

Licensing Sub-Committee Report

Item No:	
Date:	9 July 2020
Licensing Ref No:	20/02820/LIPN - New Premises Licence
Title of Report:	94 Great Portland Street London W1W 7NU
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:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	10 March 2020		
Applicant:	Where The Pancakes Are Ltd		
Premises:	Where The Pancakes Are		
Premises address:	94 Great Portland Street London W1W 7NU	Ward:	West End Ward
		Cumulative Impact Area:	None
Premises description:	This is an application for a new premises licence to operate as a restaurant with an outside seating area and seeks permission for on and off sales for the sale by retail of alcohol.		
Premises licence history:	As this is a new premises licence application, no premises licence history exists for this premises.		
Applicant submissions:	The applicant has provided a brochure and biography of the company and branding which can be seen at Appendix 3 of this Report.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		<p>Sunday before a Bank Holiday Monday: 23:00 hours to 00:00 hours.</p> <p>From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p>					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		<p>Sunday before a Bank Holiday Monday: 23:00 hours to 00:00 hours.</p> <p>From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p>					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	09:00	09:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Sunday before a Bank Holiday Monday: 23:00 hours to 00:00 hours. From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	7 April 2020
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday 10.00 to 23.30 hours, Friday and Saturday 10.00 and 00.00 hours and Sunday 10.00 to 22.30 hours. New Year's Eve to New Year's Day. Sunday before a Bank Holiday 10.00 to 00.00 hours. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Thursday 23.00 to 23.30 hours, Friday and Saturday 23.00 and 00.00 hours. New Year's Eve to New Year's Day. Sunday before a Bank Holiday 10.00 to 00.00 hours. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area. <p>The applicant has provided additional information with the application which is being addressed.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	7 April 2020
<p>Late opening times Outside seating till late having an alcohol licence Creating a lot of noise late at night and very early in the morning</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	25 March 2020
<p>I wish to make an objection on behalf of the 50 residents [REDACTED] regarding the proposed licensing application for Where The Pancakes Are Ltd, 94 Great Portland Street, directly opposite where we live. This is the second application for this site. Please refer to 18/07245/LIPN/Roast.</p> <p>Can you please confirm receipt.</p> <p>You may be aware the local residents made very many objections to the last application for these premises. Contacting people is now going to be exceedingly difficult as a result of the COVID-19 lock down. I therefore ask if this hearing can be postponed until such times as the residents are able to attend, as we did last time, as this applications impacts on hundreds of residents who live in close proximity to this site.</p> <p>I look forward to hearing from you in due course.</p> <p>The objectors full representation can be seen at Appendix 2 of this report.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	7 April 2020
<p>I'm writing regarding application number: 20/02820/LIPN. I live in the neighbourhood [REDACTED]. My [REDACTED]. It [REDACTED]. It is a very quiet part of central London and this is the main reason I chose this flat and this location.</p> <p>You may be aware that the windows in our building are single glazed and are mostly left open for ventilation. I am concerned that since [REDACTED] the proposed restaurant site I will hear the action in the restaurant, talking, moving chairs, people walking in and out and this noise will undoubtedly affect the quality of my life and the rest of the residents in the block.</p>	

There are a few additional concerns about the proposed business:

- a. opening hours: longer than the usual trading hours with late night opening and weekends. This is a major concern and it could change the street dynamics completely, with people attending the street late at night.
- b. Sale of alcoholic drinks is expected to be popular, with pancakes been a fantastic companion for it. Also considering the late opening hours which will most likely encourage drinking of alcohol.
- c. On and off sales of alcohol? This would potentially allow and encourage outside seating? Again, the noise lever is a big concern, chairs dragged, people talking loudly outside.
- d. Other concerns regarding noise: smokers standing outside, couriers and delivery vans. Since it's not completely clear what scale of business this application is for and what capacity is required, the noise concern could be multiplied as the numbers go up.
- e. Lack of conditions for this application: please consider setting conditions for this application to be in line with recent licence applications for Whisky Exchange 90-92 GPS 17/07371/LIPN ,Townhouse 88 GPS 17/11140/LIPN and Roast 18/07245/LIPN
- f. I do not recall receiving notification of this application in the usual procedure in a letter. This is not a fair procedure and it's not fair to the residents. Gladly it was discovered in time, allowing some of us to send this objection for your attention.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	7 April 2020

I have lived in 89 GPS W1W7LX for the last 30 years, I am 75 years of age my bedroom overlooks 94GPS, I live in flat and I am forced to open my single glazed windows for ventilation. As I directly overlook the restaurant site I will hear people talking/shouting arriving and leaving while I am in my bed. I have a severe respiratory condition and the noise and air pollution will impact on my life caused by the restaurant. I need my peace and clean air to help me sustain my further life.

The council has failed to send letters notifying me of this licencing application. This is unfair to me and my fellow residents. Also as understood the trading hours are far longer than the usual hence it will be a hinderance to my sleep and my daily wellbeing.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	30 March 2020

[REDACTED] these premises and the application for alcohol sales and late night refreshment will have a negative impact on the quality of my life due to the likely extra public nuisance it will cause. It will also harm the quality of life of my neighbours. Please refuse this application.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	6 April 2020

I have been a [REDACTED] the proposed Pancake restaurant.

I strongly object to this application. This is a very residential area and quiet in the mornings, evenings and the weekends. The corner of Great Portland Street and Langham Street will become more congested and noisy.

If a restaurant is be approved then there should be no windows that open to the street with no audible noise including no bay windows (like Caravan up the road) and no outside tables or seating.

In addition, in view of the residential area, food and alcohol should not be served until midnight and alcohol should only be served to customers who have a table and a meal and on no account should customers be allowed to take drinks outside. Lastly, drinks should only be available for diners and not for off the premises consumption.

Also there should be a restriction on the timing and frequency of deliveries to prevent noise nuisance from deliveries and the disposal of bottles.

The planning department has recently considered other applications in Great Portland Street (Whisky Exchange 17/07371/LIPN, Townhouse 17/11140/LIPN and Roast 18/07245/LIPN). I would ask that conditions be brought, as a minimum, in line with these recent applications.

I trust you will take into account the needs of local residents and maintain the relative calm of Great Portland Street.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	30 March 2020

I see on your weekly email the above application relating to 94 Great Portland Street. I would have expected a letter from you informing me of the above application - which directly affects me as a neighbour living immediately opposite the premises to which it refers. In our block of flats, we also have several elderly neighbours who have no access to email and internet, who would therefore be wholly unaware of this potential major impact to their lives. Westminster Council has a duty of care to inform all residents of significant changes to the lives of its residents - in this case residents of very long standing. As you can see, [REDACTED] [REDACTED] - [REDACTED].

I find it a very pleasant area in which to live which is busy in rush hour times, but restful and quiet in the evenings and at weekends.

I wish to raise my concerns about some of the stated points and some of the omissions in the application. For ease of reference, these points are numbered

1. While Great Portland Street ("GPS") is very near the centre of the West End, it is a largely residential district, with flats on both sides of the road which stretch into many of the

adjoining roads like Langham Street. Working and living in London means you appreciate the evenings and weekends when GPS is less busy and quiet. Yes, there is noise occasionally from public demonstrations and performances in the BBC open spaces, but these are not every day, seven days a week, as the above application is seeking. We do enjoy some peace and will not welcome disturbance from a busy licensed snack bar which is seeking to open to the public from 1000 to 2230-0000 seven days a week creating a huge hubbub from the interior, as well as possibly live and recorded music. The application suggests that it would be worse at Christmas, New Year, and all other holiday periods - which could mean the snack bar will be celebrating virtually non-stop in a multi-cultural city.

2. Even the "core hours" in Westminster's policy are inappropriately long for this area of residential property. I can understand that permission was given in the original planning application for commercial premises on the ground floor of this development, but the intention cannot have been to promote late night, possibly drunken, revelry so close to where many people live and sleep.

3. The application says nothing about tables and chairs for customers (and therefore music and noise) outside the restaurant, but it may well be included in subsequent applications; it seems to be a rising trend. There is currently little excess room for pedestrians on the pavement already - I cannot imagine what it would be like with tables filling the narrow pavement, on a road which is congested and busy during the day. I fear accidents will become a norm when there is no pavement on which to walk. 4. As far as I am aware, there is no rear access for trucks, so deliveries and rubbish collection will need to be made during the day, causing further major holdups. Often, the traffic in Great Portland Street is absolutely solid and the thought of more deliveries etc. is appalling. Unlimited approval will make the situation worse for all - especially if deliveries/collections are early morning or late evening to avoid the rush. In that case, it would create unacceptable and regular noise seven days a week at ungodly hours - as well as the added congestion in the street. This will affect not only the residents who live close by but a much wider circle of voters.

5. I note that many of the flats above the new commercial development on the same side of the street as the application premises - which are of a high quality - are not yet occupied, meaning that residents cannot voice their concerns. You are also unlikely to hear from transient and other short-term tenants in the immediate area - of which there are some - or from those away on long-term summer holidays. You will not hear from people living close by who have not spotted this application because they have no internet access and you have not sent them letters. None of us wish to see this area turning into one populated only by short-term tenants because permanent residents cannot stand the noise and disturbance. Short let tenants have little or no concerns about the area, about security, noise, and public nuisance. We have made sure that our block has no short-term tenants, meaning that all owners and residents have a long-term interest in the quality of life in Westminster and in particular in GPS where they live.

6. There is already a range of restaurants and bars in Great Titchfield Street and further North on GPS - I question whether there is a market for yet another one, let alone a snack bar selling pancakes and alcohol. There are material costs involved in setting up and running licensed premises - and the owners will want to maximise the use of any music allowed, as well as any other attractions they can muster within any planning consent to attract business. A hive of activity at all hours of the day and night is not unwanted by people who live here and want/need to sleep at night. I cannot see any measures to be put in place by the owners which will ameliorate this noise effectively.

7. If there were to be live or recorded music almost all the time the restaurant is open, then with people eating and drinking outside, and windows to the interior open, there will be noise problems for all who live locally - who will be unable to open their windows for the noise outside - which is wholly unacceptable, especially in this hot weather. The opening hours must be substantially limited in any licence approved.

8. I understand that the applicants are seeking a licence to sell alcohol at any time the establishment is open. Please bear in mind that the main substance of food served will be a pancake; serving strong alcoholic drinks with pancakes seems to me to be a licence for noise and rowdy behaviour. Any approval to sell alcohol anywhere in the area must be limited to 'sales of alcohol only with a full meal'.

The applicants in this case are also seeking "on" and "off" sales - something which is highly unnecessary, given the number of establishments already selling alcohol locally. I request 'on sales only' please

9. As far as I am aware, other restaurants in the immediate area have much more reasonable hours of operation and the hours of operation in this application must be similarly restricted. None of us wish to see "planning creep" turning a quieter area of London into another Soho or Berkeley Street; this application could be a first real step in that direction

10. Some aspects of the application appear to me to be vague - any approval must be clear on the limitations to a "total free market for any and all noise and alcohol".

11. I believe we will all suffer from the noise of pancake and drinks patrons - after a "healthy meal" - leaving late at night and saying goodbye to friends, the slamming doors of cars and taxis etc. Excited and possibly inebriated restaurant guests late at night are not associated with quiet residential streets. As I have mentioned before, the area can be very quiet at night and weekends - those who live in the area do not seek to change that; this is where we live!

12. I believe this application and any others for the area must have restrictions in line with, or even more restricted than, other recent applications e.g. for The Whisky Exchange (17/07371/LIPN), Roast (18/07245/LIPN), and Townhouse (17/11140/LIPN)

13. In conclusion, I believe this application is contrary to Westminster Council's Statement of Licensing Policy 2016, especially in terms of the proposed hours of operation.

I have asked Mr Richard Brown to represent me at the hearing.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	7 April 2020

[REDACTED] open my single glazed windows which I occasionally open for some fresh air.

[REDACTED] I will hear people talking/shouting arriving and leaving while I am studying. I also have a allergic cough condition caused by air pollution and hence will impact on my life caused by the restaurant. I need my area to be less polluted and have clean air to help me concentrate. More recently, Great Portland Street has become extremely commercial as a street which I am unhappy about.

The council has failed to send letters notifying me of this licencing application. This is extremely unfair to me and my fellow residents. Also as understood the trading hours are far longer than the usual hence it will be a hinderance to my education and wellbeing.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	7 April 2020

Introduction

I am writing to make a relevant representation in respect of the above application on [REDACTED]

I object on the basis that the likely impact of the application, if granted with its current wording, will be to harm the licensing objectives of 'prevention of public nuisance'.

I spent a lot of time and energy on opposing the previous license application granted for 94 Great Portland Street last year, including taking annual leave to attend meetings with the applicant and hearings. Therefore I'm very disappointed to see that the conditions for the previous license have not been included in the new application as a minimum starting point. I'm also disappointed that the comments from many local residents on the previous license application have not been included or considered. I hope that these can be referred to during the hearing.

Background

The area surrounding the premises is extremely residential. Opposite the premises is 89 Great Portland Street, a block of 18 flats with over 50 residents where most windows have single glazing.

range from families with small children to elderly couples who have lived here for decades. There are also many floors of residential units in all the neighbouring properties and all of the units above the premises will be residential once they're completed. When I made my decision to purchase the flat to settle down and start a family, we researched the surrounding commercial units to make sure that they are solely for retail units.

The premises are on a block on Great Portland Street that has only retail units and residential flats on it, and the block opposite the premises has only retail units, small offices and residential flats. The street is very quiet in the mornings, evenings and at weekends. There are no licensed premises that are restaurants or bars in the immediate vicinity and we are therefore protected from disproportionate noise in the evenings, late at night and weekends.

Please find attached a document with some photographs of the immediate area at different times of day including at the weekends and in the evenings, to give Members of the Licensing Sub-Committee and the parties an idea of the context in which the proposed licensed premises would be operating (please see attachment: Photos of local area for Application Reference 20 02820 LIPN .pdf).

