



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	6 th July
Licensing Ref No:	17/04528/LIPV - Premises Licence Variation
Title of Report:	Bocconcino 19 Berkeley Street London W1J 8ED
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	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:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	28 April 2017		
Applicant:	Bocconcino Properties Limited		
Premises:	Bocconcino		
Premises address:	19 Berkeley Street London W1J 8ED	Ward:	West End
		Cumulative Impact Area:	None
Premises description:	The premises currently operates as a restaurant to the ground and lower ground floor.		
Variation description:	<p>The applicant is seeking the following:</p> <ol style="list-style-type: none"> 1. To extend the terminal hour for the Sale of Alcohol to 0230 Wednesday to Saturday (currently 00:30). 2. To extend the terminal hour for the provision of Late Night Refreshment to 02:30 Wednesday to Saturday (currently 00:30). 3. To ADD the following Regulated Entertainment 'indoors' at the premises 10:00 to 00:30 hours Monday and Tuesday, 10:00 to 02:30 hours Wednesday to Saturday, and 12:00 to 22:30 hours Sunday for the following licensable activities: <ol style="list-style-type: none"> a. Performance of Dance b. Performance of Live Music c. Playing of Recorded Music d. Anything of a similar description to Performance of Dance, Performance of Live Music or Playing of Recorded Music. 4. For the provision of the above Regulated Entertainment the following non-standard timing is requested: <ol style="list-style-type: none"> a. From the end of terminal hour on New Year's Eve to the start of permitted hours on New Year's Day. 5. To remove conditions 9, 10, 11, 12, 14, 22, 27 and 28 from the Premises Licence and replace them 		

	with proposed conditions to form part of the Operating Schedule.
Premises licence history:	The premises has been licensed since September 2013 and a copy of the current premises licence can be found at Appendix 6.
Applicant submissions:	Please see Appendix 2

1-B Current and proposed licensable activities, areas and hours

Regulated Entertainment

Performance of Dance (indoors)

	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday			10:00	00:30	No change.
Tuesday			10:00	00:30	
Wednesday			10:00	02:30	
Thursday			10:00	02:30	
Friday			10:00	02:30	
Saturday			10:00	02:30	
Sunday			12:00	22:30	
Seasonal Variations / Non-standard timings:	Current:			Proposed:	
				From end of terminal hour on New Years Eve to start of permitted hours on New Years Day.	

Performance of live music (Indoors)

	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday			10:00	00:30	No change.
Tuesday			10:00	00:30	
Wednesday			10:00	02:30	
Thursday			10:00	02:30	
Friday			10:00	02:30	
Saturday			10:00	02:30	
Sunday			12:00	22:30	
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
				From end of terminal hour on New Years Eve to start of permitted hours on New Years Day.	

Playing of Recorded Music (Indoors)					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday			10:00	00:30	No change.
Tuesday			10:00	00:30	
Wednesday			10:00	02:30	
Thursday			10:00	02:30	
Friday			10:00	02:30	
Saturday			10:00	02:30	
Sunday			12:00	22:30	
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
				From end of terminal hour on New Years Eve to start of permitted hours on New Years Day.	

Anything of a similar description (Indoors)					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday			10:00	00:30	No change.
Tuesday			10:00	00:30	
Wednesday			10:00	02:30	
Thursday			10:00	02:30	
Friday			10:00	02:30	
Saturday			10:00	02:30	
Sunday			12:00	22:30	
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
				From end of terminal hour on New Years Eve to start of permitted hours on New Years Day.	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		Indoors	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:		
Monday	23:00	00:30			No change.	
Tuesday	23:00	00:30				
Wednesday	23:00	00:30	23:00	02:30		
Thursday	23:00	00:30	23:00	02:30		
Friday	23:00	00:30	23:00	02:30		
Saturday	23:00	00:30	23:00	02:30		
Sunday	23:00	00:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		New Years Eve 23:00 to 05:00 on New years Day.			No change.	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On Sales		On Sales	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:		
Monday	10:00	00:30			No change.	
Tuesday	10:00	00:30				
Wednesday	10:00	00:30	10:00	02:30		
Thursday	10:00	00:30	10:00	02:30		
Friday	10:00	00:30	10:00	02:30		
Saturday	10:00	00:30	10:00	02:30		
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		From end of terminal hour on New Years Eve to start of permitted hours on New Years Day			No change.	

Hours premises are open to the public					
	Current Hours		Proposed Hours		Premises Area
	Start:	End:	Start:	End:	
Monday	10:00	00:30			No change.
Tuesday	10:00	00:30			
Wednesday	10:00	00:30	10:00	02:30	
Thursday	10:00	00:30	10:00	02:30	
Friday	10:00	00:30	10:00	02:30	
Saturday	10:00	00:30	10:00	02:30	
Sunday	12:00	22:30			
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
				From end of terminal hour on New Years Eve to start of permitted hours on New Years Day.	

1-C Layout alteration
No layout alterations are being applied for.

1-D Conditions being varied, added or removed	
Condition	Proposed variation
<p><u>Condition 9</u></p> <p>The maximum number of persons accommodated at any one time (excluding staff) shall not exceed:</p> <p>Ground Floor : 60 Lower Ground Floor: 67</p> <p>Subject to the total number at any one time not exceeding 127.</p>	<p><u>To be amended to:</u></p> <p>The maximum number of persons accommodated at any one time (excluding staff) shall not exceed:</p> <p>Ground Floor 90 Lower Ground Floor 70</p> <p>Subject to the total number at any one time not exceeding 130</p>
<p><u>Condition 10</u></p> <p>A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police</p>	<p><u>To be amended to:</u></p> <p>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:</p>

<p>or an authorised officer of the City Council at all times whilst the premises is open.</p>	<ul style="list-style-type: none"> (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.
<p><u>Condition 11</u></p> <p>The premises shall only operate as a restaurant :</p> <ul style="list-style-type: none"> (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 	<p><u>To be amended to:</u></p> <p>The premises shall only operate as a restaurant</p> <ul style="list-style-type: none"> (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p>

<p><u>Condition 12</u></p> <p>"Notwithstanding condition 11, alcohol may be supplied and consumed prior to a meal in the designated bar area, by up to a maximum at any one time, of 15 persons dining at the premises"</p>	<p><u>To be amended to:</u></p> <p>Notwithstanding condition 11, until 0030 hours Monday to Saturday and 2230 hours Sunday, alcohol may be supplied and consumed prior to a meal in the designated bar area, by persons dining at the premises</p>	
<p><u>Condition 14</u></p> <p>All patrons will be met by a member of staff at the reception area (as marked on the plans) before being directed to seating in the relevant area of the premises</p>	<p><u>To be amended to:</u></p> <p>Until 0030 hours Monday to Saturday and 2230 hours Sunday, the supply of alcohol shall be by way of waiter/waitress service only, with the exception of the designated bar marked on the plans.</p>	
<p><u>Condition 22</u></p> <p>No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p>	<p><u>To be amended to:</u></p> <p>No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p>	
<p><u>Condition 27</u></p> <p>Patrons temporarily leaving the premises shall not be permitted to take drinks outside with them.</p>	<p><u>To be amended to:</u></p> <p>Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.</p>	
<p><u>Condition 28</u></p> <p>The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.</p>	<p><u>To be amended to:</u></p> <p>A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.</p>	
<p>Adult entertainment:</p>	<p>Current position: Not applicable</p>	<p>Proposed position: Not applicable</p>

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Ms Nicola Curtis
Received:	19 th May 2017

The applicant is seeking the following variations:

6. To extend the terminal hour for the Sale of Alcohol 'on' the premises to 0230 Wednesday to Saturday.
7. To extend the terminal hour for the provision of Late Night Refreshment to 0230 Wednesday to Saturday.
8. To provide the following Regulated Entertainment 'indoors' at the premises 1000 to 0030 hours Monday and Tuesday, 1000 to 0230 hours Wednesday to Saturday, and 1200 to 2230 hours Sunday:
 - a. Performance of Dance
 - b. Performance of Live Music
 - c. Playing of Recorded Music
 - d. Anything of a similar description to Performance of Dance, Performance of Live Music or Playing of Recorded Music
9. For the provision of the above Regulated Entertainment the following non-standard timing is requested:
 - a. From the end of terminal hour on New Year's Eve to the start of permitted hours on New Year's Day.
10. To remove conditions 9, 10, 11, 12, 14, 22, 27 and 28 from the Premises Licence and replace them with conditions detailed in the Operating Schedule.

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

1. The extension of the terminal hour for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance in the area.
2. The extension of the terminal hour for the provision of Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance in the area.
3. The provision of Regulated Entertainment at the premises, and the hours requested will have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety. The premises are not considered suitable for the purpose of regulated entertainment until they have been assessed in line with the Technical Standards for Places of Entertainment and

any associated noise breakout.

4. The non-standard timing requested for the Provision of Regulated Entertainment will have the likely effect of causing an increase in Public Nuisance in the area.
5. The removal of the conditions from the Licence will have the likely effect of an increase in Public Nuisance in the area.

The applicant has provided additional information and conditions with the operating schedule which is being considered but does not fully address the concerns of Environmental Health.

The applicant did benefit from pre-application advice before making this application. This advice included the following observations and comments:

- The nature of the Regulated Entertainment will be live music, recorded music, a DJ and dancing.
- The proposal was to increase the capacity of the ground floor to 90 persons, but to maintain the overall capacity of the premises as no more than 127 persons. This application proposes the following capacities (through the removal and replacement of condition 9):
 - Ground Floor 90
 - Lower Ground Floor 70
 - Subject to the total number at any one time not exceeding 130.
- The applicant was advised to clarify whether the intention is to close and clear the ground floor (move people downstairs) after 0030 hours, or whether the ground floor is to be used for seating and consumption of alcohol.
- Although the premises are not located within a Cumulative Impact Area, the area has many residents. Such an application significantly changes the style of operation. The current licence restricts the premises to a restaurant operation. The addition of Regulated Entertainment and opening beyond 'core' hours may lead to the premises becoming a destination venue, resulting in more customers arriving in and departing from the vicinity late at night. Patrons from other licensed premises may migrate to the premises in order to take advantage of later hours. This is likely to have the effect of increasing the potential for noise, anti-social behaviour and public nuisance in the local area. Patrons would be leaving later, having had the opportunity to consume more alcohol.
- Introducing Regulated Entertainment requires the applicant to address Public Safety concerns. The operators of the premises need to ensure conformity from a District Surveyors technical standards viewpoint and subject to the relevant provisions of the Technical Standards for Places of Entertainment being followed where applicable.
- WCC records do not indicate that there have been any statutory or public nuisance complaints made against the premises since they have been operating.

- There is a mezzanine-style entrance at ground floor with direct visibility down to the lower ground floor. If Regulated Entertainment is to be provided at the premises the applicant should provide some form of acoustic lobby to prevent any noise breakout from the entrance door, and the plans should be updated to reflect such a structure.
- There is also potential for internal noise transmission to the buildings above/adjacent to the premises. Appendix 11 of the Statement of Licensing Policy requires as a minimum a statement demonstrating how the application will comply with noise criteria. My advice was to recommend the submission of a full noise report as detailed within Appendix 11 to include as a minimum an environmental noise impact assessment, an acoustic report, a sound insulation and sound reduction measures assessment and the planned management measures for control of noise.

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

Responsible Authority:	The Metropolitan Police Service
Representative:	PC Toby Janes
Received:	26 th May 2017

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder.

The conditions offered within the application do address some of our concerns. However we have concerns that this application may cause further policing problems in an already demanding area.

