at present which are only made worse by the constant interruption of sleep I have to contend with.

Yours sincerely,

Mr Simon Cross.

The Marquess Conyngham
2 Wellington Court
116 Knightsbridge
London SW1X 7PL

Licensing Team
Westminster City Council
4th Floor East
64 Victoria Street
London
SW1P 6QP

23 November 2016

Dear Sirs,

THE WELLINGTON CLUB - NOISE DISTURBANCES.

Please see below a summary of documented noise disturbances between May 2007 and July 2012, after which I began making complaints in person to the club's management.

- | | |
|-------------------|---|
| 14/5/2007 | Letter from City of Westminster Licensing re Wellington Club Application for New Premises Licence. Mention of 10 Noise complaints from residents during August/Sept 2005 from Wellington Court. |
| 6/11/2007 | Email from Henry to Jake Panayiotou & Phill Harding complaining re loud music. |
| 9/11/2007 | Email from Henry to above requesting response. |
| 14/11/2007 | Email Patrick Cahill, Wellington Tenants Assoc. re loud music Sept. 4 th /9 th . |
| 19/11/2007 | Email from Martin Ratley, Westminster City Council requesting details re when noise started and if problems in past etc. |
| 10/1/2008 | Email to Jake Panayiotou & Phill Harding re further noise complaint that morning, plus no reply to email of 6 th and 9 th . |
| 10/1/2008 | Email to Martin Ratley, re noise that morning. |
| 11/1/2008 | Email from Wellington Club acknowledging emails – passed to Phill Harding. |
| 11/1/2008 | Email to Patrick Cahill re noise 10/1/2008. |
| 12/1/2008 | Email from Patrick Cahill re noise 10/1/2008 and in late Summer 2007, noise reaching 4 th floor. |
| 15/1/2008 | Email to Wellington Club re no reply bar acknowledgement. |
| 16/1/2008 | Email from Phill Harding asking for prior notice of your "very sporadic" visits to Flat to enable assessment of situation. |
| 17/1/2008 | Email from Henry to Phill Harding re meeting 22 nd Jan at 11.30 a.m. |
| 17/1/2008 | Email from P Harding agreeing. |

18/1/2008 Email from Simon Cross, Porter, reported noise last night to Marler & Marler.

24/1/2008 Email from Phill Harding to Henry re changes to system.

9/2/2008 Email from Henry to Phill Harding re further noise last night.

10/2/2008 Email from Simon Cross re noise at 11 p.m., 11.42 and 12.15 am – noise til 3 am. Called Club on each occasion.

10/2/2008 Email to Phill Harding re above.

12/2/2018 Email from Simon Cross, noise 11 p.m. Called Westminster Noise at 11.10 p.m. they arrived at 12.05 a.m. til 12.30 a.m. Report from Westminster Noise to follow.

12/2/2008 Email from Henry to Marler & Marler re excessive noise.

13/2/2008 Email from Henry to Marler & Marler re above

14/2/2008 Email from Marler & Marler, stating letter from Wellington Club being sent to Client Thornfield Securities. Have spoken to Phill Harding who has done further sound-proofing works.

14/2/2008 Email from Henry to Marler & Marler saying he should see letter.
Reply from Marler & Marler saying letter only referred to Simon Cross's complaints, no mention of Flat 2.

15/2/2008 Email from Henry to Wellington Club re excessive noise over weekend and Monday night and referring to previous noise events.

15/2/2008 Email from Henry to Martin Ratley, Westminster referring to noise and visit of K. Buck and asking what actions were being taken.

17/2/2008 Email from Henry to Patrick Cahill reporting on exchange of emails with Simon Cross, Marler & Marler, K. Buck.

25/2/2008 Email from Henry to Marler & Marler requesting reply.

25/2/2008 Email from Marler & Marler with copy of email from Simon Cross, enclosing email from Westminster Club – Kevan Buck – reporting on visit of Ian Watson to Club

25/2/2008 Email to K. Buck, Westminster re Simon's reporting of noise and saying had been in touch with Martin Ratley.

25/2/2008 Emails to Patrick Cahill and reply re above.

25/2/2008 Email from K. Buck, Westminster saying "matter in hand and action underway to address the noise".