I am very worried that the licence with its current scope and wording would drastically change the current situation and local community. The proposed restaurant would completely transform the nature of the area for local residents - from a predominantly residential area that is quiet in mornings/ evenings/ weekends to an area that is dominated by a very loud and busy restaurant/ bar causing a lot of intrusive noise, nuisance and extra congestion/pollution every day of the week from the early mornings to late at night.

Reasons for objections

1. Off sales and outside tables & seating

I am extremely concerned that the application includes reference to off sales and envisages tables and seating outside the restaurant. It will cause a lot of noise and public nuisance that will affect over 50 residents in our building across the road (which has only single glazing) and many dozens more residents in neighbouring buildings. This is also combined with the sale of alcohol, which is associated with even louder behaviour.

There are no properties on this block of Great Portland Street with any outside tables and seating, and no properties on the block opposite the premises with outside tables or seating.

Further, the planning permission for outside tables and chairs was refused by the Council last year for both 94 Great Portland Street (ref: 18/06561/TCH) and the neighbouring premises 96-98 Great Portland Street (ref: 19/07353/TCH). In addition, the license at 88 Great Portland Street has a condition on the license that prohibits outside seating: "18. No outdoor seating at the front of the property will be permitted" (ref: 17/11140/LIPN).

The previous license for 94 Great Portland Street was reduced to on sales only and with no outside area (ref: 18/07245/LIPN).

If the license is granted then I would ask that these conditions are included - on sales only, restrict the license to the premises building only with no external areas, and no outside seating permitted.

2. Takeaways

I am concerned about public nuisance and noise from a takeaway service. Therefore I would ask that the following condition from the previous license is added back to the new license:

Licence 18/07245/LIPN at 94 Great Portland Street:

Condition 11. The premises shall only operate as a restaurant (iv) which do not provide any take away service of food or drink for immediate Consumption

3. Opening times and hours for licensable activity

The proposed hours for licensable activities are profoundly worrying for residents and will be a 'game changer' for this vicinity. They start many hours earlier and finish many hours later than retail units next door that have had licenses granted as well as for the previous license at 94 Great Portland Street.

If the license is granted, then it will make a very big difference to local residents if the opening and closing times are in keeping with the local area and context of a predominantly residential street. Specifically no longer than 9am - 11pm Monday to Saturdays, and closed on Sundays.

4. Queues on the street

If the licence is granted, then I would appreciate a condition that ensures any queues must be inside the premises so there are no people or groups gathering in the street that will disturb residents.

5. Noise audible outside the restaurant

I am concerned about the noise that will be audible from such a large restaurant, especially from any open windows or doors and from customers queueing. This will generate a lot of noise and it is not appropriate to expose the whole street to all this noise with hundreds of residents living nearby in many floors of flats around the premises.

If the license is granted, then I would appreciate that the wording matches the condition from the previous license (i.e. doors being closed at all times and not just after 21.00):

Licence 18/07245/LIPN at 94 Great Portland Street:

Condition 30. 'All external doors shall be kept closed at all times except for the immediate access and egress of persons. All windows shall be kept closed after 21.00 hours.'

6. Crowds and congestion in front of the premises

I am concerned about potential public nuisance due to noise from people drinking, talking or smoking in front of the premises, vehicles collecting customers, slamming car doors and horns following congestion. The dispersal of customers will also be a major issue given there will be a huge number of diners (100+ covers) all day who are able to drink alcohol, and can congregate in groups outside the restaurant before/after their meal and to get transport home. This noise

would reach many dozens of residents in the surrounding flats, which mostly have single glazed windows.

I am happy to see many of the conditions from the previous license included in the application.

Please can you ensure that the number of smokers does not exceed that granted before and at neighbouring properties, so that it's limited to 5 persons maximum.

Licence 17/07371/LIPN at 90-92 Great Portland Street, W1W 7NT:

AND

Licence 18/07245/LIPN at 94 Great Portland Street:

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.

7. Events

The proposed restaurant has covers for over 100 people. There are no other venues in the vicinity of the premises that support large events.

Events involve very large groups of people arriving, leaving, and loitering outside the premises during breaks, and these groups can also be served alcohol during the event.

Therefore I would be grateful if private events can be limited in frequency and timings through the use of Temporary Event Notices. I would also ask that there is a maximum number of people for the event. This would be similar to the licence for the premises right next door at 90-92 Great Portland Street, which includes the following conditions that I think could work well:

Licence 17/07371/LIPN at 90-92 Great Portland Street, W1W 7NT:

There shall be no private events for groups unless the premises is operating under the authority of a Temporary Event Notice.

When events are held in the [basement area of the] premises the maximum capacity shall not exceed 30 people, excluding staff.

8. Self-service

There is a condition from the previous license that is missing from the new application, and I think it's relevant to reduce public nuisance from alcohol-related activities:

Condition 15. There shall be no self-service of alcohol.

Statement of Licensing Policy 2016 ("the Policy")

The application engages a number of sections of the Policy. I would like in particular to refer to policy HRS1 and PN1.

HRS1 is the 'core hours' policy, which constitutes a policy that the hours for customers to be on the premises should be restricted to 10am to 11.30pm Mon-Thurs, 10am to midnight Fri-Sat and midday to 10.30pm Sun. Although I do not know what the times for the premises to be open the public will be, it would clearly be beyond 'core hours'.

In any event, I believe that even if the hours were amended to 'core hours', this would be much too late for this location. In particular, I believe that it would be contrary to policy PN1.

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.'

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.'

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.'

The Policy therefore recognises the potential for the sorts of issues I have raised.

Conclusions

I have sought advice from the Citizen's Advice Bureau, and they shared with us some very helpful case examples that set a reasonable precedent that 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) and 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)).

If the application is granted, I ask that the scope of the licence is limited and that robust safeguards are included on the licence to reflect the local area and limit the significant potential for nuisance and noise. In summary, these should include:

1. No seating outside
2. On sales only (no off sales)
3. No takeaway service
4. Restrict the opening times and licensable activity in line with nearby premises on Great Portland Street and the previous license for these premises, especially early mornings, late at night and on Sundays
5. No queueing outside the restaurant
6. No noise audible from the restaurant including no open doors and windows
7. If any private events are permitted, that they be limited in frequency and timings through the use of Temporary Event Notices
8. No self service

Many of these conditions are already imposed on licenses granted for these premises last year and premises next door at 88 Great Portland Street and 90-92 Great Portland Street, and therefore would be a reasonable step towards maintaining the neighbourhood and social

cohesion for local residents.

Photographs supporting the representation can be seen at Appendix 2 of this report.

Name:

Address and/or Residents Association:

Received:

7 April 2020

I manage

I am writing to you on behalf of the Leaseholders,

objecting the proposed licensing application for Where The Pancakes Are Ltd, 94 Great Portland Street.

From the picture attached you can see that the flats are directly opposite the site (view from the leaving room).

The reasons for their objection are as follows:

1. They have not received any letters notifying them of this licencing application. They were only made aware of it after being notified by

2. Late night closing hours.

Monday to Thursday - 23:30

Friday to Saturday - 00:00

There is a great concern about noise disturbance to our tenants and the neighbours.

We understand that the trading hours of the applicant's Southwark restaurant are much earlier, although it is located in a far busier area than Great Portland Street (GPS).

Monday, Tuesday and Wednesday 8am - 5pm

Thursdays and Fridays 8am - 9pm

Saturday 9am -9pm

Sunday 9am - 5pm

3. Serving alcoholic drinks late at night will cause further disturbance to the residents especially if there are seating outside.

4. This part of GPS is very residential and quiet in the mornings and evenings. Opening a restaurant opposite means delivery/rubbish trucks blocking the road, causing more traffic and noise.

5. My clients are concerned that the value of their property will go down as a result of restaurants opening in the area. There is enough disturbances from the BBC as it is.

6. Should this application be approved my clients are asking to bring the conditions in line with recent licence applications for Whisky Exchange 90-92 GPS 17/07371/LIPN , Townhouse 88 GPS 17/11140/LIPN and Roast 18/07245/LIPN

7. My clients are also asking to limit the trading hours, deliveries, no outdoor seating, no exterior furnishing and doors should be closed at all times.

We trust you will take into consideration the points presented to you by the residents and Leaseholders who are effected by this licensing application.



Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	8 April 2020

I am writing to object to the proposed license application. The application does not sufficiently consider the needs of local residents, whose quality of life would be adversely affected by public nuisance and noise increase at anti-social hours if the license were to be granted in full. Recent license applications have had considerably more strict conditions imposed upon them, and so this application would be unprecedented in its consequences for the area. This includes the previous application at 94 Great Portland Street (Roast 18/07245/LIPN), for which I spent considerable time submitting comments, attending meetings and joining hearings to ensure it protected local residents.

[REDACTED] Despite its central location, this area is very quiet in the mornings, evenings and on weekends. There are currently no restaurants or bars in the surrounding area, only retail shops, offices and a growing number of residential flats and families. I have sent some time-stamped photos that show how quiet and empty the street is.

We would like the licensing committee to uphold the conditions of the previous license (Roast 18/07245/LIPN) as a minimum to reduce public nuisance and noise for local residents from a large restaurant. This includes:

- 1) No outside tables & chairs.
- This would drastically increase noise levels in a quiet residential area and harm our area's social cohesion. We ask that any license granted explicitly forbid both outside seating and open doors & windows.

2) Shorter hours for serving alcohol.

The proposed opening hours are too wide, and leave no days of respite for residents. In addition, the dispersal of customers late at terminal hours would create excessive noise. We would instead suggest weekday hours of 8am-10pm; Saturdays 1130am-630pm, closed Sundays, in keeping with other restaurants.

3) No off sales

4) No takeaways

5) No parties or events

6) No queuing outside.

Further submissions from the objector can be seen at Appendix 2 of this report.

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]

Received:

7 April 2020

On behalf of the Fitzrovia West Neighbourhood Forum, we formally write to Object to the premises licence application for the ground and basement premises at 94 Great Portland Street, London W1W 7NU.

You will be aware that we previously objected to the licensing application by a former applicant - Roast - for the same premises in 2018 (application ref. 18/02745/LIPN - copy of objection attached) and this objection was successfully established.

We find it incomprehensible that a firm whose principal objective is to make and sell pancakes for consumption on the premises is seeking a licence to sell cocktails and liquor over an extended day period as part of their offer. Clearly few will be drinking cocktails at breakfast or even at lunch nor are pancakes a fare consumed in the evening. Accordingly, we believe that this application represents subterfuge to mask what is a very limited food offer (normally associated with breakfast) but which is really in respect of a full-on drinking establishment which does not comply with the approved use of the premises.

You will be aware that there has been an explosion of applications in Fitzrovia and elsewhere in Central London to change the use of premises from A1 retail to A3 restaurants and drinking establishments over the last few years as a result of which the neighbourhood is under stress with the constant pressure for licensed premises to extend their hours; push for external seating to accommodate people drinking and smoking outside of the premises and with the greatest pressure on providing drinking establishments over eating establishments where the latter has a restriction on the number of persons who can be accommodated within the A3 restaurant premises.

The applicant has no experience in operating full-on drinking premises nor is their intended operation remotely like their other limited premises that they operate in South London or any other pancake establishment in London.

The Fitzrovia West Neighbourhood Forum acknowledge that the ground and basement premises of 94 Great Portland Street have an A3 use and therefore that a well-managed restaurant - not bar or drinking establishment - facility in this location adhering to standard hours

and high levels of management can function here.

We have copied this objection to our Ward Councillors and also to the Chair of the Licensing Committee.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	06 April 2020

[REDACTED], I am the full time concierge working for the [REDACTED]. I was informed by email about the new planning application at 94 Great Portland Street for this new Pancake House [REDACTED]. I then informed the residents I work for about this new application. Residents are not happy at all that they were not notified about this Pancake House application. 94 Great Portland Street is exactly opposite their sitting room windows, the residents are all professional respectful, hard working people who deserve their time to relax and unwind after their hard days work. I was at the previous council meeting regarding the previous application at the same location (Roast 18/07245/LIPN). [REDACTED] and the [REDACTED] would like the same conditions that were placed on the previous licence application (Roast 18/07245/LIPN) be put on the the new license application 'Where The Pancakes are' in order to reduce public nuisance and noise for local residents. For example, (No windows that open to the street with no noise audible including no bay windows, no outside tables or seating on this block (78-94 GPS) or the opposite block (79-95 GPS). Food and alcohol should not be served until midnight and only to customers who have a table and a meal. Customers should be restricted from taking any drinks outside. Drinks should only be available for diners and not for off the premises consumption, there should also be a restriction on the timing and frequency of deliveries, especially the disposal of noisy smashing bottles. Private functions or events should be limited in size, frequency and timings through using Temporary Event Notices. Residents ask that you please maintain the calm and peaceful nature of Great Portland Street. Thank you.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	30 March 2020

[REDACTED] and the application for alcohol sales and late night refreshment will have a negative impact on the quality of my life due to the likely extra public nuisance it will cause. It will also harm the quality of life of my neighbours. The evenings and weekends is the time we get some necessary respite from the hubbub of central london. This application will take that away from us. Please refuse this application.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	3 April 2020

[REDACTED] the proposed Pancake restaurant. [REDACTED].



I note that the council has failed to send letters notifying local residents of this application. We only saw the notice when passing by the building.

I strongly object to this application for a number of reasons. Firstly, this is very residential area and quiet in the mornings, evenings and the weekends. The corner of Great Portland Street and Langham Street will become more congested and noisy. In addition, there is already significant out of hours disturbance from BBC movement and building works - the restaurant will only add to this nuisance factor. Why does Portland Street need another restaurant when there is already ample provision in the area ?

If a restaurant is be approved (which is not my desired option) then there should be no windows that open to the street with no noise audible including no bay windows (like Caravan up the road) and no outside tables or seating. In fact, there are no outside tables on this block (78-94 GPS) or the opposite block (79-95 GPS).

In addition, food and alcohol should not be served until midnight and only to customers who have a table or a meal, and customers should be restricted for taking any drinks outside. I note the Southwark branch of the restaurant is only open to 9pm. Why can't this be the end time for Great Portland Street ? Lastly, drinks should only be available for diners and not for off the premises consumption.