2-B Other Persons			
Name:		Mr Peter Cooper	
Address and/or Residents Association:		Bloomsbury Property Services, 98 Gray's Inn Road, London	
Status:	Managing agents of residential apartments	In support or opposed:	Opposed
Received:	25 th May 2017		
<p>We are managing agents of two apartments, 63 and 73 Berkeley House. The proposals are totally unacceptable on the grounds of increased noise and disturbance late at night and into the early hours. Turning the premises from a restaurant to nightclub and late night venue will cause our tenants great stress.</p> <p>This type of club/ late night spot will invariably attract smokers, hence pollution and the transport from the venue late at night will also add to noise and air pollution.</p>			
Name:		Mr Los Christina	
Address and/or Residents Association:		17 Berkeley Street London W1J8EA	
Status:	Resident	In support or opposed:	Opposed
Received:	25 th May 2017		
<p>The furthering of the hours for sale of alcohol and the widening of the range of activities will increase the public nuisance in the area. Granting the licence will also increase the risks of crime and disorder emanating therefrom.</p>			
Name:		Mrs Helen Arjomandkhah	
Address and/or Residents Association		17 Berkeley Street, Flat 7, London	
Status:	Resident	In support of opposed:	Opposed
Received:	25 th May 2017		
<p>Bocconcino is only 2 doors away from us and also shares the back lightwell with our building. it is running as a restaurant at the moment but with this application it will be come a club/bar closing in the early ours of the morning.</p> <p>Berkeley street is already over run with clubs, bars and restaurants. The traffic of cars, stationary taxis with their engines running spewing out poisonous fumes and the extreme noise all of this, not to mention the noise from all the people visiting these places causes a great disturbance to our home lives during the evening/night.</p> <p>When I return to my home I always have to ask a group of smokers to remove themselves from my doorway before I can attempt to open my door. This is stressful and</p>			

intimidating. Also, as a non smoker it is very unpleasant to have to walk through their clouds of smoke to enter my own home. It is becoming almost intolerable. These are the problems on the outside that filter inside but since Bocconcino also shares our lightwell I think the noise from the music will most definitely disturb all of the residents in our building.

Name:		Mr Ahmad Reza Salar Boroumnad	
Address and/or Residents Association		Number 10, Baerkeley Street, London	
Status:	Resident	In support or opposed:	Opposed
Received:	24 th May 2017		

I live at 10 Berkeley Street and am the managing agent of the building. I would like to object to this application due to the excessive number of similar establishments on Berkeley Street which have caused our life miserable over years. Berkeley Street is saturated and there is no more room for such applications.

Name:		Mr DIMITRIOS LOS	
Address and/or Residents Association		17 BERKELEY STR, LONDON, W1J8EA	
Status:	Resident	In support or opposed:	Opposed
Received:	25 th May 2017		

We object to the further deterioration of the area.

Name:		Mr Ulrich Brandt-Pollmann	
Address and/or Residents Association		Flat 12, 17 Berkeley Street, London, W1J 8EA	
Status:	Resident	In support or opposed:	Opposed
Received:	23 rd May 2017		

I live at 17 Berkeley street which is two doors down from these premises. I want to express my strongest objections to this requested changes to the current licence on grounds of prevention of public nuisance and prevention of crime and disorder.

I currently suffer from noise and nuisance from 10pm to early hours of the morning from current premises in the street in particular, Palm Beach Casino which is right across the street from Bocconcino and Charlie Berkeley which is at 15 Berkeley street. I therefore request the committee to reject this application.

Name:		Mrs Zohreh Ghanadian	
--------------	--	----------------------	--

Address and/or Residents Association		Flat 9, 17 Berkeley Street, London W1J 8EA	
Status:	Resident	In support or opposed:	Opposed
Received:	23 rd May 2017		
<p>I'm the owner of Flat 9, 17 Berkeley Street. I strongly object to the application made by Bocconcino 19 Berkeley Street on grounds of prevention of public nuisance and prevention of crime and disorder.</p> <p>Berkeley Street is saturated with late night operators, and this will cause a lot of nuisance to the residents.</p>			
Name:		Mr Ron Whelan	
Address and/or Residents Association		29A Brook Street, London, W1K 4HE	
Status:	Resident	In support or opposed:	Opposed
Received:	23 rd May 2017		
<p>This premises Licence variation application, by extending both the hours for the serving of alcohol and the provision of music, would substantially add to the levels of stress for local residents who are already suffering from the activities of this establishment. Additionally, by extending the hours of late night activity in these premises, it increases the risks for an increase in late night anti-social behaviour in Berkeley Street.</p>			
Name:		Mrs Rittu Kumar	
Address and/or Residents Association		Flat 5, 17 Berkeley Street, Mayfair	
Status:	Resident	In support or opposed:	Opposed
Received:	26 th May 2017		
<p>I write to make an objection as Hawksford Fiduciaries in relation to the Application to premises license under s34 Licensing Act 2003 ref:17/04528/LIPV Bocconcino, 19 Berkeley Street, London, W1 J 8ED. We are the owner of Flat 5, 17 Berkeley Street so will be directly affected by these proposals.</p> <p>I write to object this application on the basis of an ever increasing nuisance we are seeing in this area from businesses being able to change their license and having a negative impact on the quiet enjoyment of the residents in the vicinity.</p> <p>We have in recent years seen an ever increasing issue with noise, anti-social behaviour and other such problems which arise due to the late night licensed premises in what is in fact a small area. The residents have not been consulted or made aware of this</p>			

application prior to it being made, which we feel is unacceptable given the currently issues we are already experiencing.

Adding another such business to this area is downgrading it and causing further discomfort to the residents of our property and the surrounding buildings. We are allowed quiet enjoyment of our home and the cumulative impact of licensed premises are already hindering this greatly. This application, if granted, would only increase the noise levels and anti-social behaviour in our neighbourhood, we do not want this to set a further precedent for our area, as we feel one has already been set which is having a huge negative impact.

We believe the application is misconceived by what its intentions are and how it is being labelled, this would effectively no longer be just a restaurant. We can only therefore draw assumptions that they plan to create a late night bar / club which would have an effect on public safety, be a public nuisance, and goes completely against the rights of the local resident to quiet enjoyment of their properties and feeling safe in the immediate home environment.

Name:	Jaleh Zand		
Address and/or Residents Association	Flat 9, 17 Berkeley Street, London W1J 8EA		
Status:	Resident	In support or opposed:	Opposed
Received:	23 rd May 2017		

I'm a resident of Flat 9, 17 Berkeley Street and and the Chairman of 17 Berkeley Street Residents Association. I strongly object to the application made by Bocconcino 19 Berkeley Street. The grounds for objection are prevention of public nuisance, prevention of crime and disorder, and public safety.

We currently experience extreme level of nuisance from current premises operating late at night in Berkeley Street and the street is totally saturated with late night operators. The current application seeks extension to the hours and change to conditions. This is a total change to the current operations, and such extended hours mean a transformation to a night club from a restaurant. This is totally unacceptable. This will mean more cars, more traffic, more drunken people early hours of the morning, when residents are sleep. 17, 18 and 20 Berkeley street are all residential properties with very close proximity to the premises. When they applied for their original licence few years ago, I attended the subcommittee. The applicant was very clear that they are only a restaurant and have no plans to operate as a club or a bar. This new application however contradicts that notion.

I strongly urge the committee to reject this application. Thank you for your consideration!

Additional Comments:

Statement of Jaleh Zand, 17 Berkeley Street Residents Association

1 Introduction

1.1 I made a representation on 23 May 2017 on behalf of 17 Berkeley Street Residents Association, objecting to the grant of an application to vary the premises licence for 19 Berkeley Street.

1.2 My representation was also made on my own behalf as a resident of Flat 9, 17 Berkeley Street, immediately adjacent to Bocconcino.

1.3 My representation referred to the 'saturation' of Berkeley Street and its immediate environs with late night licensed premises. The number of premises operating late in the evening has increased in recent years, to the extent that late night licensed premises have cumulatively given rise to serious problems of crime, disorder and nuisance. Local residents have to bear the brunt of this. Residents of Berkeley Street have been plagued in recent years by a huge increase in noise, nuisance, anti-social behaviour and other problems, caused by the number of late night licensed premises within a small area.

1.4 The licensing authority will be aware that this view is shared by others in the area. Indeed, a report has been produced by an independent consultant following a study of the evening and night time economy in parts of Mayfair and its impact on the statutory 'licensing objectives'. The document can be accessed here: https://www.westminster.gov.uk/sites/www.westminster.gov.uk/files/mayfair_evening_and_night-time_economy_behaviour_study.pdf

1.5 The applicant should be aware of these issues, both as an existing late night operator in the area and as I made a number of these points at the hearing in 2013 when the premises licence for 19 Berkeley Street was granted.

1.6 This statement is written in support of my representation and is intended to assist the Licensing Sub-Committee and the parties by setting out in more detail why residents believe that the number of late night or drink-led premises in the area has given rise to a cumulative impact which is having such a disproportionate effect on residents, and why this application falls squarely within the scope of these concerns.

2 The application

2.1 The application states that the premises is a restaurant. The scope of the application and the terminal hour sought suggests that it is intended to create a

basement nightclub. In any event, my understanding is that the following licensable activities are sought:

- 2.1.1 Extension of the hours for the sale of alcohol to 1000 to 0230 Wednesday to Saturday.
- 2.1.2 Extension of the provision of late night refreshment to 2300 to 0230 Wednesday to Saturday.
- 2.1.3 Provision of the performance of dance 1000 to 0030 Monday & Tuesday, 1000 to 0230 Wednesday to Saturday and 1200 to 2230 Sunday.
- 2.1.4 Provision of the performance of live music 1000 to 0030 Monday & Tuesday, 1000 to 0230 Wednesday to Saturday and 1200 to 2230 Sunday.
- 2.1.5 Provision of the playing of recorded music 1000 to 0030 Monday & Tuesday, 1000 to 0230 Wednesday to Saturday and 1200 to 2230 Sunday.
- 2.1.6 Provision of anything of a similar description to performance of dance, performance of live music or playing of recorded music 1000 to 0030 Monday & Tuesday, 1000 to 0230 Wednesday to Saturday and 1200 to 2230 Sunday.
- 2.1.7 To amend the licence conditions – replace 9, 10, 11, 12, 14, 22, 27, 28 with new conditions in Operating Schedule.

2.2 The concerns residents have can be summarised as follows.

- 2.2.1 Sale of alcohol – the proposed terminal hour is very late, and well outside core hours. Indeed the current hours are beyond core hours. This will lead to more people on the streets worse the wear for drink at a late hour, which is likely to harm the licensing objectives.
- 2.2.2 Other licensable activities: regulated entertainment – the range of entertainment requested is not usual for a restaurant. It seems more akin to a hybrid restaurant/bar/club. This is type of premises which we have had many problems with in recent years. I refer Members to the report referred to at para 1.4 above.
- 2.2.3 Dispersal of customers will be a major issue at this late hour. It is more likely that residents will be woken up by the noise of revellers and vehicular traffic, both of which are already major problems on Berkeley Street.
- 2.2.4 The changes to the conditions have the effect of changing the operation of the premises. For instance, alcohol will no longer be required to be served

by waiter/ess service after current hours. Alcohol would no longer be ancillary to substantial table meals as required currently to the licence. This style of premises already exists on Berkeley Street and causes problems for residents. This is borne out by the report referred to at para 1.4 above.

2.2.5 The proposed activities, changes and terminal hour impacts on the likelihood of public nuisance and crime and disorder, as recognised by the Council's Statement of Licensing Policy (see below).

2.2.6 I am not clear why some of the conditions on the current licence are proposed to be deleted – for instance, the capacity limit in the designated bar area, and the removal of the requirement to provide customers with details of taxi services.

2.2.7 It is relevant, for reasons which can be expanded on at the hearing, that the applicant does not have planning permission for the hours they seek or the use they seek for the lower ground floor.

2.2.8 Residents are very clear that we are suffering from a 'cumulative impact' of licensed premises which is having a negative effect on the licensing objectives in the area. Residents have made these points to the licensing authority on many occasions and they were accepted on a recent application for 11 Berkeley Street, which was restricted to 'core hours'.

3 Context: Berkeley Street and its immediate vicinity

3.1 The number of licensed premises has increased markedly in recent years. This has led to a commensurate increase in nuisance caused to residents, and anti-social behaviour witnesses by residents. In my view this is a result of a) the increase in the number of licensed premises operating; b) the number of new licences granted; c) the late terminal hour of many of these premises; and d) the style of operation of many of these premises.