26/2/2008 Email to Phill Harding re excessive noise 24th Feb 3.30 a.m. (catering equipment being loaded).

28/2/2008 Email from Henry to John Crockford, Westminster, enclosing email to P. Harding re setting sound limiter 12th March and requesting Henry be available to test noise in flat.

28/2/2008. Email from John Crockford changing date to 18th March.

28/2/2008 Email from Henry to John Crockford saying date not convenient for him but Simon Cross, Porter can access flat.

28/2/2008 Email from John Crockford agreeing.

20/3/2008 Email Henry to John Crockford, noise last night but substantially reduced and requesting that Notice not be removed.

10/4/2008 Email Henry to John Crockford – audible noise voice/music last night, 11.40 p.m. and 12.50 am – in corridor.

10/4/2008 Email to P. Harding – as above.

10/4/2008 Email Wellington Club to Henry – Phill away – in process sound-proofing area above cloakroom.

14/4/2008 Email from Henry to P. Harding, noise 11th/12th April – called to Club 12.15 a.m. – telephoned Club 12.55 a.m.

14/4/2008 Email to Martin Ratley, Westminster repeating above.

14/4/2008 Email to John Crockford, Westminster, copy of above.

14/4/2008 Email from Wellington Club apologising for noise – meeting with John Crockford 23rd April to review works being carried out.

19/4/2008 Email from Patrick Cahill to P Harding re noise from 12 p.m. to 2.15 a.m.

21/4/2008 Email Wellington Club – Meeting changed to 24th and saying noise came from Viktor Restaurant.

21/4/2008 Email to Wellington Club confirming meeting.

29/4/2008 Copy Email from Patrick Cahill to Lubov re noise from Viktor.

5/11/2008 Email Henry to P. Harding re noise 1.50 a.m.

5/11/2008 Email to John Crockford and Martin Ratley enclosing email to P. Harding.

7/11/2008 Email to P. Harding requesting reply.

11/11/2008 Email from P. Harding to Henry enclosing copy letter 14/9/2008 outlining works to Lower Passage Way by Front Door.

11/11/2008 Email Henry to P. Harding pointing out that letter was dated 14/9/2004 and not agreeing to works in his flat to rectify problems caused by Club.

26/2/2009 Email to P Harding re extensive noise levels previous 2 nights.

26/2/2009 Email to John Crockford & Martin Ratley with copy of email.

26/2/2009 Email from Patrick Cahill re above.

27/2/2009 Email to P. Harding re noise at 1.15 a.m. previous night, had to dress and go down to Club to complain.

2/3/2009 Email from Martin Ratley, Westminster recommending that in future if noise problem Henry should ring Noise Team.

2/3/2009 Email from Henry to Martin Ratley, noise problems Sunday morning at 2 a.m. – specific song could be heard. His wife had to go down to Club to complain- Music turned down at 2.30 a.m., and ceased at 2.40 a.m.

2/3/2009 Email to P. Harding re above. Reply P. Harding suggesting remedial works in flat.

4/3/2009 Email John Crockford to Henry – urging Henry to use Council's 24 hours Noise Team's number.

4/3/2009 Email from John Crockford to P. Harding stating sound-proofing works within Club premises and not resident's flat. Music levels not to be increased.

17/3/2009 Email from P. Harding – ceilings under flat being taken down to install sound-proofing.

18/3/2009 Email to P. Harding – Until sound-proofing installed, music levels should be reduced.

25/3/2009 Email to P. Harding – repeating above.

25/3/2009 Email from P. Harding – ceiling completed- further work needed to reduce threat to Bedroom and further work to be done in Ground Floor toilets.

25/3/2009 Email to P. Harding – didn't respond to request to reduce music levels.

26/3/2009 Email from P. Harding – Music Levels not increased.

31/3/2009 Email > Harding to Henry – Any improvements ? most works to be completed by weekend.

1/4/2009 Email Martin Ratley to Henry giving Licensed Hours for playing music.

28/4/2009 Email to P. Harding from Henry – Son Alex staying flat last weekend – music from Club clearly audible in Flat Sat/Sun.