Also there should be a restriction on the timing and frequency of deliveries to prevent noise nuisance from deliveries and the disposal of bottles. If any private events are permitted, that they be limited in size, frequency and timings through the use of Temporary Event Notices.

The planning department has recently considered other applications in Great Portland Street (Whisky Exchange 17/07371/LIPN, Townhouse 17/11140/LIPN and Roast 18/07245/LIPN). I would ask that conditions be brought, as a minimum, in line with these recent applications.

I trust you will take into account the needs of local residents and maintain the relative calm of

Great Portland Street.

Name:

Address and/or Residents Association:

Received:

1 April 2020

Our association objects to this application as it would likely lead to an increase in public nuisance from noise in the area and negatively impact on the many residents surrounding the premises.

Further comments received from the objector dated 4 April 2020:

We'd also like to add these comments, following on from our two previous submissions.

Another important concession obtained by residents in the previous licence was that 'All external doors shall be kept closed at all times except for the immediate access and egress of persons. All windows shall be kept closed after 21.00 hours'. The condition proposed with this application is significantly watered down, to read 'The entrance door and all windows shall be kept closed after 21.00 hours except for the immediate access and egress of persons.'

Accordingly, we are concerned about the hours sought, and that the conditions submitted would in any event not promote the licensing objectives.

Due to Covid-19 fewer residents may see the premises notice. We would wish in due course to submit comments on on their behalf.

Additional comments received from the objector dated 4 April 2020:

We would like to submit these additional comments.

Our association along with numerous other residents, residents' groups and Councillors objected to a previous new premises licence in 2018 (ref: 18/07245/LIPN).

This corner site is in a quiet part of Great Portland Street, close to numerous residential accommodation on Great Portland Street and Langham Street. Residents engaged fully and at great length with the applicant at that time in an attempt to narrow the issues. The Licensing SubCommittee determined that a licence should be granted to less than the maximum core hours. Various conditions were added to address the residents' concerns.

Foremost amongst these conditions were a prohibition on off sales and outside tables and chairs (which was also refused by the planning authority). There is no reference in the application form to an area set aside for consumption of alcohol off the premises (as is required by law if such an area is contemplated) and so we assume that there is no intention to have outside tables and chairs. Nevertheless, the applicant's proposed condition 4 seems to envisage external tables and chairs as well as general off sales. In any event, such permission would in our view be outside the scope of the application

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	1 April 2020

Can I firstly say how appalling it is that this application is trying to be pushed through by the applicant during a national crisis when most people have high anxiety and will be truly distracted to voice the objections they would have definitely had to this application. They tried to pass the licensing for these premises previously and the number of objections were too great to pass it and now they are trying to do it when we are in the thick of the corona crisis. That is truly appalling and if this is passed- we as residents will make a formal complaint regarding the circumstances in which it was passed.

Late night drinks and noise will affect the many residents that are surrounding these premises. This is why we objected to it before. Nothing has changed! The only thing is that we are now all distracted with bigger worries to perhaps refuse this! Please refuse this as the timing alone is enough to challenge any approval legitimacy.

I hope you will consider this and empathise with our situation. Currently my mother has the virus bad and I have only done this as she kept telling me to do so. I must repeat. This is not a decent and fair time to try and pass this application.

Thank you very much for your help.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	30 March 2020

[REDACTED] proposed premises and the late night refreshment and application for alcohol sales will have a very negative impact on the quality of [REDACTED] to the degree of noise it will cause as well as the extra public nuisance from having drunk patrons. It will also harm the quality of life of my neighbours. Please refuse this application.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(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.</p> <p>(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.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy RNT1 applies	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Equality Implications

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

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

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

4. Appendices




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

Report author:	Michelle Steward Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: msteward1@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

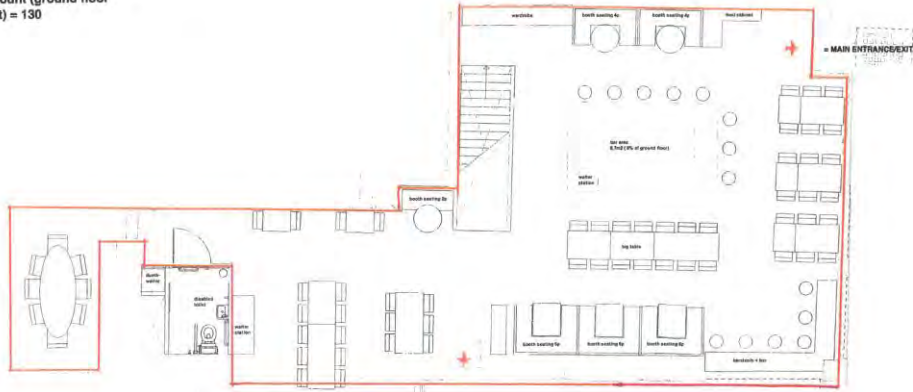
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service Representation	7 April 2020
5	Representation 1	7 April 2020
6	Representation 2	25 March 2020
7	Representation 3	7 April 2020
8	Representation 4	7 April 2020
9	Representation 5	30 March 2020
10	Representation 6	6 April 2020
11	Representation 7	30 March 2020
12	Representation 8	7 April 2020
13	Representation 9	7 April 2020
14	Representation 10	7 April 2020
15	Representation 11	8 April 2020
16	Representation 12	7 April 2020
17	Representation 13	6 April 2020
18	Representation 14	30 March 2020
19	Representation 15	3 April 2020
20	Representation 16	1 April 2020
21	Representation 17	1 April 2020
22	Representation 18	30 March 2020

- LEGENDS AND KEYS**
- GROUND FLOOR SEAT NUMBERS: 100 SEATS
 -  = FIRE ESCAPE EXIT
 -  = FIRE AND OTHER SAFETY EQUIPMENT
 -  = THE AREA WHERE LICENSABLE ACTIVITIES WILL TAKE PLACE

Total seat count (ground floor & basement) = 130


94 GREAT PORTLAND STREET W1

P.1 Ground Floor



LANGHAM STREET

Anything on this plan which is not required by the Plan Regulations is for illustrative purposes only, and does not form part of the Premises Licence.

<p>Overtraders W 02046161150 100-102 Abchurch Lane, EC4A 3DF 02046161150@overtraders-w.co.uk</p>	<p>project: client: location:</p>	<p>WTPA/GPS Where the Puddles Are Great Portland Street W1, London</p>	<p>version: date: date changed:</p>	<p>floor plan: December 6, 2019 December 10, 2019</p>	<p>scale: 1:50 on A2 phase: preliminary design drawn by: DW</p>	
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Anything on this plan which is not required by the Plan Regulations is for illustrative purposes only, and does not form part of the Premises License.

Overtreders W Design for space
 Dublin 18D
 1000 ES (not for sale)
 post@overtreders-w.nl

project: client:
client: WTPA/SPS
location: Where the Pancakes Are
 Great Portland Street St, London

version: floor plan
date: December 5, 2015
date changed: December 10, 2015

scale: 1:50 or A3
phase: preliminary design
drawn by: OW

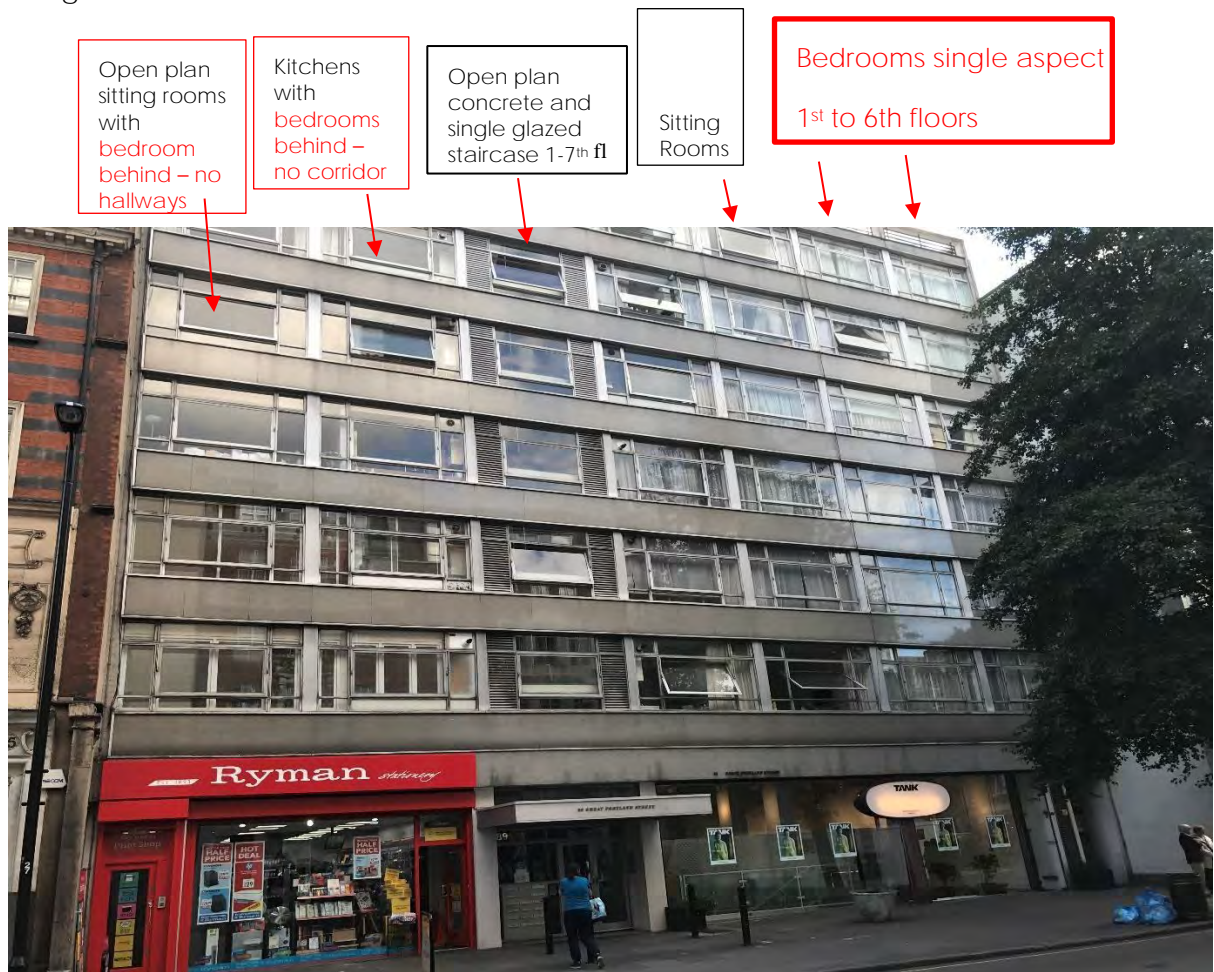
Dear Sir/Madam

Application for new premises licence under s17 Licensing Act 2003, ref: 20/02820/LIPN

Where The Pancakes Are Ltd, **94 Great Portland Street, London W1W 7NU ('the premises')**

Overview

I write to make a relevant representation concerning the above application for a new premises licence. I represent Portland Apartments Ltd which is the Management Company for 89 Great Portland Street situated almost opposite this site. I represent both the directors and leaseholders of the 18 flats above two commercial units. Here is our building: -



Front elevation 89 GPS W1W 7LX single glazed 1950's concrete construction over 7 floors showing positions of bedrooms and living spaces in flats on 1st – 6th Floors 24 rooms are single aspect

Currently 50 people live in the building ranging from a family with a young baby, students studying at university to working professionals as well as long term retired leaseholders with underlying health issues.



As it could be argued that taking photos of the surrounding streets during the coronavirus lock down is unfair, I include photos taken in 2018/2019 for traffic and footfall purposes.

Site of application - 94 Great Portland Street – as was



The flats above 94 Great Portland Street are still being refurbished. Therefore, these future residents of 17 flats at 36-40 Langham St are unable to make any objections to this application.

The proximity of 94 Great Portland Street from below the northern bedrooms of 89 GPS is: -

From 1st floor bedroom

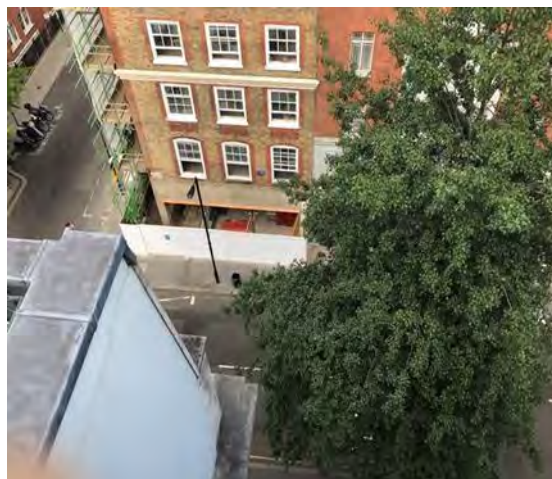


Saturday 2 November 2019 11.47am

From 4th Floor Bedroom



From the Roof (above bedrooms)



From front door of the block



Langham Street Opposite site – Joe and the Juice and residential flats above



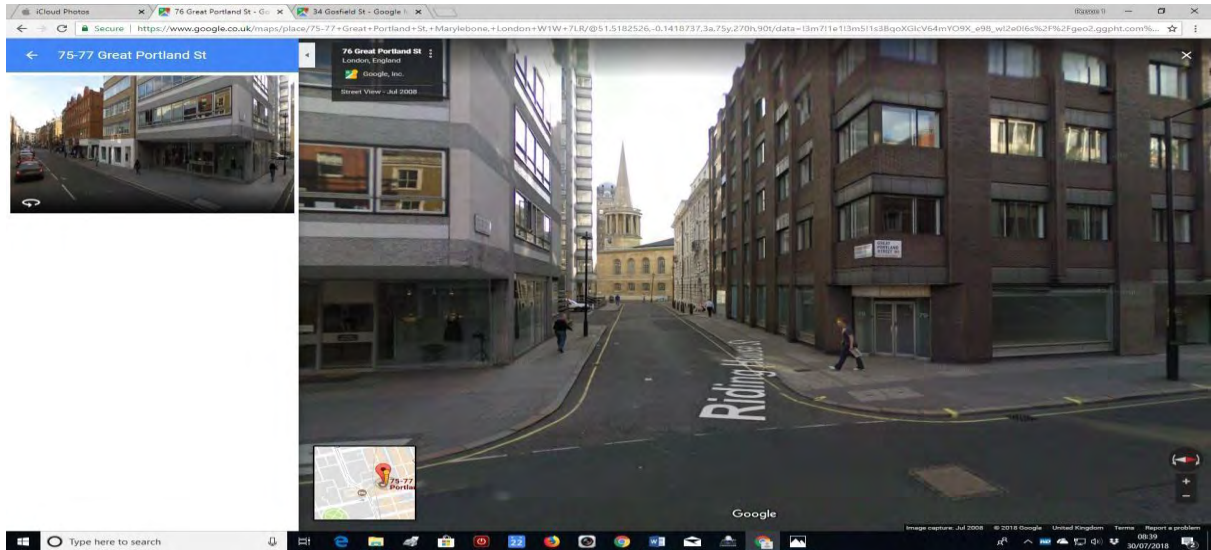
Saturday 2 November 2019 at 11.51 am - notice how quiet the streets are

Immediate area

Let me set the scene for you.