3.2 The table below sets out the licensed premises on Berkeley Street.

Premises	Premises type	Terminal hour	Capacity	Points to note
Palm Beach Casino, 30 Berkeley St	Casino	7am	840	-

Mayfair Bar, (part of the Mayfair Hotel) 17 Stratton Street*	Bar	1.30am	250	Licence reviewed by residents in 2014 on public nuisance grounds
Charlie Berkeley (formerly Funky Buddha), 15- 16 Berkeley Street	Nightclub	3am	220	Licence reviewed by police in 2015 and supported by residents
Nobu, 15 Berkeley Street	Restaurant	2am	460	-
Novikov, 50 Berkeley Street	Restaurant/bar/c lub	2am	520	-
Bocconcino, 19 Berkeley Street	Restaurant	12.30am	127	Started operating in 2015. Previously offices.
Café Pushkin, 20 Berkeley Street	Restaurant	Core Hours	125	New licence granted in 2013, not yet operating.
12 Hay Hill	Private Members Club with bar	Midnight Mon- Thurs, 1.30am Fri-Sat	250	Started operating in 2015.
Park Chinois, 17 Berkeley Street	Restaurant	2am	450	Started operating in 2015. Previously licensed but premises had not operated for some

				years.
Sexy Fish, 1-4 Berkeley Square	Restaurant	2am	220	Started operating in 2015. Was previously a Bank.
Fifty9, 59 Berkeley Square	Bar/club	3.30am	295	-
Raw and BBQ	Restaurant	'Core Hours'	175	Applied for 1am but were restricted to core hours. Premises not yet operating. Previously offices.

* Mayfair Bar entrance and exit is on Berkeley Street

4 Comments on licensed premises in vicinity

4.1 This table does not include the numerous licences for Dover Street.

4.2 An analysis of the table clearly shows how the number of licensed premises operating and the total capacity has increased alarmingly in recent years.

4.3 Bocconcino, Cafe Pushkin, 12 Hay Hill, Park Chinois, Sexy Fish, Raw and BBQ and Riffifi have all either been granted an entirely new licence (i.e. for a premises with no previous licensed history) or have started operating again after lying empty, in the last couple of years. By my calculations, the grant of licences/licences coming back into use amounts to an increase of well over 1000 in licensed capacity, putting further strain on residents' ability to sleep.

4.4 A feature of licensed premises in the area is a style of operation which seems to be a restaurant/bar/lounge/nightclub hybrid. Yet another licensed premises operating in this style to a late terminal hour will undoubtedly exacerbate these problems.

4.5 The licence for Mayfair Hotel (specifically the public bar) and 'Charlie Berkeley' (formerly 'Funky Buddha') have been subject to licence reviews within the last 3

years.

5 Effect of the existing late night licensed premises and the more recent premises

5.1 Almost every number or every other number on the upper part of Berkeley Street is now a licensed late night operator. At the same time the upper part of Berkeley Street is very residential. On one side of the street is 10 Berkeley Street with 19 flats, 17 Berkeley Street with 12 flats, 18 Berkeley Street with 20 flats and Berkeley House has 42 flats and goes all the way through Hay Hill. On the other side in front of these residential buildings, is the Mayfair Hotel with 400 guest rooms, of which 100 face Berkeley Street. On the lower part of Berkeley Street there are plans to add additional residential units, which were previously offices. There is also the Holiday Inn London Mayfair with guest rooms facing Berkeley Street.

5.2 Below is a list of problems that the residents are currently facing from the cumulative impact of licensed premises. These problems have intensified hugely in recent years.

5.2.1 The residents have been experiencing shouting, screaming and other antisocial behaviour from the clients of these operators late at night to early hours of the morning.

5.2.2 There is vomit, dried urine outside our door steps and this has become more frequent with the increase in the number of operators

5.2.3 There is waste and garbage left on both sides of the street and the council seems unable to deal with the current load.

5.2.4 There is massive amount of traffic during the night, with double and triple parking on parts of the street. We experience cars honking, people showing off with their sport cars with loud engines creating very significant high decibel low frequency noise, which can't be tackled with any acoustic system, waking up the residents late at night.

5.2.5 The characteristics of our street have changed in the recent years and in general in south Mayfair. Car show rooms, and galleries leaving the area and being replaced by bar, restaurants, and clubs.

5.3 As a result of the recent saturation there has been an increase in crime in Berkeley Street and the area around. The Mayfair Hotel is now using a privately funded scheme to provide extra policing around their premises.

5.4 One of the most agonising problems for the residents is the extreme noise. The situation has worsened in the recent years. We believe that residents have been failed by the number of licences which have continued to be granted. We would like to further point out that at least as far as 5 years ago the problem of noise was not to this extreme extent.

5.5 In short, all current four licensing objective are failing at Berkeley street. We have been actively involved in trying to bring about positive change to Berkeley Street. We applied for a licence review for the Mayfair hotel in 2014. We have supported the police's review of 'Charlie Berkeley'. We were also involved in setting up the Berkeley Street Monitoring Group, which aims to promote good practice for licensed premises, chaired by Councillor Glanz.

6 Mayfair Evening and Night-time Economy Behaviour Study

6.1 A report was published in May 2017 by an independent consultant following a study of the evening and night time economy in parts of Mayfair and its impact on the statutory 'licensing objectives'. I understand that this study has been produced as part of the requirement for the Council to maintain and where appropriate review its Statement of Licensing Policy.

6.2 The report is available on the Council's website (see link at para 1.4). It identifies 24 licensed premises in the Berkeley Street area with advertised closing times of 1am or later. Should this variation be granted, this would increase to 25. The report identified 10 late-night premises which 'provide a bar/lounge/restaurant-type offer, typically with a mixture of bar counter or table-service and featuring dance floor areas and live-DJ entertainment. Several of these premises operate as de facto nightclubs with no, or minimal, food provision beyond 23:00 hrs.' (page 3). This precisely our concern with this application.

6.3 The report found that the issues reported by residents cannot be attributed to individual premises but are the result of the 'cumulative impact' of a large number of late night premises. My experience bears this out. Premises contribute both individually and collectively to the negative impact on the licensing objectives.

6.4 The report found that this 'hybrid' type of premises, operating as a restaurant throughout the evening but then morphing into a bar/lounge/club later in the evening is 'highly notable and impactful on the area'. We are extremely concerned that this application seeks to facilitate exactly this type of premises.

6.5 The report concludes that Berkeley Street is a 'prima facie' candidate for

designation as a 'cumulative impact area'.

7 Economic Impact of the change in nature of Berkeley Street

7.1 While we understand the arguments in favour of the night time economy, the balance has to be maintained. The night economy should not jeopardise the successful day economy that Mayfair enjoys.

7.2 We believe that such a massive number of late night operators so close to one another, are not in line with the character of this area. Mayfair has a very strong day time business economy. Both Berkeley Street and Berkeley Square are home to some of the most renowned hedge funds, trading companies, family offices, wealth managers, and consulting firms. These companies have chosen Mayfair due to its location but also the prestige that the area has historically offered. Mayfair is further known for galleries, car show rooms and art houses. In the light of the recent move by the biggest players in the financial industry from the City to Canary Wharf, the Council has to protect this area and prevent the flight of these smaller boutique firms based in the heart of London. Dirtier streets, piled with garbage, building materials and hard core detritus, urine and vomit are not conducive to attracting and maintaining legitimate business operations.

7.3 Many local residents are of the view that this part of Mayfair has reached a tipping-point. It is saturated with late night and drink-led premises, and residents suffer a range of noise nuisance and criminal behaviour well into the small hours. It is extremely difficult to pinpoint specific problems to specific premises, although clearly some have the potential to cause more nuisance than others. Because of this, it is difficult for residents to initiate effective reviews of licensed premises. This is precisely the sort of situation which makes a stress area necessary for Berkeley Street – the range of nuisance is so all-encompassing that it arises from the cumulative impact of all the premises taken together, as much as any individual problematic premises.

8 Statement of Licensing Policy 2016 ("the Policy")

8.1 The application engages a number of sections of the Policy.

8.2 The application is contrary to policies HRS1, RNT1, MD1 and PB1. The premises is clearly not a restaurant after current hours, which are themselves already beyond core hours.

8.3 I would like in particular to refer to policy PN1, regarding public nuisance. The

criteria for policy PN1 is stated to be: 'The potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas of residential accommodation and where there is residential accommodation in the proximity of the premises.'

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

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

9 Conclusion

9.1 The application is, with respect, misconceived. There is no detail in the application which explains the context of the application and what the purpose is. We must therefore assume that the purpose is to create a late night bar/club in the basement. There is a very unfortunate precedent for this type of premises in the area already.

9.2 Berkeley Street is not currently included within a designated Cumulative Impact Area (CIA). However, the s182 Guidance is clear that it is nevertheless open to residents to raise the issue of cumulative impact. Berkeley Street has all the characteristics of a CIA, a view confirmed by a recent report commissioned by the Council.

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

9.4 For the reasons given, we would ask that the application is refused.

9.5 I am not able to attend the hearing on 6 July. I will be represented by Richard Brown.

Thank you for taking the time to consider the content of this statement.

Jaleh Zand
17 Berkeley Street

Name:		Daniel Colson	
Address and/or Residents Association		31 Berkeley House 15 Hay Hill London	
Status:	Resident	In support or opposed:	Opposed
Received:	26 th May 2017		

Briefly, I am writing to strenuously object to the above-mentioned Licence Application. My wife and I (and occasionally one or more of our children) live at 31 Berkeley House, 15 Hay Hill, London W1J 8NS where we have lived for more than ten years. As you know, during the past few years, several new bars, restaurants and night clubs have opened within 100-150 yards of where we live including Bocconcino Restaurant. All these new establishments have inevitably resulted in a large increase in traffic, noise, disruptions, etc, and have made living in Berkeley House almost intolerable.

Unfortunately, our flat overlooks the entrance to Bocconcino Restaurant in Berkeley Street as well as the "well" located at the rear of Berkeley House and the side of the building immediately next door in which Bocconcino is located. As a result, we are continually subjected to extremely loud noise and constant disruption caused by this restaurant. In particular, the restaurant uses the well directly below our flat to keep their rubbish bins which they fill late at night after the restaurant closes and again early in the morning. In addition, the restaurant staff uses this outdoor area as their gathering place to smoke, drink, talk/yell and party both late at night and very early in the morning; as a result, we are constantly unable to sleep because of all the noise coming from the restaurant. The unacceptable noise is already a serious public nuisance and the proposed extension of operating hours with live music, dancing, etc will obviously make matters significantly worse. We are already subjected to noise, disruption and worse caused by some of the restaurant's customers who regularly leave the restaurant having clearly consumed too much alcohol. We have, unfortunately, often witnessed fights in the street, yelling of obscenities and people urinating and vomiting on the steps and against

the walls of Berkeley House.

As police reports will show, we have experienced a very substantial increase in crimes and disorder in the past few years. Also, parking in this area is already next to impossible and extended hours will only bring even more people and traffic into the immediate area. If the Council is serious about supposedly encouraging people to live in this part of Mayfair, it needs to limit rather than extend the number of restaurants, bars and clubs and should certainly not consider extending the current hours for the sale of alcohol and the performance of live music, etc.

If you have any questions regarding this email or would like any additional information, please do not hesitate to contact the undersigned.

Name:		Cllr Glenys Roberts	
Address and/or Residents Association		Westminster City Council	
Status:	Ward Councillor	In support or opposed:	Opposed
Received:	3 rd May 2017		
As ward councillor I oppose later hours for these premises on the grounds of prevention of public disorder and probable disturbance to sleep of the 300 residents who live in the street not to mention the hotels and the Ritz just opposite.			
A study of Berkeley street has recently been completed showing it to be overly full of disorderly punters and it would not be sensible to add to this.			

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy RNT1 applies	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.
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.