11/5/2009 Email to P. Harding – Noise from Club 8th May, On-Duty Manager from Club brought into flat to witness noise, then noise turned down.
 Sat. 9th MaY/Sun 10th May – 12.40 a.m. 1st complaint in person to Club by wife, Iona, – small improvement, 2nd complaint 1.10 a.m. in person to Christian. 1.30 a.m. music still audible. 2.30 a.m. loud music. 2.40 a.m. phoned Doorman. Music then turned down.

11/5/2009 Email to Martin Ratley & John Crockford re above, enclosing copy of email to P. Harding.

11/5/2009 Email to Patrick Cahill re above.

11/5/2009 Email from Patrick Cahill commenting on Licensing hours.

18/5/2009 Email to John Crockford, Martin Ratley requesting reply to email 11/5.

19/5/2009 Email to John Crockford enclosing copy of email of 11/5.

21/5/2009 Email to Marler & Marler re any reply from Peter Crane.

21/5/2009 Email from P. Harding asking if any improvements to mentioned areas following treatments.

22/5/2009 Email from Marler & Marler saying Mr. Crane advising that sound-proofing being carried out in Club and that his lease was not with Club. Music Licence due renewal June and advising formal complaint to Westminster and that last complaint from Henry to Westminster was in November 2007.

22/5/2009 Email to J. Crockford, re Music Licence and querying statement that last formal complaint was November 2007.

22/5/2009 Email from J. Crockford advising that last lodged complaint to 24 hour Noise Team was November 2007 but numerous emails of complaint had been received but Marler & Marler only interested in complaints to Noise Team.

23/5/2009 Email to Marler & Marler re no response from Mr. Crane or Marler & Marler and that lawyers were being copied on situation.

25/5/2009 2 page letter to Martin Ratley – formal objection to renewal of Licence.

26/5/2009 Email to Martin Ratley with copy of letter.

26/5/2009 Email to Patrick Cahill enclosing copy of email 26th May to Martin Ratley re various complaints, C.C. J. Crockford.

28/5/2009 Email to P. Harding – 1.30 a.m. Music so loud could identify songs..

28/5/2009 Email to Martin Ratley re above.

29/5/2009 Letter P. Cahill to Licensing Team objecting to renewal of Licence from Residents Assoc.

1/6/2009 Emails from Martin Ratley re Licence Hours.

2/6/2009 Email from Marler & Marler saying Thornfield's Lease not with Club. Spoken to Westminster who say only way to get issue addressed is to call the Council's Noise Team.

2/6/2009 Reg. 2 page letter from Henty to Westminster City Hall re complaints & re new Operating Licence.

8/6/2009 Email from Martin Ratley outlining Licence " Unrestricted hours" for regulated entertainment.

9/6/2009 Email from Martin Ratley re term " the provision of facilities for making music" does not include activities of D.J.'s within a Night Club.

23/6/2009 Email David Master, Dawsons enquiring if Henry has contacted Environmental Health and whether they have investigated noise.

24/6/2009 Email to D. Master, Dawsons, enclosing letter to Westminster City Council of 2nd June.

24/6/2009 Email to Maurice Turner Gardner enclosing above.

7/7/2009 Email to Patrick Cahill, saying will lodge objection under heading of "Prevention of Public Nuisance."

10/7/2009 Letter to Director Community Protection, Westminster re Variation Licence, objecting as occupier of Flat 2 on grounds " Prevention of Public Nuisance and Prevention of Crime and Disorder" and giving details of 2 years of noise disruption at nights.

10/7/2009 Email from Patrick Cahill to Wellington Club, Marler & Marler, Peter Crane, objecting to variation of Licence.

10/7/2009 Email from Patrick Cahill saying Peter Crane had also objected to Licence as under terms of lease Club has to be for Private Members only.

17/7/2009 Email to David Masters, Dawson, following telephone Call.

21/7/2009 Email from Andrew Bolton, Environmental Health, Westminster to John Crockford saying Application from Wellington Club withdrawn.

29/7/2009 Email to Phill Harding – Music very loud previous night and Annabelle Conyngham had to ring Club to turn down at 12.54 a.m.

30/7/2009 Email from Phill Harding – Works still ongoing.

31/7/2009 Email from Wellington Club that further works will start on Sunday to address sound at Flat front door.