[REDACTED]

We live in a small residential enclave surrounded by a number of institutions and businesses. We have three residential blocks of [REDACTED] plus various residences in All Souls Place and Riding House Street. We have several commercial units including St Gorbain Showroom (commercial building materials) (#95) Tank Magazine (#91-93), Ryman Stationers (#87), Urban Living Interiors (# 85) Knomo (bag/case brand) (#83), Chemist (#79).



July 2008 Historic view or Riding House Street – to south of our flats

Radio 1, 1Xtra and 6 and the BBC receiving bay sit next to the [REDACTED] Flats to the north. There are Embassy buildings and All Souls Church on Riding House Street and private residents and All Souls buildings/residences in All Souls Place to the south. We overlook the BBC to the west. We have therefore always enjoyed quiet neighbours.



View from south end of building west

View from north end of building



View from roof looking down

All showing the quiet nature of the position of our flats to west



Showroom



Langham Street to BBC Piazza

Saturday July 28 2018 18:53:53



Saturday November 2 2019 12.16

Showing quiet nature of our block to the north

Adjoining blocks

North - Empty ex BBC offices being refurbished - entire block – now being refurbished - GPS facia



Next block north - Wogan House - Radio 2



adj to Portland Place School, offices and commercial offices and shops

Block to East – Opposite our flats

The new flats across the road opposite 78, 80 88-94 Great Portland Street intersperses with social housing, private residential, office space and commercial units at ground level.

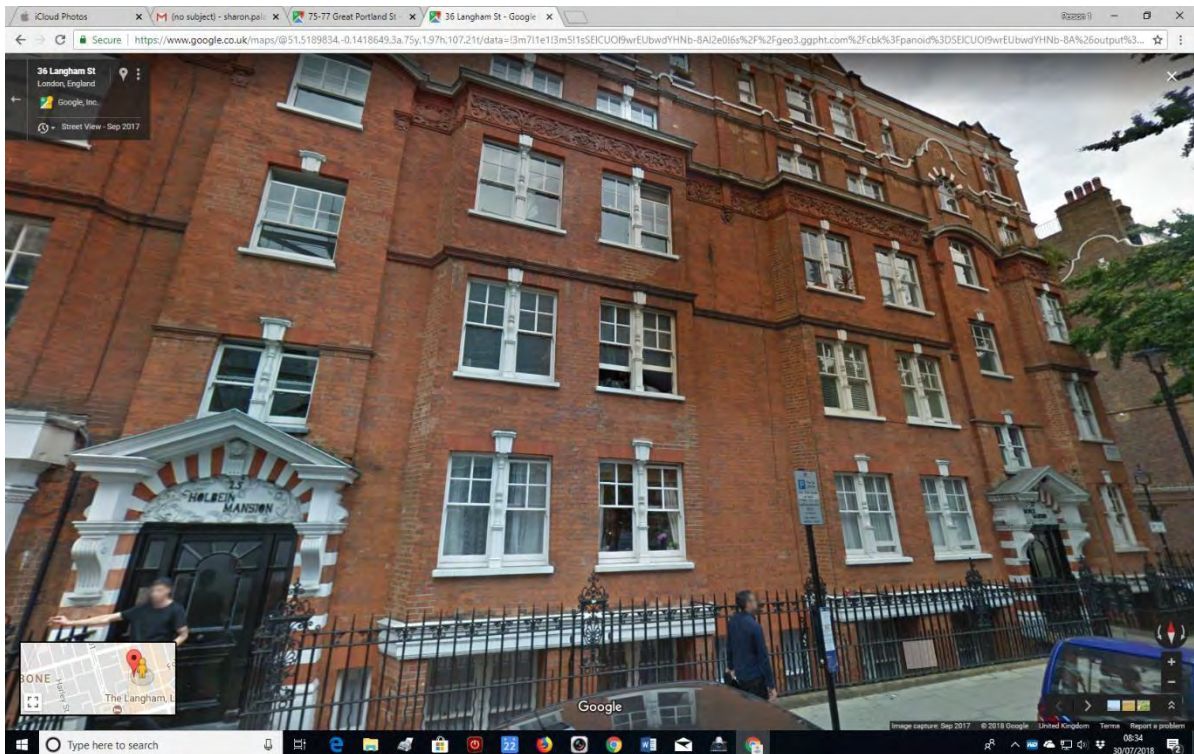


North side - the proposed 17 flats 36-40 Langham St above applicant's unit South side of block



Middleton Place – walk through from Riding House Street to Langham Street - residential

North East Block – Rembrandt House 100 Great Portland Street (GPS) flats, Holbein Mansions 25 Langham Street & Van Dyke Mansions 27 Langham Street - residential



Gosfield Street (mixed residential and commercial)



Block to South West – offices above commercial units at ground level



Velorution bike shops x 2 61 & 75-77 GPS Morrells DIY store



Pub being refurbished on corner ~#55-57 – no disturbance to 89 GPS in the past

South West Block



July 28 2018 17.00.11

University of Westminster Library and offices plus commercial and garment units –
Some of these buildings now being redeveloped 3/2020

Great Portland Street North/South

██████████ is situated in a rare quite part of Fitzrovia. From Oxford Street to New Cavendish Street this area has historically been a 'Rag Trade' zone from 1960's with UK and International Clothing Companies having offices and showrooms for taking orders for their latest collections close to London's busiest clothing streets - Oxford, Regent and Bond Streets.

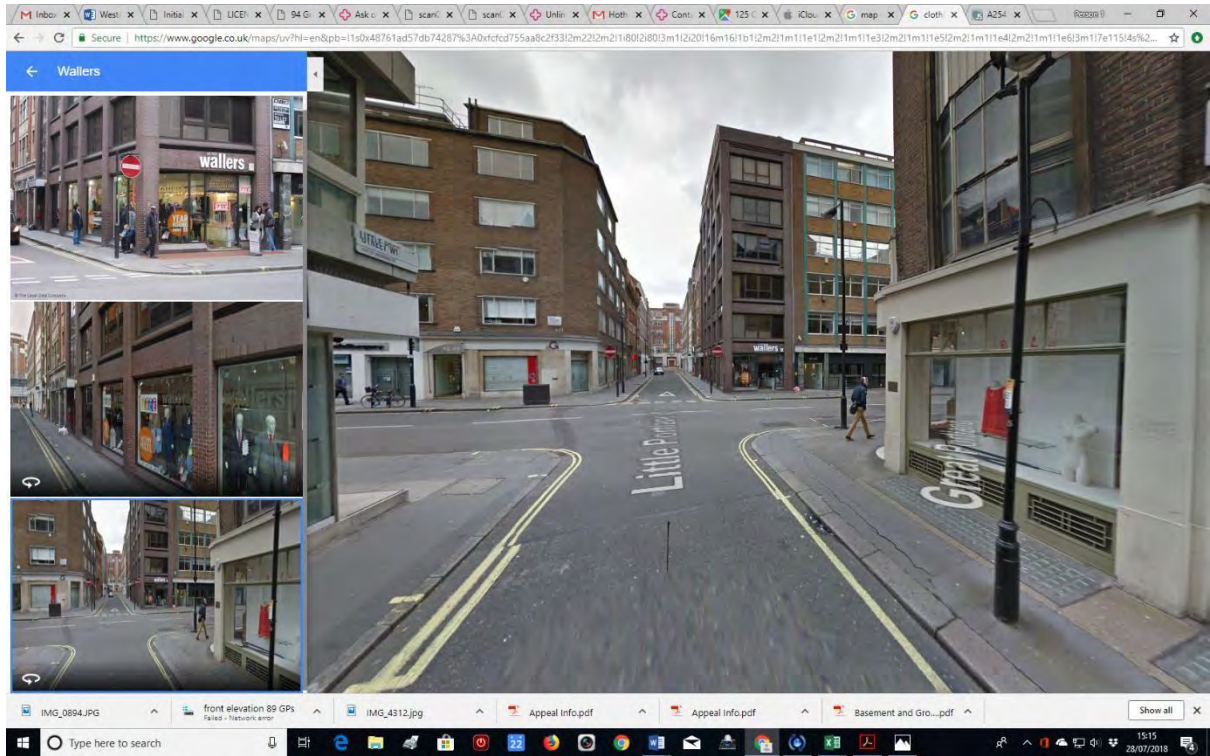
North of Margaret Street, footfall drops markedly out of office hours and the hubbub of Oxford Street evaporates into a quiet backwater of Central London with low levels of disturbance from such as Portland Place School and University of Westminster teaching buildings.

North of New Cavendish Street was known for office and furniture showrooms i.e. Bisley along with Portland Place School, Central United Synagogue, Portland hospital, media and printing businesses, banks and BBC buildings – Wogan House, a second BBC administration entire block now being renovated directly north from us into temporary

office space and further up the street what was the home of Radio 1 (now offices). Even John Lewis used to have its head office here before moving to Victoria Street.



Looking south to Oxford Street Saturday 2 November 2019 11.52am



Three of four corner shops are still garment showrooms/businesses



Velorution Bike shop 75-77 GPS below offices and 79 GPS chemist with flats above

All these businesses/operations were/are all quiet neighbours as they predominantly worked 9-5pm Monday to Friday. See table of businesses past and present below p12.

It is true the area is exceedingly busy with traffic in the morning and afternoon rush hours, particularly whilst deliveries and rubbish collections are being made which regularly clog up traffic flow. However, in the evenings everything goes quiet when the office staff and school children/students go home.

To the West

We overlook the new BBC extension of Broadcasting House, formerly the Egton Wing, now John Peel Wing, the top floors of Broadcasting House and All Souls Place. Construction was completed in 2005 and fit out in 2007. We are directly parallel to Portland Place which is populated by residential blocks, office blocks, the Langham Hotel, Embassy, Professional Bodies i.e. RIBA and Diplomatic properties, All Souls Church and of course the BBC - other than the occasional One Show music 'event' and protests starting at the BBC to gain television coverage all is quiet in the area around our flats, particularly later in the day after normal business hours.

To the East

Great Titchfield Street/Bolsover Street which again has lots of offices, some residential, garment companies, cafes, media companies, hairdressers, designers, fitness companies, restaurants and gift shops.

78-94 Great Portland Street

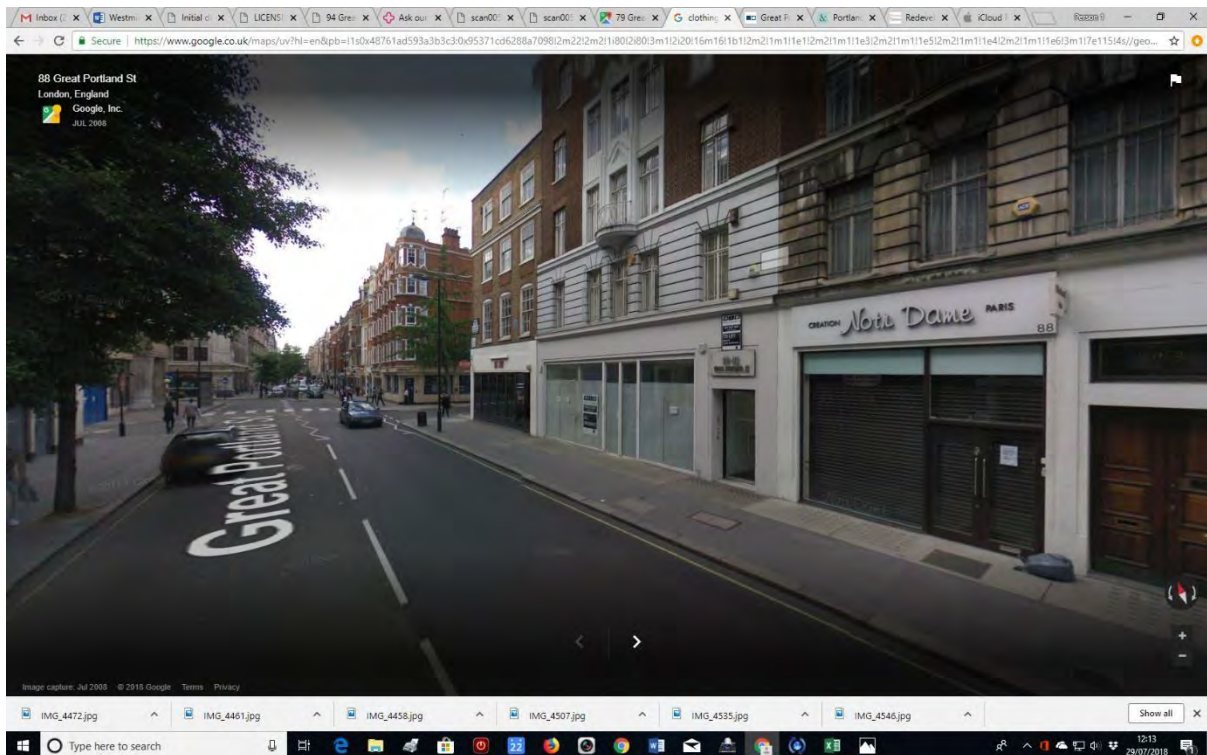
The block across the road for our block has been redeveloped over the last couple of years by Great Portland Estates PLC (78-92 GPS) and Central London Property Trust (94 GPS). The mix of usage has changed from offices and showrooms to residential (private and social), liquor store, nail bar, gym, clothing with café and the proposed restaurant with cocktail bar, loud music and outside seating.