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	Premises Licence

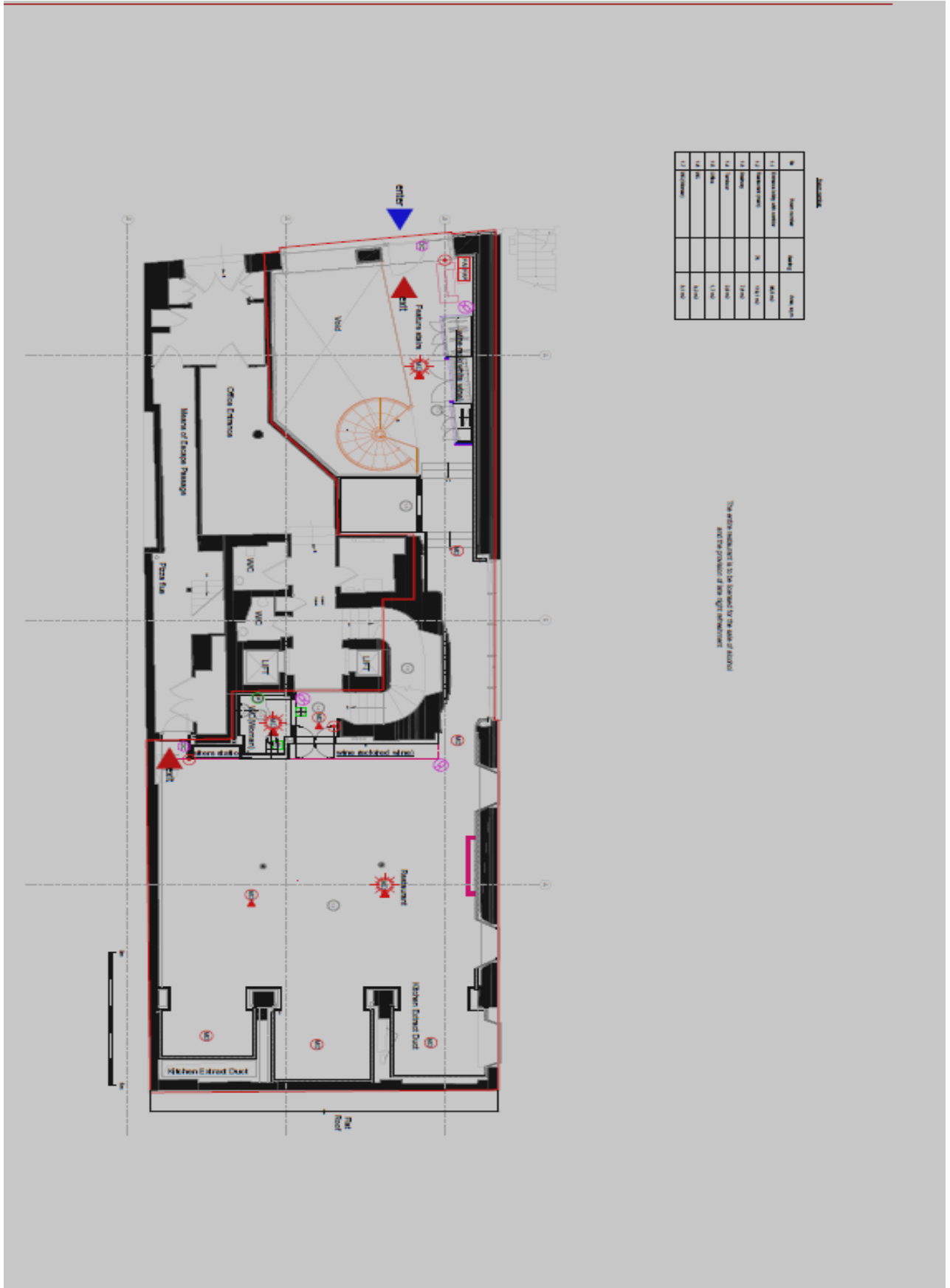
Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

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	28 th April 2017
5	Representation - Environmental Health	19 th May 2017
6	Representation - Metropolitan Police Service	26 th May 2017
7	Representation - Cllr Glenys Roberts	3 rd May 2017
8	Representation - Daniel Colson	26 th May 2017
9	Representation - Jaleh Zand	23 rd May 2017
10	Representation - Rittu Kumar	26 th May 2017
11	Representation - Ron Whelan	23 rd May 2017
12	Representation - Zohreh Ghanadian	23 rd May 2017
13	Representation - Ulrich Brandt-Pollmann	23 rd May 2017
14	Representation - Dimitros Los	25 th May 2017
15	Representation - Ahmad Reza Salar Boroumnad	24 th May 2017
16	Representation - Helen Arjomandkhah	25 th May 2017
17	Representation - Los Christina	25 th May 2017
18	Representation - Peter Cooper	25 th May 2017

Premises Plans



Legend

No.	Item Name	Quantity	Area (sqm)
1	Fire Alarm Call Point	1	0.1
2	Fire Extinguisher	10	0.1
3	Fire Blanket	10	0.1
4	Fire Door	10	0.1
5	Fire Alarm	1	0.1
6	Fire Alarm	1	0.1
7	Fire Alarm	1	0.1
8	Fire Alarm	1	0.1
9	Fire Alarm	1	0.1
10	Fire Alarm	1	0.1

The area indicated is to be covered by the area of alarm and the position of the fire extinguishers.

The entire restaurant is to be licensed for the sale of alcohol and the provision of late night refreshment.

Area Schedule

Area	Area No.	Area Name	Area No.	Area Name	Area No.	Area Name	Area No.	Area Name
1	101	Bar	102	Bar	103	Bar	104	Bar
2	105	Bar	106	Bar	107	Bar	108	Bar
3	109	Bar	110	Bar	111	Bar	112	Bar
4	113	Bar	114	Bar	115	Bar	116	Bar
5	117	Bar	118	Bar	119	Bar	120	Bar
6	121	Bar	122	Bar	123	Bar	124	Bar
7	125	Bar	126	Bar	127	Bar	128	Bar
8	129	Bar	130	Bar	131	Bar	132	Bar
9	133	Bar	134	Bar	135	Bar	136	Bar
10	137	Bar	138	Bar	139	Bar	140	Bar
11	141	Bar	142	Bar	143	Bar	144	Bar
12	145	Bar	146	Bar	147	Bar	148	Bar
13	149	Bar	150	Bar	151	Bar	152	Bar
14	153	Bar	154	Bar	155	Bar	156	Bar
15	157	Bar	158	Bar	159	Bar	160	Bar
16	161	Bar	162	Bar	163	Bar	164	Bar
17	165	Bar	166	Bar	167	Bar	168	Bar
18	169	Bar	170	Bar	171	Bar	172	Bar
19	173	Bar	174	Bar	175	Bar	176	Bar
20	177	Bar	178	Bar	179	Bar	180	Bar
21	181	Bar	182	Bar	183	Bar	184	Bar
22	185	Bar	186	Bar	187	Bar	188	Bar
23	189	Bar	190	Bar	191	Bar	192	Bar
24	193	Bar	194	Bar	195	Bar	196	Bar
25	197	Bar	198	Bar	199	Bar	200	Bar



Applicant Supporting Documents



Venta Acoustics

Report VA1751.170609.NIA

Bocconcino Restaurant, Mayfair

Extended Licensing Noise Assessment

8 June 2017

Bocconcino Properties Limited
19 Berkeley Street
Mayfair
London
W1J 8ED

01962 461016
0203 8650332
mail@ventaacoustics.com

registered company no. 10139494

Contents

1. Introduction 1

2. Site Description 1

3. Proposed Operation 1

4. Licensing Policy 2

5. Noise Surveys and Investigations 3

 5.1 Attended Noise Survey 3

 5.2 Survey Procedure & Equipment 4

 5.3 Sound Insulation Investigation 4

 5.4 Results 5

 5.4.1 Attended Noise Survey 5

 5.4.2 Automated Noise Survey 5

 5.4.3 Sound Insulation Investigation 6

6. Music Noise Assessment 7

7. Required Mitigation 8

8. Other Sources of Noise 9

9. Noise Management 10

 9.1 Potential Noise Sources 10

 9.2 Music – Setting Limits 10

 9.3 Entrance Lobby 10

 9.4 Management Controls 11

 9.5 Neighbour Relations 11

 9.5.1 Complaints Procedure 12

10. Conclusion 12

Attachments

VA1751/SP1	Indicative Site Plan
VA1751/TH1 - TH4	Environmental Noise Time Histories
Appendix A	Acoustic Terminology
Appendix B	Acoustic Calculations
Appendix C	Sample Noise Complaint Sheet

1. Introduction

Bocconcino Restaurant, 19 Berkeley Street, Mayfair, is a licensed premises which currently operates between midday and midnight with low level background music played inside the restaurant.

It is proposed to extend the licensed operating hours of the premises to allow diners to remain in the restaurant after the kitchen has closed, with alcohol served and music played over a dance floor.

Bocconcino Properties Limited has appointed Venta Acoustics to undertake a noise survey and assessment of the likely impact of these proposals on nearby noise sensitive receptors.

An attended and automated survey has been undertaken to understand the local acoustic environment. Sound insulation testing of the existing building fabric has been undertaken. This has allowed appropriate limits to be set for music noise in the premises in keeping with the Westminster Licencing Policy Statement.

2. Site Description

Bocconcino Restaurant is located towards the northern end of Berkeley Street in a location known for its vibrant night life.

The shop front of the restaurant is frosted double glazing. Entrance to the restaurant is via a single door at ground level onto a landing which overlooks and is open on to the main double height restaurant area, located at lower ground floor level. There is an additional dining area to the rear of the restaurant at ground floor level. The lower ground floor level includes a bar, restaurant seating and open kitchen area.

To the rear of the premises is a lightwell. The restaurant does not have windows opening onto this area. To the north of the premises is a pathway. The premises has windows to the middle and rear of the façade overlooking this pathway.

Immediately across Berkeley Street is The Palm Beach Casino. Further along the street are numerous bars, restaurants and night clubs.

Directly above the premises are commercial offices with the office reception lobby to the south. To the north is an access passage to the rear of the building. The building is not believed to have immediate structural connections to residential dwellings.

The nearest noise sensitive receptors are expected to be residential dwellings on the upper floors of 20 Berkeley Street.

3. Proposed Operation

Bocconcino Restaurant is currently licensed serve alcohol during their operational hours of:

Monday – Saturday : 10:00 hours to 00:30 hours
 Sunday : 12:00 hours to 22:30 hours

It is proposed to extend the operational hours of the restaurant and an application is being made to extend the licence to allow the sale of alcohol and provide regulated entertainment indoors, including playing music, during the following hours:

Monday & Tuesday : 10:00 hours to 00:30 hours
 Wednesday – Saturday : 10:00 hours to 02:30 hours
 Sunday : 12:00 hours to 22:30 hours

The intention is to allow customers who have already dined in the restaurant during the existing operational hours to remain in the premises to drink and dance after the kitchen has closed.

Patrons will not be admitted or re-admitted into the premises after midnight with the exception of patrons who leave temporarily to smoke immediately outside the premises. The smoking area will be limited to 7 persons at any one time.

After 00:30 hours alcohol sales and regulated entertainment will be limited to the lower ground floor area at the front of the building.

Music is not intended to be played at high levels and a limiter will be fitted to the sound system to control the music volume.

The premises will offer a capacity of no more than 130 people.

4. Licensing Policy

City of Westminster have issued a Statement of Licensing Policy document which sets out how the Council promotes the licensing objectives of the Licensing Act 2003. One of these objectives is the prevention of public nuisance.

Policy PN1 – Prevention of public nuisance aims to prevent public nuisance by applying the following criteria and taking into account the following considerations, where relevant, in determining applications and reviews:

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

Considerations – Noise and vibration - *Whether Operating Schedules contain adequate measures to prevent noise and vibration, whether air borne or structure borne, generated from within the premises, outside it, or from an open site, that may cause disturbance to people in the vicinity.*

Regard will be had to disturbance of people whether at home, at work, staying in, or visiting the vicinity. However, stricter conditions will be imposed on premises licences in areas that have denser residential accommodation or have residential accommodation close to them. See Appendix 11.

