

Dr A Freeman
Flat 2
30 Tavistock Street
London
WC2E 7PB

9 February 2017

Dear Dr Freeman

Application for a Premises Licence - 26 Wellington Street, WC2E 7DD

Westminster City Council have provided us with a copy of your representation in respect of our licence application. I would be grateful for your consideration of this letter, which I hope helps to address the concerns you have raised.

As you may know, Westminster recently granted planning permission authorising restaurant use at the premises. Our licence application seeks to authorise the sale of alcohol and late-night refreshment following this planning permission. The application's hours for licensable activities are consistent with Westminster's preferred policy hours and no regulated entertainment is proposed. The intention is to ensure a tightly controlled and modest licensed premises that is appropriate to the local area. Under no circumstances will the premises operate as a late night bar.

The application includes provision for the sale of alcohol with meals to customers in a properly authorised external seating area. It would be the responsibility of the tenant to submit an application for the necessary seating consents to Westminster Council in due course. This would be properly scrutinised at this stage and appropriate controls would be imposed, if required.

Having carefully considered the concerns raised in your representation, I have agreed to withdraw late-night refreshment from the application and reduce the terminal hour to 11.00 pm. I hope this assists.

A comprehensive schedule of proposed licence conditions was included with the application (enclosed for reference). The primary purpose of these conditions is to ensure the premises does not cause local residents any nuisance. The conditions also restrict the consumption of alcohol on the premises to seated restaurant customers only. The new tenant will have to comply with these conditions. They would also be subject to lease controls and Shaftesbury's hands-on estate management.

The property will be marketed to high quality food and drink operators who can provide an attractive addition to the Opera Quarter. Like all our new commercial tenants, the operator would go through Shaftesbury's careful vetting process. This helps to ensure the tenant will operate professionally and responsibly alongside local residents. In doing so, we hope the premises will be popular amongst local residents and theatre goers alike.

Thank you for your consideration of this letter. Please do not hesitate to contact me if you would like to discuss our application further.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a long horizontal line extending to the right.

Julia Wilkinson
Shaftesbury CL Ltd

Encl: Proposed Licence Conditions
Copy: Tony Youd

**Application for a Premises Licence
Shaftesbury Covent Garden Limited
26 Wellington Street WC2E 7DD**

Proposed Conditions:

1. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
2. 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.
3. With the exception of any external area licensed by Westminster City Council for the placing of tables and chairs, all sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
4. No noise 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. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
7. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.
8. 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 sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
9. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
15. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed [X] persons (to be determined).
16. Before the premises opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
17. The Licence will have no effect until the works shown on the plans appended to the application (or subsequently substituted plans) have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.