Before redevelopment	Post redevelopment
78 ** – After Shock (clothing showroom/shop) offices upstairs	Clutch Outfitters and Café GF and flats above
80** – 80a Clothing shops - Office above	Office on GF tbc and 7 flats above
82** – Office Block	Now Define Gym with offices above
84 – Office Block	Residential above
86 – Office Block	Offices
88 – Creation Notre Dame Paris - showroom GF, Workrooms and offices above	Townhouse Nail Salon with social housing above
90-92 Velorution (cycles showroom) offices above	Whisky Exchange (alcohol off sales) with social housing above
94 ** Bust Stop Clothing showroom - offices above	Building works in progress. Pancake Restaurant, serving cocktails alcohol on and off sales licence application with 17 flats above

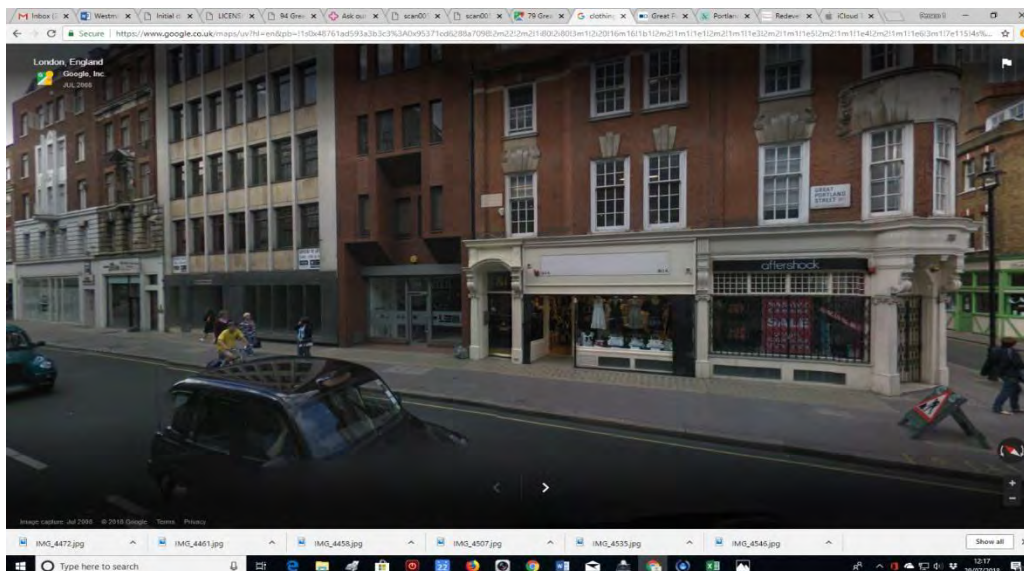
** Grade 11 listed

94 GPS, a Grade II listed building, is the last element of the block opposite side of GPS to us to be developed. The building site caught fire on 17 February 2018.

Was 94 -88 GPS in July 2008



Was 84 – 78 GPS in 2008



Now 78 – 82 GPS



Now 86-92



Please note how quiet the streets are outside the rush hours

Our representation is based on: -

- A. the impact of this application being granted as currently presented on the promotion of the licensing objectives, particularly 'prevention of public nuisance'
- B. Evaluating what is 'reasonably acceptable' in a particular location
- C. This application is contrary to the Westminster City Council's Statement of Licensing Policy 2016

To confirm, no restaurant has ever traded on this site. The previous applicant, Roast Restaurants, failed to complete their build in 2018 ref 18/07245/LIPN.

The application

1. The application is described as 'Restaurant' at 94 Great Portland Street giving no trading name

The floorplan drawings show: -

Ground floor

- dining area comprising of various of seating types - 102 covers
- food pass delivering food from LGF via 1 hoist
- Private dining room
- Disabled toilet

The basement

- dining area – unspecified 30 covers (at top of plan – plan requires reissuing)
- main kitchen
- side delivery staircase
- customer and staff WC
- prep area and dumb waiter
- child play area with sofas for 6
- existing vaults to be used as storage of dry foods

Plans total 132 covers when EH and DS capacity is for only 130 covers - GF = 100 and Basement = 30

Therefore, the ground floor plan requires amending to 100 covers.

Outside

- There is no proposed outside seating for food and drink on the plans
- Nor is there any visual supplied concerning the exterior look of the property as currently still an open building site as design could impact on our residents

2. Opening Hours
 - 8.00 to 23.30 Monday to Thursday
 - 8.00 – 00.00 Friday
 - 9.00 - 00.00 Saturday
 - 9.00 – 22.30 Sunday
3. Sale of alcohol is requested for consumption on and off premises
 - 10.00 to 23.30 Monday * to Thursday
 - 10.00 to 00.00 Friday & Saturday
 - 10.00 to 22.30 Sunday *
 - * Seasonal variations - Sunday before a Bank Holiday Monday 10.00 to 00.00 hours
 - Non-standard timings – From end of permitted hours on New Years Eve to start of permitted hours on New Years Eve
4. Late night refreshment is requested – indoors and outdoors
 - 23.00-23.30 Monday to Thursday
 - 23.00-00.00 Friday and Saturday
 - Seasonal Variation - From end of permitted hours on New Years Eve to the start of the of permitted hours on New Years Day
5. Lack of conditions proposed

Much of this section of the Operating Schedule is ambiguous and aspiring. Some detail even appears irrelevant. The proposed conditions fail to reflect the way the premises are intended to operate.

The above proposition is going to wreck our home lives and that of our neighbours seven days per week

Details for our objections

Noise and public nuisance considerations for all local residents

1. Sale of alcohol:

- o All alcohol should only be sold with food to avoid customers over drinking and leaving the premises inebriated, causing unnecessary noise and public nuisance

- o No off sales - No sales of alcohol off the premises at any time of day to stop noise traveling around the local area and disturbing the neighbourhood

- o Different operating conditions and times apply to off sales businesses such as agreed with the Whisky Exchange, next door at 90-92 Great Portland Street, W1 17/07371/LIPN E.G. Agreed operating hours are 10:00 to 20:00 Monday to Saturday and 10:00 to 18:00 on Sundays
Local residents and visitors are perfectly capable of buying alcohol in either of the two off licences in the street or numerous local supermarkets. No one has any need to buy alcohol from a restaurant.

- o We have significant concerns regarding cocktails being served with what are light unsubstantial meals. Pancakes are hardly the most filling meal in the evening and unlikely to soak up the effects of a few cocktails. The cocktail list is of great concern as generally far stronger than: -
 - o wine 12.5 % ABV *
 - o processo 11% ABV*
 - o beer 5.3 % ABV & 4.8% ABV*
 - o cider 6% ABV & 4.5% ABV*

For example: -

- o Margarita can be 23% ABV and
- o Negroni 24% ABV

A couple of these cocktails with a very light meal is going to impact on residents living nearby when customers are leaving the premises.

*ABV values taken from Where the Pancakes Are Drinks menu 23/3/2020 Attached

2. Proposed terminal and closing hours:

- o Most of the local restaurants have traditional restaurant hours starting at 12.00 for lunch and 17.00-18.00 for dinner. There are some that open early for breakfast, but this appears to be in areas a little further away from us with a higher density of office rather than residential occupancy.

Local restaurants opening and closing times - March 2020

Great Portland Street – Near our flats

#	Restaurant	Opening Mon-Fri	Sat	Sun
110	Picture Fitzrovia (now closed)	12.00-14.30 18.00-22.30	12.00 -14.30 18.00-10.30	closed
113	Portland	12.00-14.30 18.00-22.00	12.00 -14.30 18.00 -22.00	closed
114	Sushi Atelier	12.00-15.00 18.00-22.00 (T-F) 12.00 - 15.00 18.00-21.00 (M)	12.00-15.00 18.00- 22.00	closed
152	Caravan	8.00 - 22.00	9.00 - 22.00	9.00 - 16.00
198	Demartino	12:00 – 22:30	12:00 – 22:30	closed
216	Honey and Smoke	Closed Monday T-F **11.00 - 22.30	**10.00 – 22.30	closed

** Opening time later – used to be 9.30am for breakfast but abandoned

Great Titchfield Street

NB More offices and hotels around this corner so fewer residents to disturb

#	Restaurant	Opening Mon-Fri	Sat	Sun
61	ScandiKitchen	8.00 -19.00	10.00 – 18.00	10.00 – 17.00
65	Mac & Wild	12.00 -15.30 17.30-22.30	12.00 - 23.00	11.00 - 16.00
71	Bellaria	12.00 - 22.00 M-T 12.00 - 22.30 W 12.00 - 22.45 T-F	12.00 - 22.45	Closed Used to open 2018

Riding House Street

#	Restaurant	Opening Mon-Fri	Sat	Sun
14	Great Thai	11.00 -15.30 17-22.00	12.00 - 21.00	12.00-21.00

Foley Street

#	Restaurant	Opening Mon-Fri	Saturday	Sunday
21A	Bonnie Gill Seafood Shack	12.00-14.45 17.00-21.45	12.00-15.45 18.00-21.45	12.00 -15.45 18.00 - 20.45

Portland Place

#	Restaurant	Opening Tues-Fri	Sat	Mon & Sun
	Roux at the Landau Langham Hotel	7.00 -10.30am 12.00-14.30 17.30-22.00***	7.00-10.30am 12.00-14.30 17.30-22.00***	7.00-10.30am only

*** closing earlier - used to close at 22.30

Pubs in Great Portland Street

#	Pub	Opening Mon-Fri	Sat	Sun
128	Horse and Groom	12.00-23.00	Closed (used to open in 2018)	Closed
55	George	11.00-23.00	11.00-23.00	11.00 - 19.00

Notes

1. Restaurants closing earlier in this area than other busier parts of the West End
2. Many closed on Sunday. Even BBC's own Caffè Nero (Piazza) is closed on Sundays!
3. Please note some trading times have reduced since our similar list generated for the Roast application in 2018

- We believe current footfall is probably too low in the morning in this specific area for significant breakfast trade. Takeaway trade in Regent Street, pre work, is brisk of course. We have lots of traffic on the roads and people walking to where they need to get to. This part of Fitzrovia is in no way a shopping destination as you might consider Oxford Street or Marylebone High Street. Therefore, we request realistic terminal hours in line with the longer standing businesses who have learnt what demand there is from their local market and have reduced impact on us residents
- The evidence provided above shows we live in a small quiet residential enclave that has enjoyed being surrounded by silent establishments and offices for decades. We are quiet in the mornings, evenings and weekends. That is why we live here!
- What is very interesting is that despite being located in a really busy area, this applicant's **original pancake** restaurant in Southwark, has the following opening hours (or where until recently closed due to Coronavirus): -

Saturday 9am -9pm
 Sunday 9am - 5pm
 Monday, Tuesday and Wednesday 8am - 5pm
 Thursdays and Fridays 8am - 9pm

- The early closing times above suggest pancakes are unable to be considered a substantial evening meal and there is no call for late opening. Begs the question why this company wishes to open later in a much quieter residential backwater with no passing footfall?
- There are very few pancake only restaurants in central London - Where the Pancakes are (Southwark) – above/applicant, My Old Dutch (Holborn, Chelsea and Kensington) and Creme de la Crepe (Covent Garden). ALL close earlier than times stated on this application. My Old Dutch has been trading since 1958 and would surely open later IF there was a market for later opening times. Breakdown below.

	Where The Pancakes Are		My Old Dutch			crème de la crepe
	Proposed 94 GPS	Southwark	Holborn	Chelsea	Kensington	Covent Garden
Mon - Wed	8.00 - 23.30	8.00 - 17.00	10.00 - 22.30	10.00- 22.30	9.30- 21.30	9.30- 20.30
Thursday	8.00 - 23.30	8.00 - 21.00	10.00 - 22.30	10.00- 22.30	9.30- 21.30	9.30- 20.30
Friday	8.00 - 00.00	8.00 - 21.00	10.00 - 22.30	10.00- 22.30	9.30- 21.30	9.30- 20.30
Saturday	9.00 - 00.00	8.00 - 21.00	10.00 - 22.30	10.00- 22.30	9.00- 21.45	9.30- 20.30
Sunday	9.00 - 22.30	9.00 - 17.00	10.00 - 21.30	10.00- 22.00	9.00- 21.45	9.30- 20.00

- These trading times again imply the eating of pancakes is deemed a snack / light meal rather than a substantial meal requiring late night openings.

- o Another concern is this restaurant might become an evening drinking destination for cocktails with cheap food. Again, this situation in no way represents any local restaurant nor what residents would ever wish for in the future
- o Most local restaurants close earlier than other parts of the West End. Please see the Local Restaurant breakdown showing opening and closing times of nearby restaurants in GPS and other adjoining streets on page 18 above. It is imperative we maintain the quiet nature of our living conditions and curb any activities that may spoil our Fitzrovia idyll. We therefore ask for restricted core hours trading
- o Late night refreshment – we request the committee refuse permission for any late night refreshment on any day of the year.
- o Bank holidays - We ask there is no change to normal trading hours on any bank holiday or days leading up to any bank holiday
- o New Years Eve – we ask the request for late night refreshment be refused, in particular any notion of: -

'from end of permitted hours on New Years Eve to start of permitted hours on New Years Day'

We have never had all night openings near our homes and would ask the Committee to deny this request. We have no wish to be living in another Berkeley Street scenario

- o We are most fortunate living where we do because it is so quiet. The upside is we can walk to thousands of restaurants, bars, clubs and pubs, if and when we want, and then return to the sanctuary of our homes. We therefore respectfully ask for trading hours reflects this area, and actual operating hours in this part of Fitzrovia, if a licence should be granted.
- o I have again contacted the BBC for occupation numbers which understandably they were unable to provide me for this purpose. However, a senior person in the business did confirm most staff live a long way away and head off straight to their buses or trains after work. What he was able to confirm was that occupancy declines steeply in the evenings/overnight and over the weekends which is reflected in many of the nearby restaurant opening and closing times. Please note the Caffe Nero in the BBC Piazza is closed on Sundays. The perceived pull of the BBC staff may have been overestimated in these proposed operating times.