Appendix 11 provides the following objective noise criteria for noise from music and activities inside premises:

At the nearest façade of the nearest noise sensitive property, the noise generated from the property to be licensed (the $L_{Aeq5 min}$) should not exceed 10 dB below the minimum external background noise during the operating period. The background noise level should be expressed in terms of the lowest $L_{A90, 15 min}$ and; where noise from the property to be licensed will contain tones or will be intermittent sufficient to attract attention:

At the nearest façade of the nearest noise sensitive property, the noise generated within each octave band level ($L_{Aeq 5 min}$) should not exceed 5 dB below the minimum external background noise level expressed in any of the individual octave band levels. The background noise level should be expressed as the lowest $L_{A90, 15 min}$ for each of the octave bands during the operating period

5. Noise Surveys and Investigations

5.1 Attended Noise Survey

In order to observe the local acoustic environment during the proposed extended hours of operation, an attended noise survey was undertaken at 1.6m above street level on the pavement in front of Bocconcino Restaurant between 23:30 hours on Thursday 25th May 2017 and 02:30 hours on Friday 26th May 2017.

Measurements were made of noise levels at various times during this period, including continuous 5-minute samples of the L_{Aeq} , L_{Amax} , L_{A10} and L_{A90} sound pressure levels undertaken between 01:30 hours and 02:30 hours. The weather during the evening was dry and warm.

During the survey, attempts were made to measure the sound insulation performance of the shopfront using the restaurant’s existing in-house sound system. However, even at full volume the music in the restaurant was only just audible directly outside the premises with the door open and could not be measured accurately against the ambient noise level.

The following equipment was used during the survey:

Manufacturer	Model Type	Serial No	Calibration	
			Certificate No.	Date
NTi Class 1 Integrating SLM	XL2	A2A-11461-E0	42530-A2A-11461-E0	9/6/16
Larson Davis calibrator	CAL200	13069	42530-13069	9/6/16

Table 5.1 – Equipment used for the attended survey

The calibration of the sound level meter was verified before and after use with no significant calibration drift observed.

5.2 Survey Procedure & Equipment

In order to establish variations in the background noise levels at the site, a noise survey was carried out between Friday 26th May and Tuesday 30th May 2017 at first floor level, directly above Bocconcino Restaurant entrance, overlooking Berkeley Street at the location shown in site plan VA1751/SP1. Continuous 5-minute samples of the L_{Aeq} , L_{Amax} , L_{A10} and L_{A90} sound pressure levels were undertaken.

It is noted that Monday 29th May 2017 was a Bank Holiday and it is expected that lower than typical noise levels would result.

The weather during the survey period was generally dry with light winds. Rain showers were reported during the day on Monday 29th May. The background noise data is not considered to have been compromised by these conditions.

Measurements were made generally in accordance with ISO 1996 2:2007 *Acoustics - Description, measurement and assessment of environmental noise – Part 2: Determination of environmental noise levels*.

The following equipment was used in the course of the survey:

Manufacturer	Model Type	Serial No	Calibration	
			Certificate No.	Date
NTi Class 1 Integrating SLM	XL2	A2A-11586-E0	42530-A2A-11586-E0	9/6/16
Larson Davis calibrator	CAL200	13069	42530-13069	9/6/16

Table 5.2 – Equipment used for the automated survey

The calibration of the sound level meter was verified before and after use with no significant calibration drift observed.

A solid-state microphone MEMS was located in the pathway to the north of the restaurant to provide an indication of the noise levels here.

5.3 Sound Insulation Investigation

Venta Acoustics attended site on 30th May to undertake sound insulation investigations at the premises, focussing on noise break out through the front façade of the premises onto Berkeley Street.

High volume 'pink' noise was generated from two loudspeakers in the lower ground floor area, positioned so as to obtain a diffuse sound field within the space. A spatial average of the resulting one-third octave band noise levels was obtained within and directly outside the premises, with the entrance door open and then closed.

Background noise levels were measured on the road in lulls between traffic in order to correct the received noise measurements for the influence of the prevailing noise climate.

Noise breakout at the rear of the premises into the lightwell was also observed. The source noise was barely audible in the rear light well immediately adjacent to the windows.

The prevailing background noise was traffic on surrounding roads.

5.4 Results

5.4.1 Attended Noise Survey

The background noise levels measured during the attended survey were generally in the low 60dBs, with a minimum of L_{A90} 60dB.

The ambient noise level was generally in the high 60dBs with an average of L_{Aeq} 67dB.

Maximum noise levels, mostly due to vehicle revving and horns, were frequently in the high 80dBs, often approaching L_{Amax} 90dB.

The noise climate is determined by vehicles on Berkeley Street with a lessor contribution from people on the pavements.

The street was busy throughout the evening with numerous taxis dropping off or picking up patrons from the casino across the road and a nightclub further down the street. Sports cars revving their engines was a common occurrence, creating high levels of low frequency noise.

Music was not continuously heard on the street, but was frequently present from music played in cars and occasionally from the casino as the doors to the outdoor smoking area were opened.

The atmosphere in the street was generally high spirited although few instances of shouting or raised voices were observed.

Observations suggest that the majority of people in the immediate area arrive and leave by car or taxi, being dropped off close to the establishment they are visiting. Relatively little foot traffic was observed, particularly on the Bocconcino Restaurant side of the road where a total of 65 pedestrians were counted between 01:30 house and 02:30 hours.

Discussions with a doorman of a nearby establishment indicated that the evening of the survey was quieter than usual, with the upcoming holy month of Ramadan suggested as a reason, which would suggest that this would be a robust and worst-case assessment of background noise levels.

5.4.2 Automated Noise Survey

The sound levels measured during the automated survey are shown as time-history plots on the attached charts VA1751/TH1-4.

The site is primarily affected by traffic noise on Berkeley Street.

The minimum background noise levels and ambient noise levels for the daytime, evening, night-time periods and the proposed new operating hours, as measured at the automated monitoring position were:

Monitoring Period	Minimum LA90	Average LAeq,5min
07:00 – 19:00 hours	48dB 07:00-07:05 28/05/17	70dB
19:00 – 23:00 hours	59dB 20:50-20:55 28/05/17	69dB
23:00 – 07:00 hours	54dB 03:55-04:00 30/05/17	68dB
Proposed Operational Hours	57dB 14:00-14:05 28/05/17	69dB

Table 5.3 –Minimum background noise levels at measurement locations [dB ref. 20µPa]

The background noise level during the proposed operating hours is generally slightly higher than the minimum values measured, typically being around 60dB or higher in the evenings.

Monday 29th May was a bank holiday and would not be considered a representative design case.

The acoustic character of the location is somewhat unusual in that the background noise level generally remains constant, or increases in level, in the early morning hours.

The minimum background levels recorded in the octave frequency bands were:

31.5Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
59	60	54	54	53	52	47	39	28

Table 5.4 – Minimum background octave band levels.

Indicative measurements in the lightwell to the north of the premises indicate a minimum LA90 of 48dB during the proposed operational period. The background is determined by a combination of building services plant and road traffic noise.

5.4.3 Sound Insulation Investigation

Due to the high external noise levels and the intent of the investigation, the sound insulation tests measured the direct sound pressure level immediately outside the building shopfront resulting from internal diffuse noise levels.

With the door open a loss of approximately 14dB(A) from the down stairs restaurant area to a point immediately outside the door was measured. This increased to 31dB(A) with the closed door and the reading averaged across the entire shopfront. Measurements to the passageway to the north of the building where limited by the background noise level, with a reduction of at least 41dB(A) being measured. The actual noise reduction value is likely to be significantly higher.

The one-third octave band sound reduction levels of the front façade are presented in the following graph.

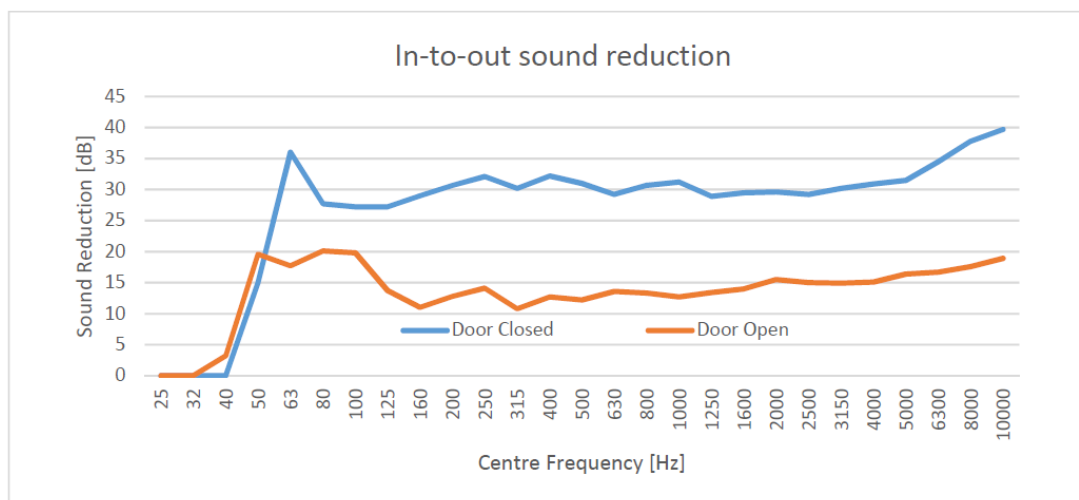


Figure 5.1 – Sound reduction performance of restaurant frontage

The sound reduction measurements at lower frequencies ($\leq 63\text{Hz}$) were limited by the background traffic noise levels.

6. Music Noise Assessment

Tests with the current in-house music system confirmed that on maximum volume, music is barely audible directly outside the open entrance door. This would be considered highly unlikely to have any impact on the surroundings.

A more powerful music system is being considered for use during the extending operating hours. It is understood that the intent is to include a limiter on this system.

The entrance to the restaurant is via a single door. An internal noise limit has been set assuming this arrangement is retained. However, should higher internal noise levels be desired, a lobby door system should be considered. This minimise noise breakout as the entrance door is opened.

Based on the measurements undertaken, it is recommended that limiters are set to control the reverberant noise level in the down stairs restaurant area to the following levels:

Frequency (Hz)	31.5	63	125	250	500	1k	2k	4k	8k
No Lobby	82	97	90	86	87	89	86	79	70
With Lobby	83	101	94	97	98	100	94	88	82

Table 6.1 – Recommended Limits for internal music noise

These limits are based only on achieving the criteria at neighbouring noise sensitive premises, as set in the licencing policy document, and do not suggest appropriate noise levels for any other factor, such as suitability for entertainment or hearing preservation.

The above limits equate to approximately $L_{Aeq,5min}$ 93dB with the "no lobby" limit set and $L_{Aeq,5min}$ 102dB with the "with lobby" limit set. The "no lobby" limit is set against the council's criteria on the

assumption that the door is open for a total of no more than 1 minute during any 5-minute period. The second limit assumes that an effective lobby system is installed and that the measured sound reduction values of the shop front do not decrease while patrons arrive and leave.

With these limits, the following maximum $L_{Aeq,5min}$ levels would be expected at the nearest noise sensitive receptor, being the apartments overlooking Berkeley Street at Berkeley House and 17 Berkeley Street, at a distance of at least 10m from the front of the premises.

Frequency (Hz)	31.5	63	125	250	500	1k	2k	4k	8k
No Lobby	43	51	49	46	44	43	37	30	18
With Lobby	51	61	45	45	44	43	38	30	19

Table 6.2 – Calculated sound pressure levels at nearest noise sensitive receiver at maximum internal levels set by the limiter.

N.B This is based on pink noise being at the set limits continuously over a 5-minute period. Variations in music would result in lower levels being realised at the assessment location.

In both cases, noise level expected outside the nearest noise sensitive receivers would be at least 10dB below the lowest measured background noise level during the operational period, with the individual octave bands at least 5dB below the minimum background noise levels in each of the corresponding octave bands.

The music would be expected to be effectively inaudible at the most affected noise sensitive receiver and would be considered to be compliant with the City of Westminster Licencing Policy criteria for noise.

In the lightwell to the north of the premises, background noise levels are approximately 10dB quieter than on the road facing façade. However, the sound reduction performance is at least 10dB greater than that on the front façade due to the windows not being directly exposed to the lower ground space where music is intended to be played. Therefore, a similarly low impact would be expected here.

