

Licensing Sub-Committee Report

Item No:	
Date:	29 th June 2017
Licensing Ref No:	17/04082/LIPN - New Premises Licence
Title of Report:	Paddington Barges Opposite Hammersmith And City Line Entrance to Paddington Station Adjacent to Bishop's Bridge Road Paddington Central London W2 6BA
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	19 April 2017		
Applicant:	Daisy Green Food Limited		
Premises:	Paddington Barge Opposite Hammersmith And City Line Entrance		
Premises address:	Paddington Central Bishop's Bridge Road London W2 6BA	Ward:	Hyde Park
		Cumulative Impact Area:	No
Premises description:	According to the application the premises will operate as a cafe/bar situated on two barges.		
Premises licence history:	The premises does not have a premises licence and there is no licensing history		
Applicant submissions:	(see Appendix 2)		

1-B Proposed licensable activities and hours							
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	
End:	23:30	23:30	23:30	23:30	23:30	23:30	
Seasonal variations/ Non-standard timings:		On Sundays prior to Bank holidays 23:00-23:30 standard timings:					

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:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		On Sundays prior to Bank holidays 12:00 – 00:00 standard timings					

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	08:00	08:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		On Sundays prior to Bank holidays 08:00-00:00					

Adult Entertainment:	N/A
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2. Representations

2-A Responsible Authorities

Responsible Authority:	The Environmental Health Service
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Representative:	Anil Drayan
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Received:	15 th May 2017
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I refer to the application for a new premises licence for the above premises.

The following plans have been submitted in support of the application, references:

- **Location, Project Lady Green, revision P**
- G. Floor and Basement Licensing, Project Lady Green, revision M

The applicant is seeking the following licensable activities:

1. Supply of Alcohol for 'On' and 'Off' the premises, Monday to Thursday from 10:00 to 23:30 hours, Friday and Saturday from 10:00 to 00:00 hours, Sunday from 12:00 to 22:30 hours on Sundays prior to bank holidays 12:00 to 00:00 hours
2. Provision of Late Night Refreshment 'Indoors', Monday to Thursday from 23:00 to 23:30 hours, Friday and Saturday from 23:00 to 00:00 hours and on Sundays prior to bank holiday 23:00 to 23:30 hours

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

1. The Supply of Alcohol 'On' and 'Off' the premises and for the hours requested may have the effect of increasing Public Nuisance in the area.
2. The Provision of Late Night Refreshment may have the effect of increasing Public Nuisance in the area.

Environmental Health also makes the following comments:

- An extensive list of conditions has been offered in the operating schedule and these are under consideration.
- The provision of sanitary accommodation for any proposed capacity should be in line with the minimum standards outlined in British Standard 6465, as amended.

In addition, premises that are food led should also be providing sanitary accommodations that are separate from that provided for the public so as to be in compliance with guidance to food hygiene legislation.

- It is unclear from the application if the premises have already undergone refurbishment for the proposed use and will in any case need to be inspected for Public Safety prior to public use.
- Please note Environmental Health shall recommend a capacity for the premises based on whichever gives the lower figure from the provision of sanitary accommodation and the safe capacity as determined under the Technical Standards for Places of Entertainment.
- The premises will also need to be assessed for its food preparation/cooking facilities in order to evaluate whether Public Nuisance may arise from odour and/or the operation of any plant and machinery.

Representations are therefore made on Public Nuisance and Public Safety grounds and the applicant is requested to contact the undersigned to arrange a site visit to discuss all these issues after which Environmental Health may propose additional conditions to allay its concerns.

Responsible Authority:	The Licensing Authority
Representative:	Mr David Sycamore
Received:	17 th May 2017

I write in relation to the application submitted for a new Premises Licence for the above premises.

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:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

As the application currently stands we are concerned that this premises could operate as bar as there is no requirement for customers to have alcohol ancillary to a table meal. It is unclear from the plans where the waitress and waiter service of alcohol will take place over a bar/counter.

We are also concerned how many external table a chairs there will be as no figure is currently given on the applicants supporting documents. Whilst there is a capacity figure for 'IN' the premises it is not proposed to limit the number of people using the external areas. We note the premises will operate as a 'cafe' but there are no definitions on how this will be determined such as alcohol will only be supplied with a table meal.