We wish to highlight the differences in hours between this application and that of Roast 18/07245/LIPN as follows: -

- The proposed terminal hour for opening is slightly different (8am Mon-Fri, 9am Sat-Sun) than that granted to Roast (7.30 Mon-Fri, 9am Sat, 10am Sun).
- The proposed closing time is also slightly different (11.30pm Mon-Thurs, midnight Fri-Sat, 10.30pm Sun) than that granted to Roast (same, but 9.30pm Sun).

- The proposed time for sale of alcohol is different (11.30pm Mon-Thurs, midnight Fri-Sat, 10.30pm Sun) than that granted to Roast (11pm Mon-Thurs, 11.30pm Fri-Sat, 9pm Sun).
- The application is for sale of alcohol for consumption on AND off the premises. This clearly envisages outside tables and chairs. Roast's application was initially for on and off sales, but was reduced to on sales only, with no outside area.

It is true the two propositions are entirely different with pancakes being light meals and Roast offering traditional more substantial offerings. Therefore, we again urge the committee members to reduce the hours this pancake house trades.

3. Proposed off sales which implies outside seating – continual outside noise disturbing residents across the road and above:

Planning permission and licencing for off sales were denied for any outside tables and chairs for the previous application, Roast Restaurant Group in November 2018 18/07245/LIPN. This application is ambiguous as off sales are ticked on the application form as is late night refreshment inside and out. The residents surrounding 94 Great Portland Street spent an inordinate amount of time and effort objecting to the previous application for pavement eating which would blight all our lives. We ask the committee to uphold the decisions made by Councillors Mitchell, Freeman and Toki so there is no outside eating on this corner whereby preserving our quiet home lives.

As per the photographs and images on pages 2 and 3 which show how close our flats are to the proposed restaurant site. 6 floors of bedrooms literally face onto the restaurant and its entrance. Any tables on the pavement would be directly opposite/under our bedrooms and sitting rooms on the GPS side of the unit.

94 GPS used to be a fashion garment showroom 'Bus Stop' and offices above so there was no noise created or congestion made in the surrounding streets. We have never had any all-day all-evening outside seating in this part of GPS and therefore seek all outside seating is rejected.

Having x people sitting talking, drinking, laughing and smoking outside will generate noise both in GPS and Langham Street and will disturb us residents with bedrooms opposite an estimated 60% of any proposed tables.

What will happen in the winter? Will there be ugly, space hogging gas heaters on the pavement as well for pedestrians to negotiate?

What happens to the tables and chairs at 19.00, 20.00, 21.00, 22.00 or 23.00 or even midnight when everyone has stopped drinking? Someone stacks up the tables and chairs and moves them inside making even more noise late at night and again early in the morning? We have elderly residents and babies living at the front of our building. We have students and City workers who need their sleep and get up early every morning.

This consistent daily noise will have a direct impact on our day to days lives. This level of noise will be unacceptable to our residents.

It is a well-known fact that sound bounces off hard surfaces such as concrete and glass, be they external or internal surfaces. Noise currently reverberates around the BBC Piazza when events takes place where noise amplifies as a result of what is effectively a sound tunnel under the bridge between Radio 1 and Broadcasting House.

Our building is also all hard surfaces, which has proved to be a wind tunnel at the north end of the building - overlooking 94 GPS - and the anticipated noise will bounce round our premises too especially in the summer when residents are forced to keep windows open to cool down their living spaces. Many of the flats are single aspect.

It is unlikely there is enough space to have tables and chairs on the pavement and people walking past. The proposition of tables and chairs outside #94 GPS is in no way in keeping with this/our particular location.

We wish to remind the committee that Joe and the Juice, 96-98 Great Portland Street, opposite 94 GPS to the north, have no permission for outside furniture as a result of the residents above, opposite and diagonally opposite numerous objections.

How can we stop this business from telling customers 'in 10 minutes we are stopping selling alcohol outside so if you would like to place an order you need to do it now'? What is to stop customers ordering bottles of wine, cocktails and glasses/bottles of beer which could last another couple of hours? How can residents ensure neither of these behaviours ever happens during the life of the licence nor impacts on their lives?

7. Noise emanation from inside the premises:

All the residential property that surrounds 94 GPS – not just 89 GPS, and many of residents have yet to move in to their homes and have had no opportunity to comment on this application will suffer from noise from these premises and a maximum of 130 customers (?) at any one time. To stop any noise escaping from this business, windows and doors must be kept closed at all times. We assume the council will ensure air conditioning will be sufficient to deal with any heatwave without any windows or doors requiring to be propped opened at any time.

Please refer to **Para 2.2.11 PN1 Statement of Licensing Policy 2016 ("the Policy")**

Deliveries – made via spiral staircase

Not only is this proposition sound incredibly dangerous, it will also be very noisy for all local residents. What actions can the committee take to eradicate what is going to be ongoing noise for all the surrounding residents please?

Collection of Rubbish made via a spiral staircase are of grave concern to our residents, again for the consistent noise nuisance and safety concerns.

8. Smoking

- o What ways can this business have a smoking area if tables are disallowed?
We ask smokers/vaping are restricted to no more than 5 people with a dedicated area with sand bucket for used butts with no permission to take drinks outside.

Neither are we residents used to inhaling cigarette smoke around our home and wish for clean air, as far as it can be with cars and lorries, to continue.

9. Dispersal of customers will be a major issue.

Customers will congregate, smoke and create noise out in the street before, during and after their visits, especially if drinking without eating or minimal eating. This will be under our bedrooms, sitting rooms and kitchens. This is particularly of concern in the evening, predominantly when dispersing up to 130 customers at any time during service and then staff leaving. This will again disturb all our residents and neighbours – in particular, young children, students and professional workers.

Please refer to **Para 2.2.12 PN1 Statement of Licensing Policy 2016 (“the Policy”)**

10. Differences in conditions between this application and that of Roast 18/07245/LIPN

Again, there are significant differences between this application and what was previously granted by the council for alcohol only being sold ancillary to bone fife substantial table meals. There are: -

Condition 9 on the current licence is not proposed – recording all refused alcohol sales. We request Condition 9 is amended to: -

‘A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open’.

Condition 10 on the current licence is not proposed – no paying for customers
We ask Condition 10 is amended to: -

‘There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises’

Condition 11 on the current licence is proposed, but with (iv) in the condition omitted – no takeaway service. We request Condition 11 is amended to: -

‘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 hours, 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.'

Condition 14 on the current licence is proposed, but with Challenge 21 not Challenge 25. We request Condition 14 is amended to: -

'A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram'.

Condition 15 on the current licence is not proposed – no self-service of alcohol
We ask Condition 15 is amended to: -

'There shall be no self-service of alcohol'

Condition 29 is proposed but without capacity figures. It seems from other documentation (the pre-consultation advice) that the proposed capacity would be higher.

'No Licensable activities shall take place at the Premises until the capacity of the Premises (Ground Floor and Basement Floor) has been determined by the Environmental Health Consultation Team and the Licensing Authority has replaced this condition on the License with a condition detailing the capacity so determined. In any event the capacity for the Ground Floor shall not exceed 100 persons excluding staff and the capacity for the basement shall not exceed 30 persons excluding staff'

Condition 30 on the current licence is amended in the application from *'All external doors shall be kept closed at all times except for the immediate access and egress of persons. All **windows shall be kept closed after 21.00 hours**'* to read *'The entrance door and all windows shall be kept closed after 21.00 hours except for the immediate access and egress of persons.'*

This noise issue is key to our residents' quality of life and that of residents above these premises and in Langham Street that all windows and doors are always kept closed other than when customers and staff are entering and leaving the premises. The din from 100 people talking will be heard by all our residents.

If there is no sound dampening planned within the premises, as no details have been supplied, we request all windows will be kept closed at all times as well.

Condition 35 on the current licence is proposed, but without a number specified. It is of the utmost importance to all residents overlooking this restaurant site that capacity numbers are specified.

- o The wording and drawing of the plans differ – please see page 14 above. For example, written on the top left-hand corner of the ground floor plan states 100 covers but the seating plan totals 102 covers. This also exceeds Environmental Health recommendations of 100 covers for means of escape purposes.
- o The plan for the basement suggests a children's play area. For clarity 1 child = 1 cover?

- o The basement has no recognisable seating plan. Can this be circulated please? The written seating capacity on the top left-hand corner of the basement plan states 30 covers but impossible to see where these seats are and how many as there could easily be another miscalculation in seating. Environmental Health has recommended 30 covers for means of escape though worryingly there appears to be a safety issue concerning: -
- o Emergency public exit via a working kitchen
- o an external spiral staircase – our understanding was this staircase was going to be a standard non spiral external staircase as this also has ramifications for deliveries, waste removal and generation of unacceptable noise nuisance
- o We request a meeting with the Environmental Health Officer to clarify these matters

Condition 37 on the current licence is not proposed.

We request Condition 37 is inserted as follows: -

'No licensable activities shall take place at the premises until the licence holder has submitted an amended plan to the Licensing Authority removing the external seating area from the ground floor plan so as to restrict the licence to the premises building, at which time this condition shall be removed from the licence by the licensing authority

This final condition is of paramount importance to all our residents and their quality of life. How would you like to be in bed, trying to get to sleep with both customers and staff making unacceptable noise below you seven days per week?

11. Servicing these premises

There is no detail on servicing e.g. times for deliveries; collections of waste; etc.

- o There are ongoing issues with traffic congestion in Great Portland Street and Langham Street. There is noise from people sounding their horns and traffic jams are created by existing deliveries and collections, taxi pick- ups with doors banging etc so we have serious reservations about the impact of regular deliveries and waste collections to/from these new Premises and customers arriving and leaving by vehicles
- o We note all rubbish must be brought up from the basement to the ground floor by external spiral stairs. We believe this is going to be a daily noisy occurrence, as well as a serious safety issue, with bags and boxes of glass **and waste being 'bumped/dragged' up these stairs causing a regular** nuisance to residents late at night or early in the morning. We require assurances all movements of rubbish will be silent as the stairs (metal?) are so close to so many bedrooms and livings spaces.
- o We have grave concerns about early morning and late-night noisy collections of rubbish and deliveries of food and drinks which will disturb residents as we are in such close proximity to the delivery and collection area.

12. Two licences have recently been granted to business opposite 89 GPS

- ✦ Whisky Exchange 90-92 GPS 17/07371/LIPN for off sales only.
- ✦ Townhouse 88 GPS 17/11140/LIPN for sales only with beauty services

We wish this application to be brought in line with conditions attached to these licences i.e. restricted core hours, terminal hour, noise controls.

Our overriding concern is that this application fails to fit into the local area as it is now and how it has been for decades.

13. Any Licence granted is non - transferable to any other business

A further concern is any future transfer of the Premises to a new proprietor. If, despite the various objections that have been made to this application, the Licensing sub-committee deems it appropriate to grant a licence to the applicant, it should be made a clear condition that this is personal to the proprietors of Where The Pancakes are Ltd and in no way attaches to the Premises, to ensure that any third party who may in due course have an interest in the Premises is required to make a full application for an appropriate licence for future intended operation of the Premises.

In conclusion

We and our neighbours spent an enormous amount of time objecting to the first application for this site with record numbers of residents

- a) objecting to licencing proposals
- b) attending the licencing hearing - even taking holiday entitlement to attend
- c) working together with our many neighbours to maintain our quality of life

We hope the Licensing Committee will bear in mind our previous efforts and remarks as contacting local residents in the current COVID 19 epidemic will be more difficult when 25% of the world's population is on lockdown.

We again wish to attend the committee meeting as this licence application could greatly impact on our residents' quality of life.

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)).

Please confirm receipt of this correspondence. We request this hearing is adjourned as this application is 'in the public interest' of the hundreds of local residents it will impact. We look forward to hearing from you with a hearing date in due course.

Yours faithfully,

Position: Representing the Leaseholders and Directors of Portland Apartments Ltd

where [the](#) [pancakes](#) [are](#)

to find us [story](#) [menu](#) [reserved](#)

address

Where the pancakes are....
Arch 35a
85a Southwark Bridge Road,
London SE1 0NQ

opening times

WEEKEND
Saturday: 9am - 9pm
Sunday: 9am - 5pm

WEEKDAYS
Monday, Tuesday and Wednesday: 8am - 5pm
Thursday, Friday: 8am - 9pm

Bank Holidays opening times: 9am-4pm

contact

email address: restaurant@wherethepancakesare.com
telephone number: 0207 407 8408

if you are interested in working for us please email your cv to:
patricia@wherethepancakesare.com



Coming Soon!
Where the Pancakes Are - Fitzrovia

Email Address

[Subscribe](#)

Enjoy pancakes in our NEW restaurant opening this summer. Subscribe to receive a 'free pancake' code, plus...

where the pancakes are

buttermilk batter matters

Our batters are made fresh every day using highly nutritious ingredients. The organic flour blend includes buckwheat that, amongst many other attributes, lowers cholesterol and blood sugar levels. Equally, our high welfare eggs and buttermilk are a superb source of minerals, vitamins and proteins.