As the building is not believed to have structural connections to nearby residential dwellings, transmission of vibration is not likely to impact neighbours.

7. Required Mitigation

From discussions with the management of Bocconcino Restaurant regarding the intended music levels within the premises, it is expected that a limiter on the music system set to the lower “no lobby” levels would provide acceptable music levels and no additional mitigation measures would be required.

These limited levels would allow music to be played at a level similar to that which would be expected in a lively bar, while achieving the Licensing Policy criteria for music noise at the neighbouring premises. Measurements and calculations indicate that an acoustic lobby would not be required for this level of music.

However, if higher noise levels are desired the limiter would be set to the higher level. This would be subject to installation of an acoustic lobby, or similar strategy, to prevent noise breakout while the entrance door is opened.

An example of an appropriate acoustic lobby would consist of a second door at a minimum of 2m inside the first door. Both doors would be on automatic closers to ensure the doors remain closed when not in use. A partition, such as glass shopfront, would be installed between the two doors, extending from the landing level to the ceiling to prevent sound flanking around the lobby. With such a lobby in place resistance to noise breakout through the doors would be expected to be equal to, or better than, that measured with the door closed.

In both scenarios, the low frequency “bass” levels would likely be limited to levels lower than would be expected in a dance club due to breakout through the main glass shopfront. Addition of a heavy secondary glazing system, or blanking off the shopfront with a masonry construction, would be explored in the unlikely event that higher levels of low frequency sound is desired.

8. Other Sources of Noise

Sources of noise other than music identified include patrons leaving at the end of the night and mechanical plant.

It is not proposed to extend the hours of the kitchen and so there would be no change to the hours of use of the kitchen extract system.

The presence of several, larger establishments in the locality already determines the road and pavement traffic levels, with frequent drop-offs and pick-ups by taxis and private cars immediately outside the premises. It is not expected that traffic due to patrons leaving Bocconcino Restaurant at the proposed later hours would have a significant effect on traffic noise.

During the attended survey patrons were observed leaving Bocconcino Restaurant at the end of the current operating period. All patrons departed in a quiet manner and their voices were not audible at distances beyond a few meters. It is accepted that the introduction of louder music may potentially lead to slightly louder conversations when patrons depart the premises.

Patrons smoking outside the front of the restaurant would be at a similar exposure to surrounding noise sensitive receivers as the larger smoking area of the adjacent casino which currently operates beyond 02:30 hours. Additionally, the high ambient and background noise levels on the street would suggest that even raised voices would have a low impact. The background noise levels at the proposed new closing time is generally similar to, or higher than, those at the existing closing time. However, should loud shouting occur immediately below noise sensitive windows, this may have an adverse impact and management of Bocconcino Restaurant should endeavour to promote considerate behaviour of patrons when leaving the premises.

The proposals would not be expected to have a significant impact on the existing acoustic character of the area.

9. Noise Management

9.1 Potential Noise Sources

Bocconcino Restaurant understand that the identification and recognition of potential causes of disturbance assists greatly in planning to avoid disturbances to our surroundings.

The following noise sources have been identified in relation to the proposed operation of Bocconcino Restaurant:

- Music noise from speakers used in the premises for music;
- Patrons talking when smoking outside Bocconcino Restaurant bar;
- Patrons leaving Bocconcino Restaurant throughout and at the end of the night, including taxis.

It is proposed to operate until 2:30 am. The potential for disturbance to neighbours at this time, and the responsibility of the restaurant to minimise it, is recognised.

9.2 Music – Setting Limits

It is proposed to operate a sound system with more powerful speakers than are currently installed. This system is to include a sound limiter. Initial internal sound pressure limits have been set based on existing constructions and external background noise levels. The limiter will be set against these levels, making an allowance for the absence of an acoustic lobby if required.

If necessary, management would welcome the opportunity to undertake a joint exercise with representatives of the City of Westminster to adjust the limiter against acceptable levels at the most affected noise sensitive receivers during the extended operating hours in order to confirm compliance with the criteria set in the Licencing Policy Document.

All amplified music is to be run through the in-house mixer to ensure the limiter controls noise output.

9.3 Entrance Lobby

Initial assessment has shown that an entrance lobby system would not be required for the intended music levels.

However, in the event that this arrangement leads to a nuisance, or higher internal noise levels are desired, the limiter will either be adjusted to a lower level or an appropriate acoustic lobby, or equivalent internal arrangement, will be implemented.

9.4 Management Controls

The responsibility for the management controls will be assumed by the manager. Other members of staff may assume the role in the future following suitable training.

A minimum of 1 SIA licensed door supervisor shall be on duty at the entrance from 1800 hours until 30 minutes after the premises closes when regulated entertainment is provided.

To minimise noise break-out from Bocconcino Restaurant, the external door to the premises will be kept closed at all times when music is playing, except when being used for access and egress, which will be enforced by staff.

A culture of neighbourly consideration will be encouraged amongst patrons through the use of signs and polite reminders from staff and door staff.

Bocconcino Restaurant may have no more than 7 patrons smoking outside on the pavement at any one time. Signs will be placed by the door reminding patrons of the amenity of neighbours to ensure they do not become raucous and encouraging non-smokers to return indoors. Door staff will be in place to monitor the area periodically to ensure patrons are not becoming overly loud. No music will be played outside of the building.

As entrance will not be permitted to patrons after midnight, and only for the purposes of dining before midnight, queueing would not be expected.

Patrons access and leave Bocconcino Restaurant on foot via Berkeley Street or via taxi. Signs will be installed reminding patrons of the amenity of neighbours. Door staff will be in place to encourage considerate behaviour. The nature of the locality, with frequent cab pickups for the surrounding venues, would mean that it is unlikely that stewarded access to taxis would be beneficial or feasible.

Both doors, which effectively form an acoustic lobby on the fire exit to the side passage, are to be kept closed except for immediate entrance and egress of staff. Staff will be instructed not to congregate in the side passage.

Deliveries and waste collection is to be controlled by management to minimise disturbances. Waste is to be kept inside the building until collection vehicles arrive. Collection is only to take place during permitted daytime hours.

9.5 Neighbour Relations

The management will endeavour to maintain a friendly, open and informative relationship with the nearby residents to allow concerns to be raised and addressed without hostility.

9.5.1 Complaints Procedure

A phone number and email address will be provided to nearby residents to allow efficient notification of the premises if noise levels are causing a disturbance. Clear instructions would be given to those likely to answer the phone on these procedures for handling complaints.

A complaint action procedure will be produced and made available to staff who will be instructed to follow it on receiving a complaint.

A timed and dated log will be kept in the office of all complaints, including actions taken and responses given. Other information recorded in the complaints log will include the approximate number of patrons and staff present at the time of the complaint, and any specific activities or conditions which were noteworthy at the time. A sample complaint log sheet is attached at Appendix C. Any other notes or email communications should be copied and a record kept in the complaint log folder.

All complaints will be addressed promptly, with a response/explanation as well as any future actions or improvements that can be implemented.

10. Conclusion

An attended and automated baseline noise survey has been undertaken by Venta Acoustics to establish the existing noise climate in the locality of Bocconcino Restaurant, 19 Berkeley Street, Mayfair in support of an application for extension to the licensed hours of operation and regulated entertainment to allow existing customers to remain in the premises to a later time.

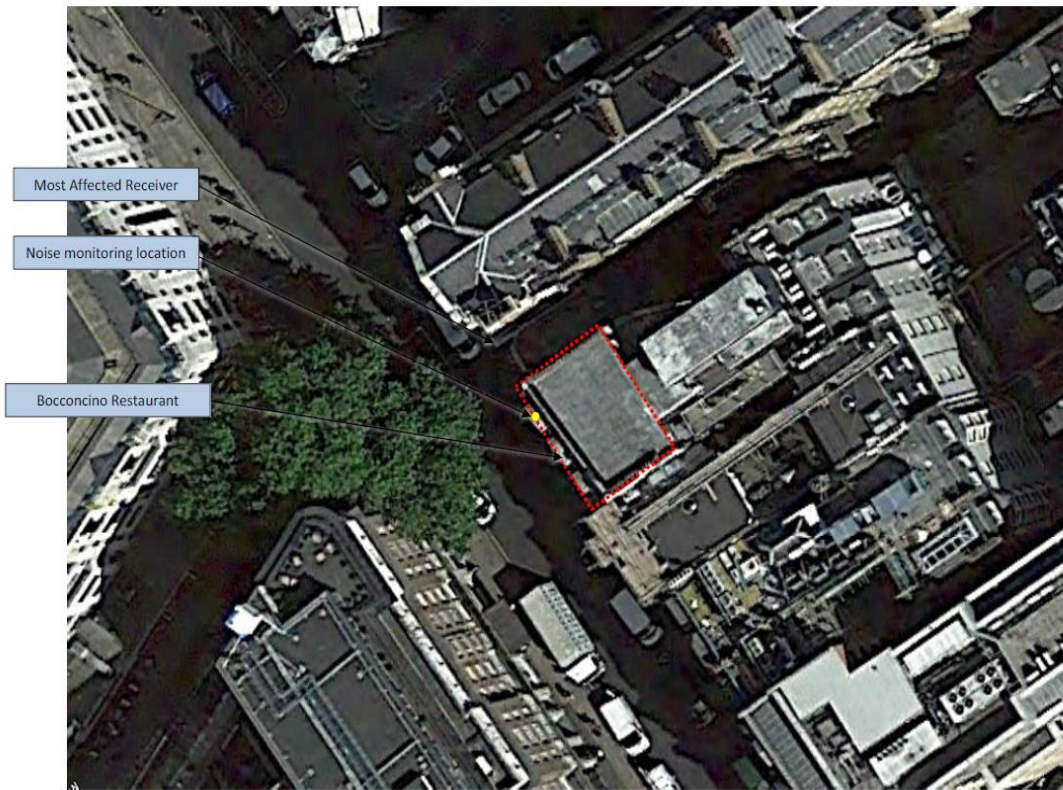
The survey works included an assessment of the resistance of the current building to noise breakout. This has allowed appropriate internal noise limits to be set. Individual limits have been advised for options to retain the current entrance door and, if necessary, to introduce a new entrance lobby system.

However, it has been shown that internal noise levels appropriate for the intended purpose would meet the Westminster Licencing Policy criteria for noise at surrounding receivers without the need for a lobby door.

The surrounding area has an active night life with high levels of road traffic noise. Other sources of noise associated with Bocconcino Restaurant, including patrons smoking and leaving the premises, have been considered within this context and are not expected to cause a disturbance when effective management controls are in place. On balance, no significant change to the existing acoustic character of the area is anticipated.

A noise management plan has been proposed to minimise the impact of operation on the surrounding residents and a procedure for efficiently dealing with complaints has been suggested.