2/8/2009 Email from Annabelle Conyngham – noise levels unacceptable last night – 2.40 a.m. telephoned Club to turn down music. 3.05 a.m. further noise outside window in passage, moving bins, etc.

2/8/2009 Copies emails between Maurice Turner Gardner and Dawsons – Lawyers.

4/8/2009 Email to Dawsons saying Thornfield not fulfilling obligations in reply to email from Dawsons saying that all noise disturbances has to be notified to Noise Team, not the Club.

5/8/2009 Email Dawsons repeating above, Thornfield not obliged to take action against Club.

11/8/2009 Email – long to Maurice Turner Gardner re Rap Investments Lease with ref to Noise disturbances from Club.

12/8/2009 Email from Marler & Marler saying cause of noise may have been due to old doorway discovered within plasterboard partition wall between flat and club – need access to flat to rectify.

13/8/2009 Email to Marler & Marler saying works to be carried out in Club not flat.

19/8/2009 Email from Wellington Club outlining measures to be undertaken to complete sound-proofing, access to flat needed.

24/8/2009 Email to Phill Harding saying problems have to be sorted from Club's side.

25/8/2009 Email from Phill Harding saying " good reasoning and constructive dialogue will help progress".

11/9/2009 Emails to and from Maurice Turner Gardner & Dawsons re legal issues and claims by Dawsons that you complained to Club and not to Westminster Noise Team and that Club prepared to carry out work on flat side but Henry not agreeing.

14/10/2009 Letter from Maurice Turner Gardner to Dawsons outlining various issues.

15/10/2009 Email Annabelle Conyngham – Loud Music at 2.27 a.m . Had to ring Club to turn sound down.

16/10/2009 Email to David Masters re above.

16/10/2009 Email to P. Harding re above.

26/10/2009 Email from Phill Harding saying Flat corridor wall constructed of wood and broken glass panels covered with thin ply – can't be repaired from Club side.

30/10/2009 Email from Maurice Turner Garden enclosing copy email to Dawsons and their reply.

- 9/12/2009** Email to Phill Harding re 12.25 a.m. music particularly bass, clearly audible in flat. Called to Club to report plus reported damage inside flat at entrance door.
- 9/12/2009** Email to Peter Crane thanking him for meeting on 8th to discuss noise problems and to report on disturbance night before.
- 9/12/2009** Email from Phill Harding saying works considerable but further work needed on corridor wall.
- 22/12/2009** Email to Phill Harding saying do not think repairs to wall with help as music particularly bass far too loud.
- 31/3/2011** Email to Peter Crane re noise at 11.30 p.m.. Called to Club to complain.
- 31/3/2011** Email to Marler & Marler re above.
- 1/4/2011** Email to Marler & Marler re above.
- 6/5/2011** Email to Peter Crane re Henry not contacting Noise Team and stating that noise at 3 a.m. this morning and Noise Team contacted and they reverted at 5.10 a.m. to say they would report matter.
- 6/5/2011** Email to Patrick Cahill with copy of email as above.
- 6/5/2011** Email to Marler & Marler with copy of email to Peter Crane and pointing out Notice in window of Club "To amend the internal trading area in the basement".
- 9/5/2011** Email to Peter Crane re Notice displayed at Wellington Club and objections to same by 10th May,. Reported loud music to Noise Team. This in reply to email of 8/5/2011 from Peter Crane re Notice and possible change of use which will not be allowed by Thornfield and all steps taken to prevent any possible increase in music noise factor and "I see you were woken at 3 a.m."
- 18/5/2011** Long Email to Peter Crane re noise issues and corridor issues and work on flat side.
- 22/5/2011** Email from Peter Crane saying Westminster Noise Team have to be contacted and their Team then visit flat and there is nothing further can be done.
- 9/6/2011** Email to Peter Crane – 7th/8th June loud music. Noise Team called and following their visit was informed they were calling to Club to serve a Section 80 Environmental Protection Act Abatement Notice with immediate effect.
- 10/6/2011** Email from Peter Crane – This is route to take.
Reply from Henry to Peter Crane – they have to adhere to notice.
- 10/6/2011** Email to Patrick Cahill – re Section 80 E.P. Act Abate Notice served on W. C.
- 27/6/2011** Very long Email to Marler & Marler re letter from Solicitors acting for Wellington Knightsbridge (Wellington Club) with unfounded allegations

about H and outlining list of complaints re noise and referring to works in flat being rejected.