3-in-1 batter: vegan, dairy-free & wheat free

We are aware of the food sensitivities of many of our guests. As an alternative, we offer our 3-in-1 batter. It is vegan, dairy-free and wheat-free by using the key ingredients of organic rice & buckwheat flour, soy milk & chickpea water.

v – vegetarian vv – vegan
vo – vegan option gf – gluten free

buttermilk pancake mix & the purest maple syrup

our organic flour mix 575g £3.75
our organic 3-in-1 flour mix 565g £3.75
100% pure maple syrup 330g £9.50
winner of Great Taste Award 2016
choice of flour mix + maple syrup £11

buttermilk pancakes

savoury

- american**
three pancakes, 100% pure maple syrup with a choice of blueberries or bananas + choice of bacon or halloumi or sausage
- 1000 baby greens (v,vo)**
two pancakes griddled with baby leaves, cumin, spring onions, green chili, lime-coriander butter
- royal**
two pancakes, Cacklebean Farm poached eggs, hollandaise, taragon, asparagus, with a choice of smoked salmon or smashed avocado
- wilshire ham or steady bacon**
11.5
- boulder breakfast (vv,gf)**
13
named after the happiest city in the US, the epitome of healthy and outdoors living
- two vegan pancakes, smashed avocado, roasted pepper & cherry tomatoes, green herbs & chickpea salsa, portobello mushroom, tahini-nigella dressing

sweet

- simple (v,vo)**
6
two pancakes, with a choice of maple & butter or lemon & sugar or chocolate & toasted hazelnuts
- or sea salted caramel + banana**
8
- banana praline marshmallow**
9.5
one or two pancakes, banana, hazelnut-sunflower-cocoa-nib praline, basil marshmallow
- choice of chocolate or sea salted caramel**
/6.75
- forest berries (v,vo)**
9.5
one or two pancakes, forest berry compote, house cream, crushed violet meringue, toasted almond flakes
- hummingbird (v,vo)**
9.5
one or two pancakes, cinnamon poached pineapple, house cream, lime syrup & zest, pomegranate, toasted coconut

dutch babies

The Dutch Baby is an American interpretation of a centuries old German dish. Nothing to do with the Dutch – actually, it's very much a Yorkshire pudding look-a-like. Cooked in a cast iron skillet, this dish is baked for a good 20 minutes in the oven.

- english apple & blackberry (v)**
11
brambley & cox apples, toasted almonds, house cream or vanilla ice cream
- goats, cheddar, parmesan**
13
parmesan crisps, rosemary & thyme, radicchio and balsamic dressing
- mini danish dutch (v)**
2.75
cinnamon, raisins, pumpkin seeds

more pancakes

- australian (v,gf)**
11
polenta corn fritters, creme fraiche, preserved lemon, avocado, mixed raw leaves
- pulled beef pastрами**
13
two pancakes, slow cooked brisket, cheddar, sauerkraut, 1000 island sauce, kale slow with toasted fennel seeds, home pickled cucumbers

welsh rarebit

- welsh rarebit**
12
two pancakes, welsh cheddar, mustard & ale fondue, roast tomatoes, grilled spring onion, salt vinegar crisps
- + a fried egg**
13.5

extras

- one pancake 2
- one vegan pancake 2
- bacon 3
- sausage(gf) 2
- fried egg 1.75
- poached egg 1.75
- smoked salmon 3
- halloumi 3
- avocado 3
- blueberries 2.5
- banana 2
- house cream 1.5
- chocolate 1.5
- sea salted caramel 1.5
- maple syrup 2
- vanilla ice cream 1.5

Please note our kitchen handles many allergens and we therefore cannot guarantee the absence of dairy, nuts, sesame, gluten and others in our dishes. Before ordering, please speak to a member of staff about your requirements. All prices are inclusive of VAT at 20%. A discretionary 12.5% service charge will be added to your bill, 100% of which is distributed between all kitchen and service staff.

rhubarb & ginger

coffee

wine & sparkling

cocktails

choice of flour mix + maple syrup £11

Please note our kitchen handles many allergens and we therefore cannot guarantee the absence of dairy, nuts, sesame, gluten and others in our dishes. Before ordering, please speak to a member of staff about your requirements. All prices are inclusive of VAT at 20%. A discretionary 12.5% service charge will be added to your bill, 100% of which is distributed between all kitchen and service staff.

Print

rhubarb & ginger shrub soda

Babylonians, Romans, seafaring sailors and gold-rush pioneers all drank shrubs for sheer joy and to steer off illnesses. As naturally preserved and fermented foods are re-entering our diets, vinegar based shrubs are slowly finding their limelight. rhubarb, ginger, raw apple vinegar & soda water £3

coffee

- espresso or macchiato 2
- double espresso or cortado 2.5
- americano 2.5
- latte, cappuccino, flat white 3
- hot or iced, choice of milk
- spanish latte or spanish cortado 3
- espresso, condensed milk, milk /2.5
- premium organic matcha latte 3
- with oat milk
- turmeric ginger latte 3
- with cinnamon, safflower & oat milk
- chai latte with or without espresso 3
- beetroot latte with oat milk 3

wine & sparkling

- Mirabelle (prosecco) 125ml 20.5
- Italy 7.5
- Le Choix de Voltaire 7.5
- 20.5
- Viognier (white) France, 2016, 12.5%
- Philbert Du Charme 7.5
- 20.5
- Pinot Noir (red) France, 2015, 12.5%

cocktails

- mimosa Mirabelle prosecco, OJ 7.5
- smokey maple old fashioned 8.5
- bourbon, angostura, maple syrup
- breakfast cocktail 8.5
- bourbon, OJ, maple syrup
- espresso tequila 8.5
- espresso, vodka, xo patron tequila liquor, dash of milk
- bloody mary 8.5
- margarita tequila, cointreau, lime juice 8.5
- aperol spritz 8.5
- Aperol, soda water, prosecco
- negroni 8.5
- campari, gin, sweet vermouth
- lavender gin tonic 8.5
- gin, lavender bitter, lemon, tonic
- gin garden 8.5
- gin, st germain, apple juice
- mississippi mule gin, cassis, lemon juice 8.5
- relatively green 9
- vodka, cold pressed greens juice
- with a nod to Relative Insight, we will be donating £1 of every relatively green sold to the NSPCC

shots & juices

- cold pressed green juice 5
- apple, spinach, celery, ginger, lime with premium organic matcha shot 7.5
- cold pressed purple juice 5
- carrot, apple, beetroot, pomegranate, ginger, lemon
- lime, maple & cayenne shot 2.5
- home brewed lemon iced tea 3
- fresh orange or apple juice 3
- fresh lemonade, still or sparkling 3

hot chocolate & tea

- hot chocolate or mocha 3.5
- with whipped cream 4
- xo hot chocolate 7
- with XO patron tequila coffee liquor with whipped cream 7.5
- tea 2.8
- english breakfast, earl grey, jasmine pearl, premium organic matcha tea
- infusions 2.8
- fresh mint, lemon & ginger or camomile & hibiscus flower
- premium organic matcha tea 2.8

beer & cider

- The Kernel Pale Ale 5.5
- Bermondsey 33cl 5.3% ABV
- The Five Points Pilsner 5
- Hackney 33cl 4.8% ABV
- Urban Orchard 5
- From within the M25 & supermarket rejects 33cl 4.5%

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Application Reference: 20/02820/LIPN

For premises at 94 Great Portland Street



Here are some photos of the local area surrounding the premises

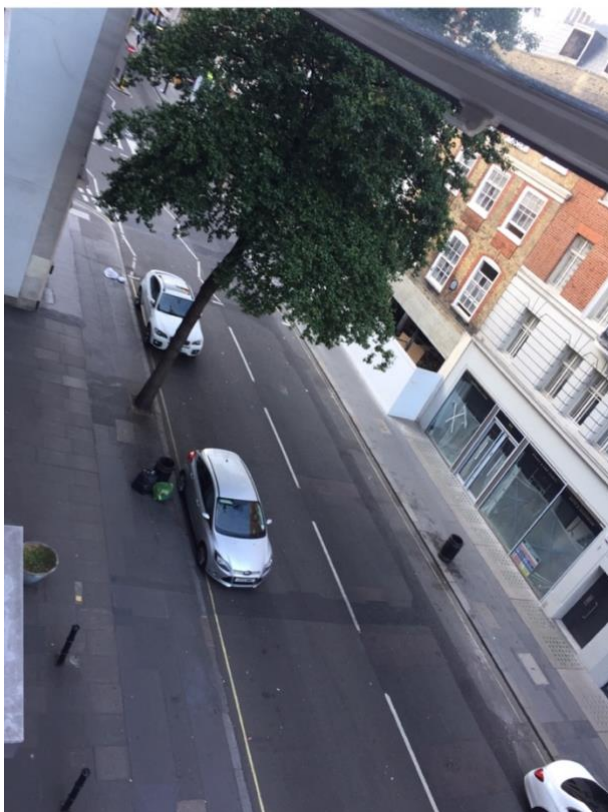


You can see the premises at 94 Great Portland Street in the top right of photos – it has the white boundary fence around it and looks like this from street level:



This area is extremely quiet on Sundays and most surrounding shops/retail are closed on Sundays. Also restaurants that are a few blocks away are also mostly closed on Sundays.

Sunday 24th June:



Sunday 22nd July:



Sunday 19th August 2018:

14:02
Yesterday
13:48

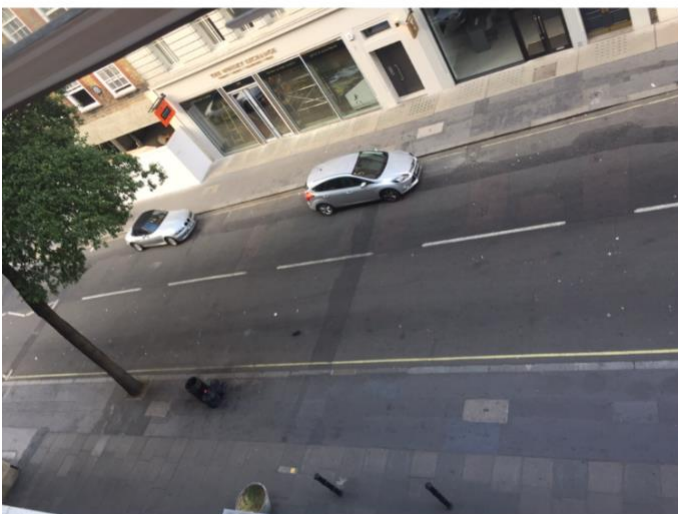


14:02
Yesterday
20:13

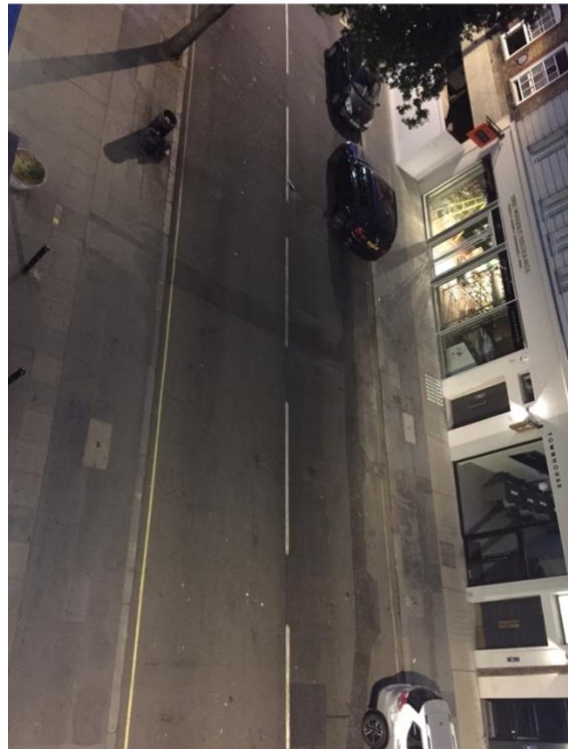


Sunday 1st July:

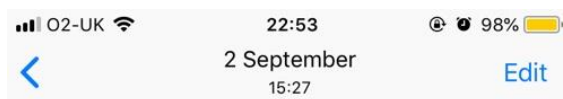
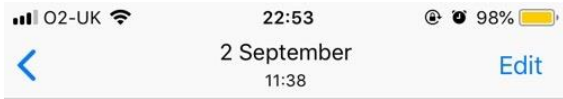
1 July
19:53



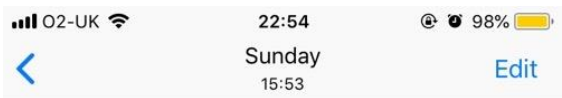
1 July
22:02



Sunday 2nd September



Sunday 9th September



O2-UK 22:54 98%
Sunday 19:36 Edit



O2-UK 22:55 98%
Sunday 20:47 Edit



This area is also very quiet during in the mornings and evenings all week/weekends.