It is unclear as to whether the barge will operate at any point along the canal or whether it will be in a fixed location. If the barge operates as cruise boat this will raise further concerns around the objectives of public nuisance and public safety. We would request to see the

appropriate safety certificates from the Canal and River Trust or other appropriate agency to certify the barge is safe to operate as requested, even if it is to be in a fixed location.

Please accept this as an objection, but I will be minded to withdraw if information is provided to me that deals with the points raised above. I also feel it is appropriate the I attend the site and barge to address my concerns.

2-B Other Persons	
Name:	Elizabeth Virgo
Address and/or Residents Association:	4 Browning House 19-21 Formosa Street London W9 2JS
Received:	12 th May 2017
<p>We could not see anything which was obviously the barge for this application anywhere near the H&C Line entrance. We do not believe this description matches the barge called London Shell Co opposite Smiths, which is not permanently moored. It is therefore is so difficult to gauge impact, but in principle we have concerns over the length of hours requested in this location, with considerable development still to come.</p> <p>We do not feel that the two statements suggested that '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' and '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' are sufficient, and would prefer that alcohol is clearly subsidiary to food . If table service is physically possible then alcohol should be served with substantial food.</p> <p>Servicing should not be allowed after 22.00.</p> <p>We are sure that, with appropriate conditions relating to table meals, this matter is capable of being resolved prior to a hearing. We would welcome dialogue with the applicant, particularly if they are minded to propose further conditions to address the matters we have raised.</p>	
Name:	Mr John Zamit - SEBRA
Address and/or Residents Association:	South East Bayswater Residents' Association (SEBRA) 2, Claremont Court Queensway LONDON W2 5HX
Received:	16 th May 2017
<p>The South East Bayswater Residents' Association (SEBRA) fully supports objection from PW&MV Society</p> <p>We are particularly concerned as to noise nuisance from customers on the barge and arriving or leaving area - passing residential buildings or in residential hinterland</p> <p>We believe that sale of alcohol should be ancillary to taking substantial food and hours applied for should be reduced.</p>	

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:	(i) 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	Further Comment received from Mr Richard Brown on behalf of Mr John Zamit (SEBRA) and Mrs Elizabeth Virgo (PWMVS)
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@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	19 th April 2017
5	The Environmental Health Service- Representation	15 th May 2017
6	The Licensing Authority- Representation	17th May 2017
7	Elizabeth Virgo- Representation	12th May 2017
8	Mr John Zamit- SEBRA- Representation	16th May 2017

Application for Premises Licence

Paddington Barges, Paddington Central

APPLICATION SUMMARY

Proposed Hours

Sale of Alcohol	Monday – Thursday: 10:00 – 23:30 Friday and Saturday: 10:00 – 00:00 Sunday: 12:00 – 22:30
Late Night Refreshment:	Monday – Thursday: 23:00 – 23:30 Friday and Saturday: 23:00 – 00:00
Opening Hours	Monday – Thursday: 10:00 – 23:30 Friday and Saturday: 10:00 – 00:00 Sunday: 12:00 – 22:30

Proposed Conditions

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. 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
3. There shall be no self-service of alcohol on the premises.
4. All sales of alcohol for consumption off the premises shall be in sealed containers only, unless consumed in an area shown on the approved plan.
5. The supply of alcohol at the external seating area of the premises shall be by waiter or waitress service to a person seated.
6. 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.
7. 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.
8. All outside tables and chairs shall be removed or rendered unusable by 21.00 hours Sunday to Wednesday and 22:30 hours Thursday to Saturday.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
10. The number of persons permitted in the premises at any one time (including staff) shall not exceed [] persons.

11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises are constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the licensing authority.



City of Westminster

Your ref: MISS ISABEL JEANS

My ref: 16/02946/FULL

**Please
reply to:**

Tel No:

Rupert Handley

020 7641 2497

Mr Adam Kindred
CBRE
Henrietta House
Henrietta Place
London
W1G 0NB**Development Planning**
Westminster City Council
PO Box 732
Redhill, RH1 9FL

18 October 2016

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE**Application No:** 16/02946/FULL**Application Date:** 01.04.2016**Date Received:** 01.04.2016**Date Amended:** 01.04.2016**Plan Nos:** Operational Management Strategy - Revision A; Letter dated 22 September 2016 from CBRE; 161.01.001 Revision K; 161.01.002 Revision K; 161.01.003 Revision K; BLPB-113; 001 Water Chariot Plans.**Address:** Moorings Opposite Hammersmith And City Line Station Adjacent To, Bishop's Bridge Road, London,**Proposal:** Use of two moorings opposite the Hammersmith and City line entrance to Paddington Station to provide one boat as a cafe/exhibition space (Use Class Sui Generis) and one boat as dual retail/restaurant (Class A1/A3). Associated installation of additional seating and railings on the roof of both vessels.