Steven Liddell MIOA



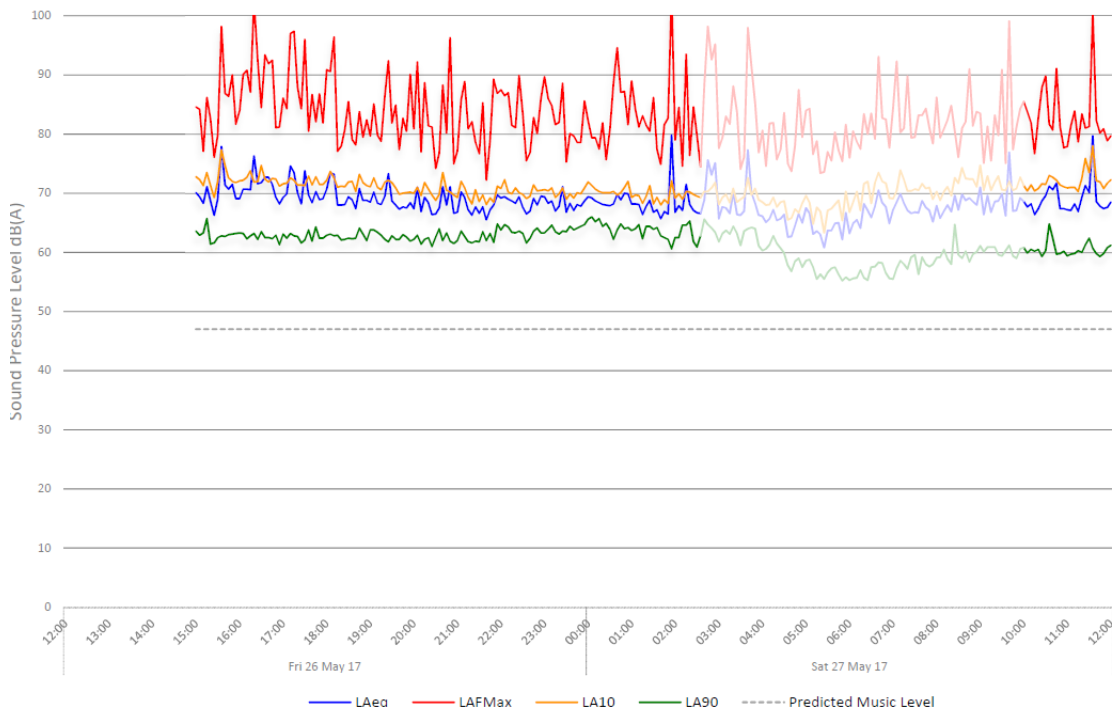
Indicative Site Plan

VA1751 Bocconcino Restaurant, Mayfair

Bocconcino, Mayfair
Environmental Noise Time History: 1



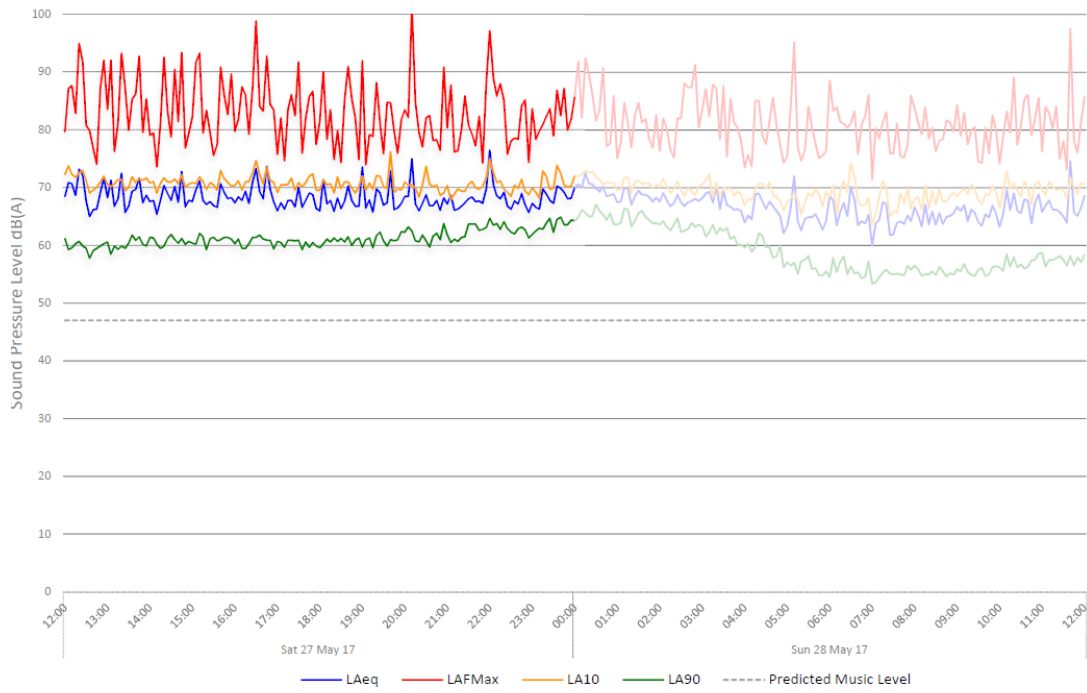
Figure VA1751/TH1



Bocconcino, Mayfair
Environmental Noise Time History: 2



Figure VA1751/TH2



Bocconcino, Mayfair
Environmental Noise Time History: 3



Figure VA1751/TH3

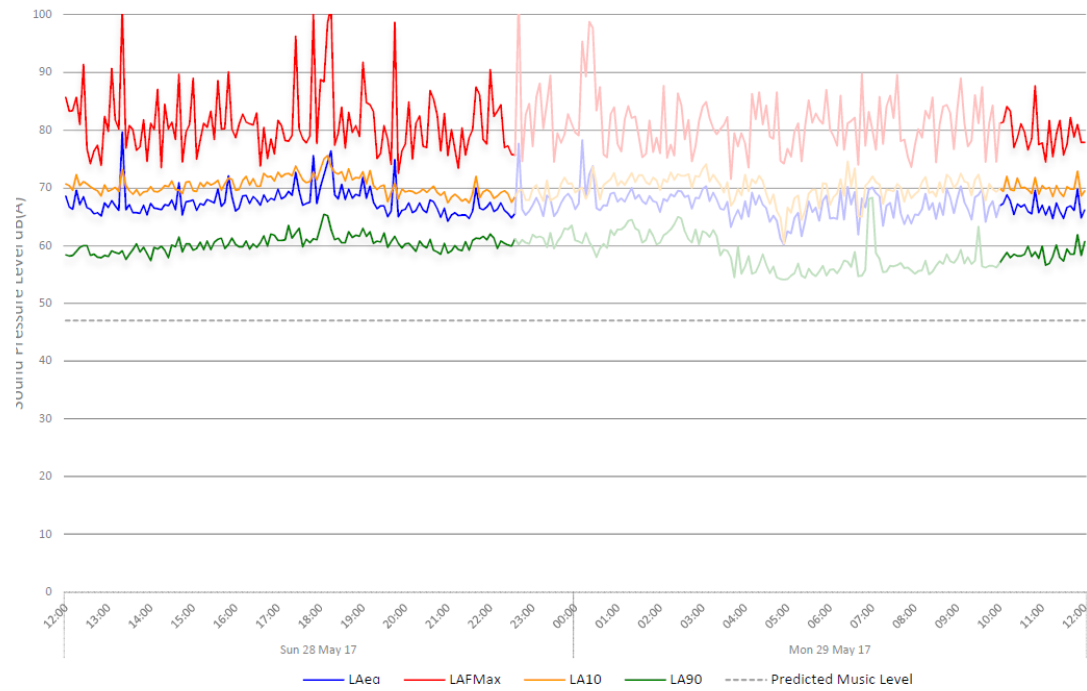
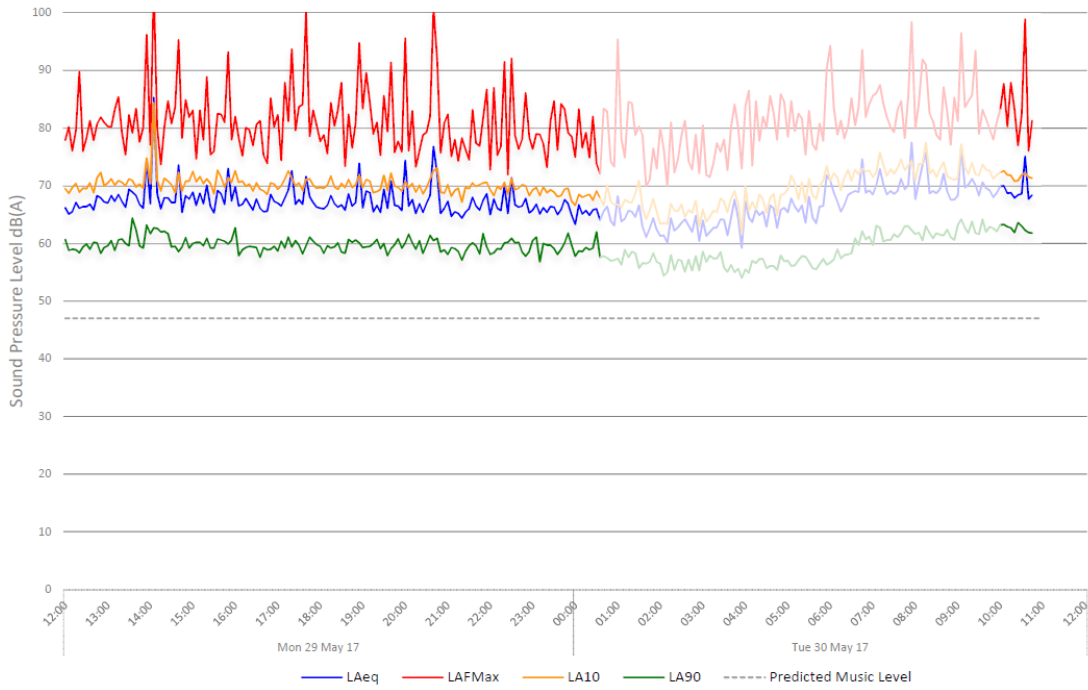


Figure VA1751/TH4



APPENDIX A

Acoustic Terminology & Human Response to Broadband Sound

1.1 Acoustic Terminology

The human impact of sounds is dependent upon many complex interrelated factors such as 'loudness', its frequency (or pitch) and variation in level. In order to have some objective measure of the annoyance, scales have been derived to allow for these subjective factors.

Sound	Vibrations propagating through a medium (air, water, etc.) that are detectable by the auditory system.
Noise	Sound that is unwanted by or disturbing to the perceiver.
Frequency	The rate per second of vibration constituting a wave, measured in Hertz (Hz), where 1Hz = 1 vibration cycle per second. The human hearing can generally detect sound having frequencies in the range 20Hz to 20kHz. Frequency corresponds to the perception of 'pitch', with low frequencies producing low 'notes' and higher frequencies producing high 'notes'.
dB(A):	Human hearing is more susceptible to mid-frequency sounds than those at high and low frequencies. To take account of this in measurements and predictions, the 'A' weighting scale is used so that the level of sound corresponds roughly to the level as it is typically discerned by humans. The measured or calculated 'A' weighted sound level is designated as dB(A) or L_A .
L_{eq}:	A notional steady sound level which, over a stated period of time, would contain the same amount of acoustical energy as the actual, fluctuating sound measured over that period (e.g. 8 hour, 1 hour, etc). The concept of L_{eq} (equivalent continuous sound level) has primarily been used in assessing noise from industry, although its use is becoming more widespread in defining many other types of sounds, such as from amplified music and environmental sources such as aircraft and construction. Because L_{eq} is effectively a summation of a number of events, it does not in itself limit the magnitude of any individual event, and this is frequently used in conjunction with an absolute sound limit.
L_{10} & L_{90}:	Statistical L_n indices are used to describe the level and the degree of fluctuation of non-steady sound. The term refers to the level exceeded for n% of the time. Hence, L_{10} is the level exceeded for 10% of the time and as such can be regarded as a typical maximum level. Similarly, L_{90} is the typical minimum level and is often used to describe background noise. It is common practice to use the L_{10} index to describe noise from traffic as, being a high average, it takes into account the increased annoyance that results from the non-steady nature of traffic flow.
L_{max}:	The maximum sound pressure level recorded over a given period. L_{max} is sometimes used in assessing environmental noise, where occasional loud events occur which might not be adequately represented by a time-averaged L_{eq} value.

1.2 Octave Band Frequencies

In order to determine the way in which the energy of sound is distributed across the frequency range, the International Standards Organisation has agreed on "preferred" bands of frequency for sound measurement and analysis. The widest and most commonly used band for frequency measurement and analysis is the Octave Band. In these bands, the upper frequency limit is twice the lower frequency limit, with the band being described by its "centre frequency" which is the average (geometric mean) of the upper and lower limits, e.g. 250 Hz octave band extends from 176 Hz to 353 Hz. The most commonly used octave bands are:

Octave Band Centre Frequency Hz | 63 | 125 | 250 | 500 | 1000 | 2000 | 4000 | 8000

APPENDIX A



Acoustic Terminology & Human Response to Broadband Sound

1.3 Human Perception of Broadband Noise

Because of the logarithmic nature of the decibel scale, it should be borne in mind that sound levels in dB(A) do not have a simple linear relationship. For example, 100dB(A) sound level is not twice as loud as 50dB(A). It has been found experimentally that changes in the average level of fluctuating sound, such as from traffic, need to be of the order of 3dB before becoming definitely perceptible to the human ear. Data from other experiments have indicated that a change in sound level of 10dB is perceived by the average listener as a doubling or halving of loudness. Using this information, a guide to the subjective interpretation of changes in environmental sound level can be given.