- 29/6/2011** Letter from Marler & Marler to Solicitors that no unauthorised works carried out to Flat 2.
- 1/7/2011** Email to Marler & Marler re no reply.
- 1/7/2011** Email to Peter Crane re letter.
- 4/7/2011** Email from Peter Crane re Marler & Marler letter to Club solicitors.
- 3/7/2012** Email to Phill Harding – loud music Fri, Sat. and Sunday – 2.10 a.m. complaint in person to Club.

Yours faithfully,

Mr Henry Conyngham

AUGUST

3 Saturday

16 A man identified at our main Gate
 see the camera recording on 04/08/13
 17 starting from P2101A
 This was reported to the police, because
 18 this isn't for the first time already.
 The reference for this report CAD 1297 0401

AUGUST

MON	TUE	WED	THU	FRI	SAT	SUN
22	23	24	25	26	27	28
29	30	31				

2013

6 Tuesday

AUGUST

Oil Check 12000 litres 7:00am
 7 TRITON HERE AT 6:30am
 8 ALSO REMOVAL VAN HERE FOR SKIP 6:50am

SEPTEMBER

MON	TUE	WED	THU	FRI	SAT	SUN
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

NOVEMBER

23

Saturday

Triston Home at 7:15am - 2:00pm

MR & MRS YASMIN LEFT 2 FLAT KEYS FOR
 FLAT 18 B AND THEY STRICTLY
 INSTRUCTED US TO KEEP ONE KEY (SILVER)
 IN THE SAFE ALWAYS. WHATEVER HAPPENS
 AND THE OTHER FLAT KEY (THE COPPER) CAN
 BE RETURNED TO J. FERGUSON WHENEVER
 SHE VISITS THE FLAT AND IF SHE
 REQUESTS THE KEY.

00:00 FLAT 2 Lord MOUNTCHARLES
 brought 3 people from
 WELLINGTON CLUB FOR THEM TO LISTEN
 HOW LOUD WAS THE MUSIC & NOISE
 HE SAID THAT HE COULD CALL NOISE
 CONTROL WHICH HE DID BEFORE &
 THE NIGHT CLUB WAS WARNED THAT
 IF SOMEONE WILL CALL THE NOISE
 CONTROL COMPLAINING ABOUT THE
 NOISE COMING FROM THE NIGHT CLUB
 THEY MAY LOSE THEIR LICENCE.
 WE ALSO SUGGEST SACHA OR JAKE
 TO INSTRUCT WHOEVER EMPTIES
 THE BUCKETS FULL OF EMPTY BOTTLES
 TO PUT/USE A BIN LINER BEFORE FILLING
 THE BUCKET WITH EMPTY BOTTLES.

NOVEMBER

M T W T F S S

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

2013

24 Sunday

NOVEMBER

DECEMBER

M T W T F S S

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

From: **Umid Pulatov** u.polat@yahoo.co.uk
Subject: **Fw: Man urinating at the gate.**
Date: 25 November 2016 at 00:16
To: **Yuri Rapoport** yrapoport@googlemail.com
Cc: **Yuri Rapoport** yrapoport@aol.com

UP

Hi Yuri,

This is the email I am forwarding to you, I sent to Victoria Hart at Marler dated 2nd of November 2014.

On Monday, 3 November 2014, 8:51, Victoria Hart <Victoria.Hart@marlerandmarler.co.uk> wrote:

Dear Umid,

Thank you for your emails.

I will write to the night club this week regarding this.

Kind Regards

Victoria

From: Umid Pulatov [<mailto:u.polat@yahoo.co.uk>]
Sent: 02 November 2014 00:27
To: Victoria Hart
Subject: Man urinating at the gate.

Dear Victoria,

It's me again Umid from Wellington Court, Night Porter. Midnight 00:10 on 02/11/2014 another visitor to Wellington Night Club had a pee right at our main entrance pedestrian gate.

I approached the bouncers and asked them to ask their cleaner to clean up.

I am still waiting for your reply.

Thank you.

With kind regards,

Umid Pulatov.