See next page for conditions/reasons.

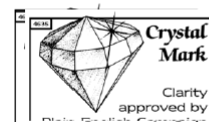
Yours faithfully

John Walker
Director of Planning

Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email districtsurveyors@westminster.gov.uk to arrange a preliminary discussion.

Note:

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- The terms 'us' and 'we' refer to the Council as local planning authority.



Condition(s):

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Customers shall not be permitted within the boat premises before 07:00 or after 23:00 on Monday to Saturday (not including bank holidays and public holidays) and before 08:00 or after 22:30 on Sundays, bank holidays and public holidays. (C12BD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 3 You must not play live or recorded music which can be heard when outside the boats.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 4 You must apply to us for approval of details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the A3 use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB)

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 5 A maximum of 54 covers within the restaurant boat and 28 covers within the cafe boat and a further 18 covers externally to each boat (total of 36 external covers) will be provided. In addition to this maximum capacity, an additional 10% will be allowed within the restaurant boat for patrons to wait within a designated bar/waiting area until their table within the main dining areas becomes available.

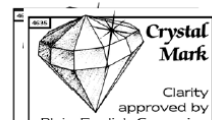
Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and TACE 8 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 6 You must not put structures such as canopies or umbrellas on the roof terrace.

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Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 7 You must apply to us for approval of detailed drawings of the following parts of the development - how the roof of the boats will be accessed. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 8 You shall service the moorings and manage waste disposal and storage in accordance with the Operational Management Strategy - Revision A. Trolleys used to transport goods and waste shall be fitted with rubber wheels. All servicing must take place between 08:00 and 18:00 Monday to Sunday.

Reason:

To avoid blocking the surrounding streets and highway and to protect the local environment as set out in S42, S44 of Westminster's City Plan (July 2016) and STRA 25, ENV 12, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

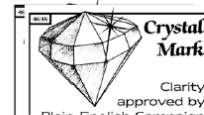
- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a

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further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 10 The uses allowed by this permission can continue until 18 October 2021. After that, the use/s must end and you must remove the boats.

Reason:

So that we can assess the effect of the uses and make sure it meets policies DES 13 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R03CB)

- 11 You must apply to us for approval of detailed drawings of the following parts of the development:

- The railings around the perimeter of the roofs of each boat; and
- The artwork to be provided on each boat.

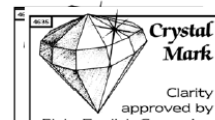
You must then carry out the work according to these detailed drawings.

Reason:

To make sure that the appearance of the boats are suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we

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adopted in January 2007. (R26AD)

Informative(s):

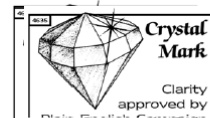
- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>).

The applicant/developer is advised that the proposed development requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Martin Hime (martin.hime@canalrivertrust.org.uk) regarding the required agreement.

- 3 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)
- 4 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 5 You may need separate licensing approval for the restaurant premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 6 You are reminded that this permission does not authorise the placing of tables and chairs on the canal towpath. Any proposal to place tables and chairs will require a separate application for planning permission.
- 7 The installation of any heating/cooling plant will require a further application for planning permission.
- 8 You may need separate licensing approval for the restaurant premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 9 Under Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the eastern boat can change between the A1/A3 uses we have approved for 10 years without further planning permission. However, the actual use

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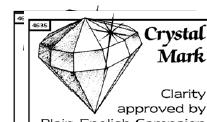


10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change. (I62A)

- 10 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)

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City of Westminster

TOWN AND COUNTRY PLANNING ACT 1990 PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Applicant's Rights and General Information

1. Applicant's Rights (refusals and conditional approvals)

a) Appeals to the Planning Inspectorate

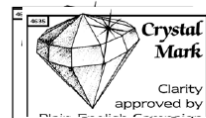
If your application has been **refused** by the City Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government.