Change in Sound Level dB	Subjective Impression	Human Response
0 to 2	Imperceptible change in loudness	Marginal
3 to 5	Perceptible change in loudness	Noticeable
6 to 10	Up to a doubling or halving of loudness	Significant
11 to 15	More than a doubling or halving of loudness	Substantial
16 to 20	Up to a quadrupling or quartering of loudness	Substantial
21 or more	More than a quadrupling or quartering of loudness	Very Substantial

1.4 Earth Bunds and Barriers - Effective Screen Height

When considering the reduction in sound level of a source provided by a barrier, it is necessary to establish the "effective screen height". For example if a tall barrier exists between a sound source and a listener, with the barrier close to the listener, the listener will perceive the sound as being louder if he climbs up a ladder (and is closer to the top of the barrier) than if he were standing at ground level. Equally if he sat on the ground the sound would seem quieter than if he were standing. This is explained by the fact that the "effective screen height" is changing with the three cases above. In general, the greater the effective screen height, the greater the perceived reduction in sound level.

Similarly, the attenuation provided by a barrier will be greater where it is aligned close to either the source or the listener than where the barrier is midway between the two.

APPENDIX B

VA1751 - Bocconcino, Mayfair

Music Noise Impact Assessment

No Entrance Lobby

	31.5Hz	63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz	dB(A)
Internal Music Level	82	97	90	86	87	89	86	79	70	93
In-to-out Sound Reduction	-12	-19	-14	-12	-13	-13	-15	-15	-18	
Door open 20% of time	-7	-7	-7	-7	-7	-7	-7	-7	-7	
Directivity (Hor.;Vert:1)	0	0	0	0	-3	-7	-7	-7	-7	
Rathe Distance Loss (10m)	-20	-20	-20	-20	-20	-20	-20	-20	-20	
Level at receiver	43	51	49	46	44	43	37	30	18	47

With Entrance Lobby

	31.5Hz	63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz	dB(A)
Internal Music Level	83	101	94	97	98	100	94	88	82	102
In-to-out Sound Reduction	-12	-20	-28	-31	-31	-30	-29	-31	-36	
Directivity (Hor:0,Vert:)	0	0	0	0	-3	-7	-7	-7	-7	
Rathe Distance Loss (10m)	-20	-20	-20	-20	-20	-20	-20	-20	-20	
Level at receiver	51	61	45	45	44	43	38	30	19	

Appendix C

Sample Noise Complaint Log Sheet

Date	Time	Staff Name	No. of Staff & Patrons	Complainant			Details			Response Details ¹
				Name	Address	Phone/email	Description ¹	Duration	Solution?	

¹ Attach noted and email correspondence as appropriate

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
07/03983/WCCMAP	Application for a new premises Licence	Granted under delegated authority	Granted by Licensing Sub-Committee
08/03313/LIPT	Application to transfer of premises licence	18.07.2008	Granted under delegated authority
08/03318/LIPV	Application to vary a premises licence	05.06.2008	Granted in part by Licensing Sub-Committee
13/05315/LIPN	Application for a new premises licence	05.09.2013	Granted by Licensing Sub-Committee
14/08667/LIPDPS	Application to vary a premises licence to specify an individual as designated premises supervisor	30.10.2014	Granted under delegated authority
15/06223/LIPT	Application to transfer of premises licence	10.12.2015	Granted under delegated authority
16/12512/LITENP	Temporary Event Notice 31.12.2016 – 01.01.2017 (17:15pm-02:30am)	29.11.2016	Notice allowed
17/01368/LIPVM	Application for a minor variation to a premises licence	01.03.2017	Granted under delegated authority

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed:

Ground Floor : 60
Lower Ground Floor: 67

subject to the total number at any one time not exceeding 127.

The applicant proposes to amended condition 9 to:

- 9. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed:**

**Ground Floor 90
Lower Ground Floor 70
Subject to the total number at any one time not exceeding 130**

10. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.

The applicant proposes to amended condition 10 to:

- 10. 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.**

11. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

The applicant proposes to amended condition 11 to:

11. ***The premises shall only operate as a restaurant***
- (i) in which customers are shown to their table,***
 - (ii) where the supply of alcohol is by waiter or waitress service only,***
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,***
 - (iv) which do not provide any take away service of food or drink for immediate consumption,***
 - (v) which do not provide any take away service of food or drink after 23.00, and***
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.***

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

12. "Notwithstanding condition 11, alcohol may be supplied and consumed prior to a meal in the designated bar area, by up to a maximum at any one time, of 15 persons dining at the premises"

The applicant proposes to amended condition 12 to:

12. ***Notwithstanding condition 11, until 0030 hours Monday to Saturday and 2230 hours Sunday, alcohol may be supplied and consumed prior to a meal in the designated bar area, by persons dining at the premises***
13. The supply of alcohol shall be by waiter or waitress service only, with the exception of the designated bar marked on the plans.

14. All patrons will be met by a member of staff at the reception area (as marked on the plans) before being directed to seating in the relevant area of the premises.

The applicant proposes to amended condition 14 to:

14. ***Until 0030 hours Monday to Saturday and 2230 hours Sunday, the supply of alcohol shall be by way of waiter/waitress service only, with the exception of the designated bar marked on the plans.***
15. 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.
16. There shall be no self-service from any wine display units.
17. Notices will be prominently displayed at exits requesting the public to respect the need of local residents and to leave the premises and the area quietly.
18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
19. No servicing to take place before 8am and after 11pm.
20. Refuse to be stored internally between 11pm and 8am and not to be put outside the premises at that time.
21. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

The applicant proposes to amended condition 22 to:

22. ***No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.***
23. 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.
24. There shall be no striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a sexual Entertainment Venue Licence.
25. 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 preceding 31 day period.

26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
27. Patrons temporarily leaving the premises shall not be permitted to take drinks outside with them.

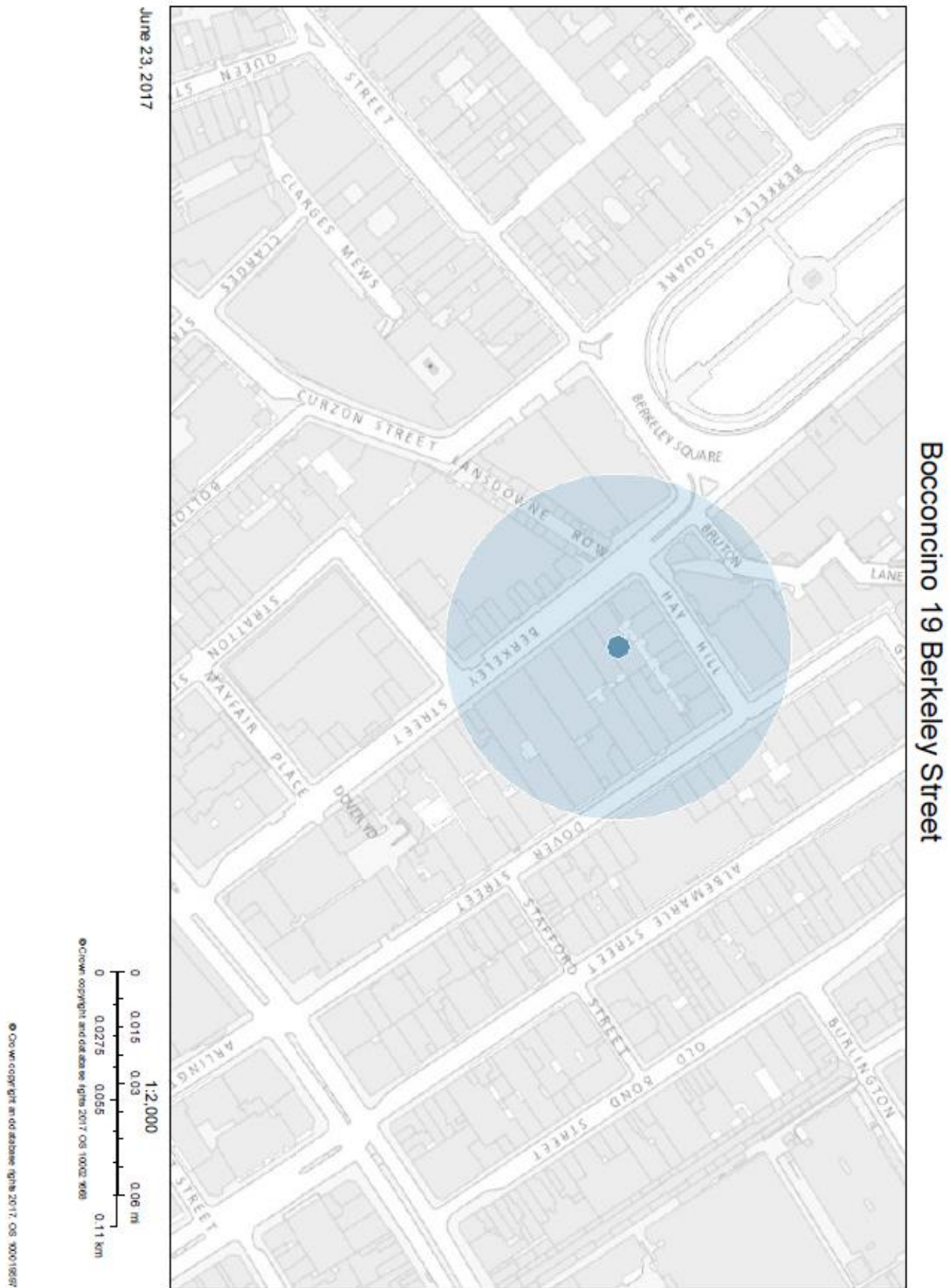
The applicant proposes to amended condition 27 to:

27. ***Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.***
28. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

The applicant proposes to amended condition 28 to:

28. ***A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.***

Residential Map and List of Premises in the Vicinity



Premises Licence - 15/06223/LIPTSchedule 12
Part AWARD: West End
UPRN: 100023473543**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/06223/LIPT

Original Reference:

13/05315/LIPN

Part 1 – Premises details

Postal address of premises:

Bocconcino
19 Berkeley Street
London
W1J 8ED

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Non-standard Timings: NYE 23:00 to 05:00 on New Year's Day

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 22:30
Non-standard Timings: From end of terminal hour on New Years Eve to start of permitted hours on New Years Day

The opening hours of the premises:

Monday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 22:30

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

Bocconcino Properties Limited
19 Berkeley Street
London
W1J 83D
:

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

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

Name: Ms Federica Orsini

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

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

Licence Number: LN/000013204
Licensing Authority: London Borough Of Haringey

Date: _____ 10 December 2015 _____

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that –

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

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

- 8 (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (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.
- (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.
- (iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed:

Ground Floor : 60
Lower Ground Floor: 67

subject to the total number at any one time not exceeding 127.
10. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
11. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
12. "Notwithstanding condition 11, alcohol may be supplied and consumed prior to a meal in the designated bar area, by up to a maximum at any one time, of 15 persons dining at the premises"
13. The supply of alcohol shall be by waiter or waitress service only, with the exception of the designated bar marked on the plans.
14. All patrons will be met by a member of staff at the reception area (as marked on the plans) before being directed to seating in the relevant area of the premises.
15. 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.
16. There shall be no self-service from any wine display units.
17. Notices will be prominently displayed at exits requesting the public to respect the need of local residents and to leave the premises and the area quietly.
18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
19. No servicing to take place before 8am and after 11pm.
20. Refuse to be stored internally between 11pm and 8am and not to be put outside the premises at that time.
21. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

23. 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.
24. There shall be no striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a sexual Entertainment Venue Licence.
25. 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 preceding 31 day period.
26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
27. Patrons temporarily leaving the premises shall not be permitted to take drinks outside with them.
28. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

Annex 4 – Plans

Attached