The time limits for submitting an appeal may vary. The period after the date of the City Council's decision within which an appeal must be received by the Secretary of State is:

- **28 days** in the case of an appeal against refusal of a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice.
- **8 weeks** in the case of an appeal against refusal of advertisement consent.
- **12 weeks** in the case of appeals made under s78(1) against refusal of any 'householder application' – that is,
 - refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house.
 - Refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.
 - Refusal of prior approvals relating to dwelling houses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order.
- **12 weeks** in the case of 'minor commercial applications that is,
 - refusal of an application for development of an existing building or part of a building currently in use for any purposes in Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.
 - Interested parties have no right to comment on an appeal with regards to a minor commercial development (specifically a shopfront).
- **6 months** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building consent application. The 6 month time limit also applies to any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
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If you want to appeal, you must use the correct appeal form from the following list: Planning, Householder, Minor Commercial, Listed Building Consent or Certificate of Lawful Use or Development.

The Planning Inspectorate has an online appeals service: www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the application form and associated documents and the completed appeal documents. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure that you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Alternatively, you can obtain a form from the **Customer Support Team, Planning Inspectorate, 3/08a, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN Tel: 0303 4440000**. An extension of time for lodging an appeal is unlikely to be granted except in special circumstances. There is a guide and other useful advice about appeals on line at www.planningportal.gov.uk/planning/appeals/online/makeanappeal

APPROVAL OF DETAILS:

If your application has been granted and is subject to the approval of details reserved by condition please use the form 'Application For Approval Of Details Reserved By Condition' in order to discharge the relevant details. This form can be downloaded from the City Council's web site at www.westminster.gov.uk/planning

b) Purchase Notices

In certain circumstances the owner of a property has the right to serve a Purchase Notice on the City Council or the Department for Communities and Local Government. A Notice may be served if, following a refusal or a conditional approval, the owner considers the land cannot be put to a reasonably beneficial use in either its existing state or through development which has or would be permitted. A Purchase Notice would require the City Council to purchase the owner's interest in the land in accordance with the relevant provisions of the Acts (Part VI of the Town and Country Planning Act 1990 and Sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

2. General information relating to all approvals

a) Other legislative requirements

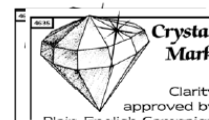
This decision has been made by the City Council as the local planning authority. You are reminded of the need to comply with other relevant regulations and statutory provisions and respect the rights of other owners/occupiers provided by relevant property legislation.

Transportation: If your proposal involves works which affect the public highway you should consult the City Council as Highways Authority. This includes works to, over or below any carriageway, footway or public forecourt. You should contact the Highways Planning Team by email highwaysplanning@westminster.gov.uk or telephone 020 7641 3326. If your proposal is related to paving works and/or is associated with an agreement under Section 106 of the Town and Country Planning Act 1990 please telephone: 020 7641 2920.

Highways Licensing: For general enquiries about temporary structures on the highway, such as hoardings, skips, the excavation and storage of materials on the highways, please telephone 020 761 2000.

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Building Control: You are advised to contact Westminster District Surveyors immediately to find out whether your proposal will require consent under the Building Regulations: Tel: 020 7641 6500 Email :districtsurveyors@westminster.gov.uk.

Building Regulation forms and further information is available on the Council's web site: <http://www.westminster.gov.uk/services/environment/landandpremises/buildings/forms/>

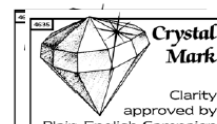
Land Drainage: Where major works are involved, Land Drainage Consent may be required under the Water Resources Act 1991 and Thames Region Land Drainage By Laws 1981. You are advised to contact the Environment Agency, Apollo Court ,2 Bishop's Square Business Park, St Albans Road West Hatfield AL10 9EX Tel: 03708 506 506 or email:enquiries@environment-agency.gov.uk.

b) Provision of access and facilities for disabled people

Designing new buildings and adapting existing buildings to meet the needs of people with disabilities results in a safer and more convenient environment for all. General advice is available from planning and building control officers who can also direct you to appropriate sources of technical/specialist advice.

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There is no licence or appeal history for the premises