Monday 20th August 2018

O2-UK 07:29 92%
20 August 21:40 Edit



O2-UK 07:29 92%
20 August 22:47 Edit



Tuesday 10th July:

< 10 July 20:58 Edit



< 10 July 20:57 Edit



Monday 23rd July:

< 23 July 22:48 Edit



Thursday 19th July:

< 19 July 07:32 Edit



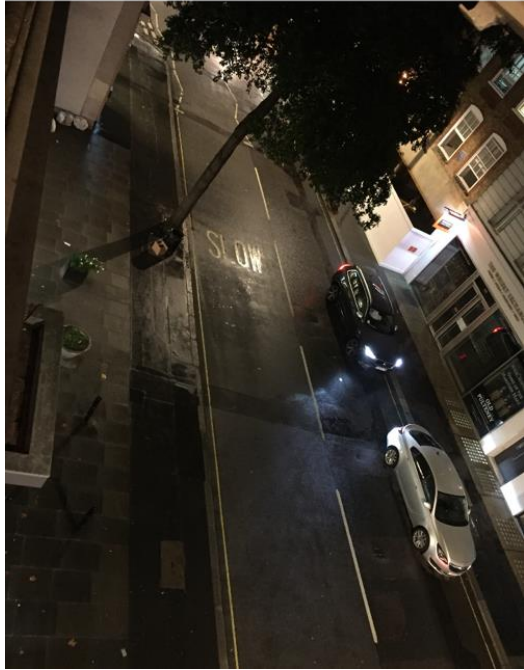
Monday 10th September

📶 O2-UK 📶 22:55 📶 98% 🔋
Monday 20:35 [Edit](#)



Tuesday 11th September

📶 O2-UK 📶 22:57 📶 98% 🔋
Yesterday 23:20 [Edit](#)



Thursday 16th August

📶 O2-UK 📶 14:03 📶 90% 🔋
Thursday 20:54 [Edit](#)



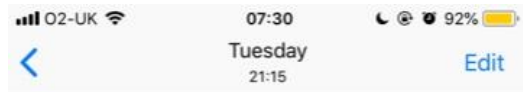
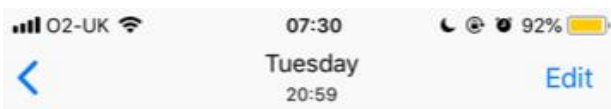
📶 O2-UK 📶 14:03 📶 90% 🔋
Thursday 20:55 [Edit](#)



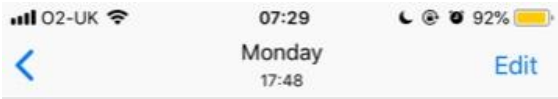
Tuesday 21st August 2018



Tuesday 28th August 2018



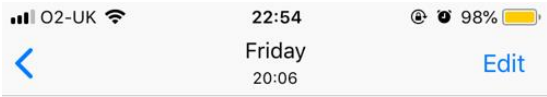
Bank holiday Monday 27th August 2018



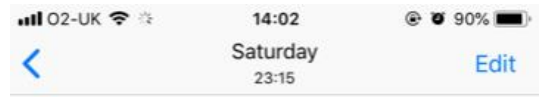
Friday 20th July during the late evening (after 9pm) and night (after 1030pm):



Friday 7th September



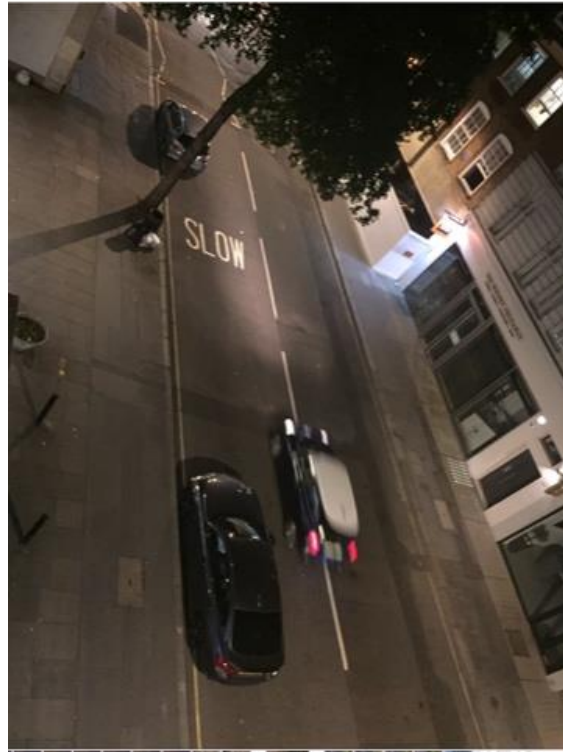
Saturday 18th August 2018 (23:15pm and 23:35pm):



02-UK 14:02 91%
Saturday 23:35 Edit



02-UK 14:02 91%
Saturday 23:35 Edit



Saturday 1st September

02-UK 22:52 98%
1 September 14:07 Edit



02-UK 22:52 98%
1 September 17:01 Edit

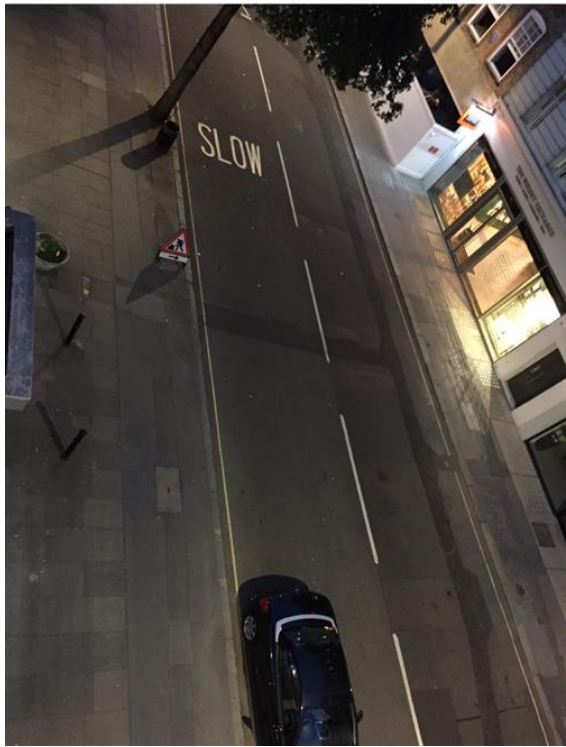


Saturday 1st September continued

02-UK 22:52 98%
1 September 17:57 Edit



02-UK 22:53 98%
1 September 20:12 Edit



02-UK 22:53 98%
1 September 20:28 Edit



02-UK 22:53 98%
1 September 21:13 Edit





Saturday 8th September



Photos of the surrounding area of Great Portland Street

[REDACTED]



Langham street to BBC piazza – street very quiet



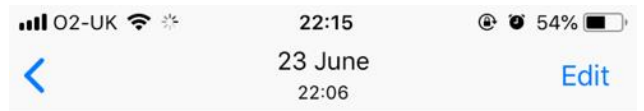
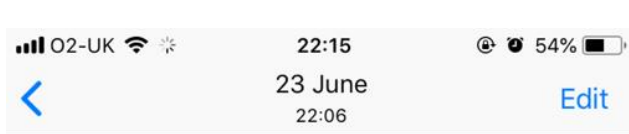
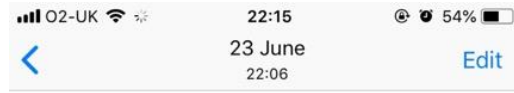
78, 80, 88-94 Great Portland Street – outside rush hour – street very quiet



Photos of the surrounding area of Great Portland Street

88 – 94 Great Portland Street

Saturday 23 June in the evening (22:06)

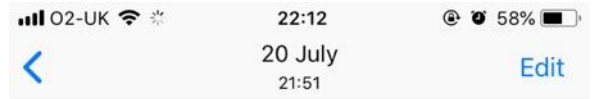


Photos of the surrounding area of Great Portland Street

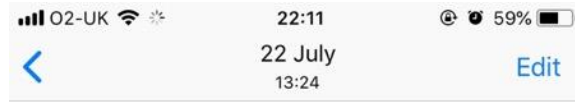
94 Great Portland street: Friday 27 June in the evening (20:04)



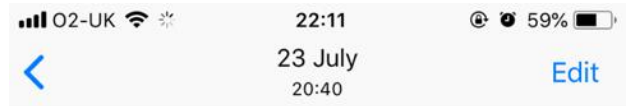
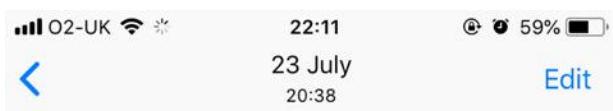
Friday 20 July in the morning (07:43) and late evening (21:51)



94 Great Portland Street
Sunday 22 July in the afternoon (13:24)



Monday 23 July in the evening (20:40)



Submissions from the applicant

WHERE THE PANCAKES ARE

SHORT BIO

Founder of WHERE THE PANCAKES ARE and self-taught cook Patricia Trijbits has been developing her delicious guilt-free pancakes and brand since 2014:

“Pancakes are a simple, honest and universally loved food - yet, where can we really go to experience the kind of dishes that fuse the ancient art of baking pancakes with modern food trends? That’s “WHERE THE PANCAKES ARE”

“Growing up in Holland as the daughter of a fishmonger, fresh and healthy eating was always centre stage. The soaring highlight of my childhood was our regular family evening meal at a local pancake restaurant - fast forward to studying in crêpes-heaven Paris and working in California (the cradle of food innovation) during the nineties and there is your answer to why I think pancakes are one of the best foods out there.”

Patricia lives in London with her husband and two children.

BRIEF COMPANY BACKGROUND

WHERE THE PANCAKES ARE started in 2015 with a series of pop-ups and festivals. The launch on Shrove Tuesday of that year proved so successful that we quickly resolved to work towards a restaurant opening. Not in the least a challenging thing in London, to find an exciting central location. We opened our doors at Bankside’s Flat Iron Square in 2017 and immediately found a following far and wide, accompanied with critical acclaim. We have been on the London top ten brunch list in Conde Nast and Vogue since 2018.

The secret to our success lies in the quality and uniqueness of our food and in the modern space where locals, tourists and Londoners feel welcome and nurtured.

At Flat Iron Square, our small restaurant is part of a wider scene, a food market, music venue and outdoors gathering space. The area reflects the relaxed and informal nature of our own café-restaurant, but is different in that our business is an all-day table service starting with breakfast, ending with dinner. We are very excited about Great Portland Street as the food scene in Fitzrovia is burgeoning and attracts people who are looking for serious eating out options. With our classic yet innovative offer, we add to that dimension and cater to discerning locals and people from further afield. The corner building is a great space internally to create ample and relaxed seating spaces. We are keen to make use of the outdoors areas on GPS and Langham Street and have no doubt we will help create a safe area for pedestrians whilst bringing a positive ambience, respectful of the local residents.

The company is a private limited company and it’s mission is create an independent restaurant business in the wider UK as well as a strong food retail portfolio.

where

the

pancakes

are



06 November 2019

GREAT PORTLAND STREET

a spatial concept by

OVERTREDERS W

CONTENTS

3	• THE LOCATION: GREAT PORTLAND STREET
4	• PROGRAM OF REQUIREMENTS
5	• LAYOUT
7	• Ground floor
9	• Lower ground
10	• PROPOSAL ATMOSPHERE DESIGN
11	• Ground floor
12	• Lower ground

THE LOCATION: GREAT PORTLAND STREET



new
staircase
with enough
space to
pass

entrance
on Great
Portland
Street

semi open
kitchen

large kitchen in
the basement
with dedicated
batter station

new
shopfront

PROGRAM OF REQUIREMENTS

private room
+
event space

open
all day &
every day

varying
seating
arrangements

clear
connection
between lower
and ground
floor

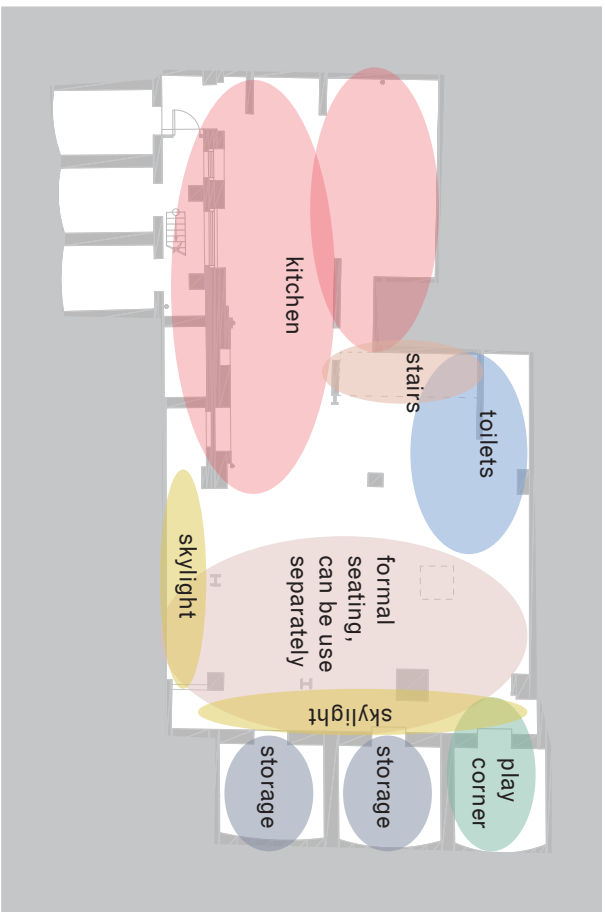
attractive
for different
audiences of
all ages

informal
& formal
atmospheres

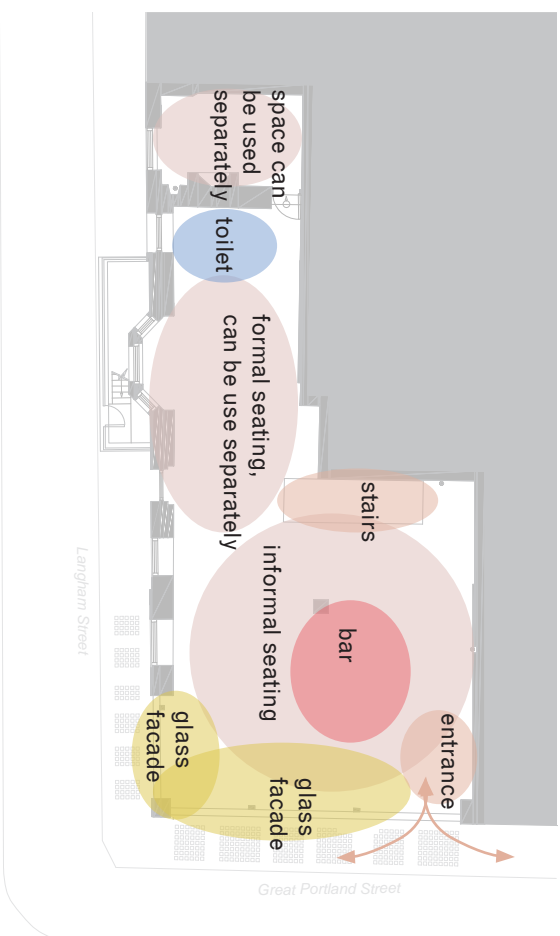
modern
and relaxed
atmosphere

LAYOUT

ZONES

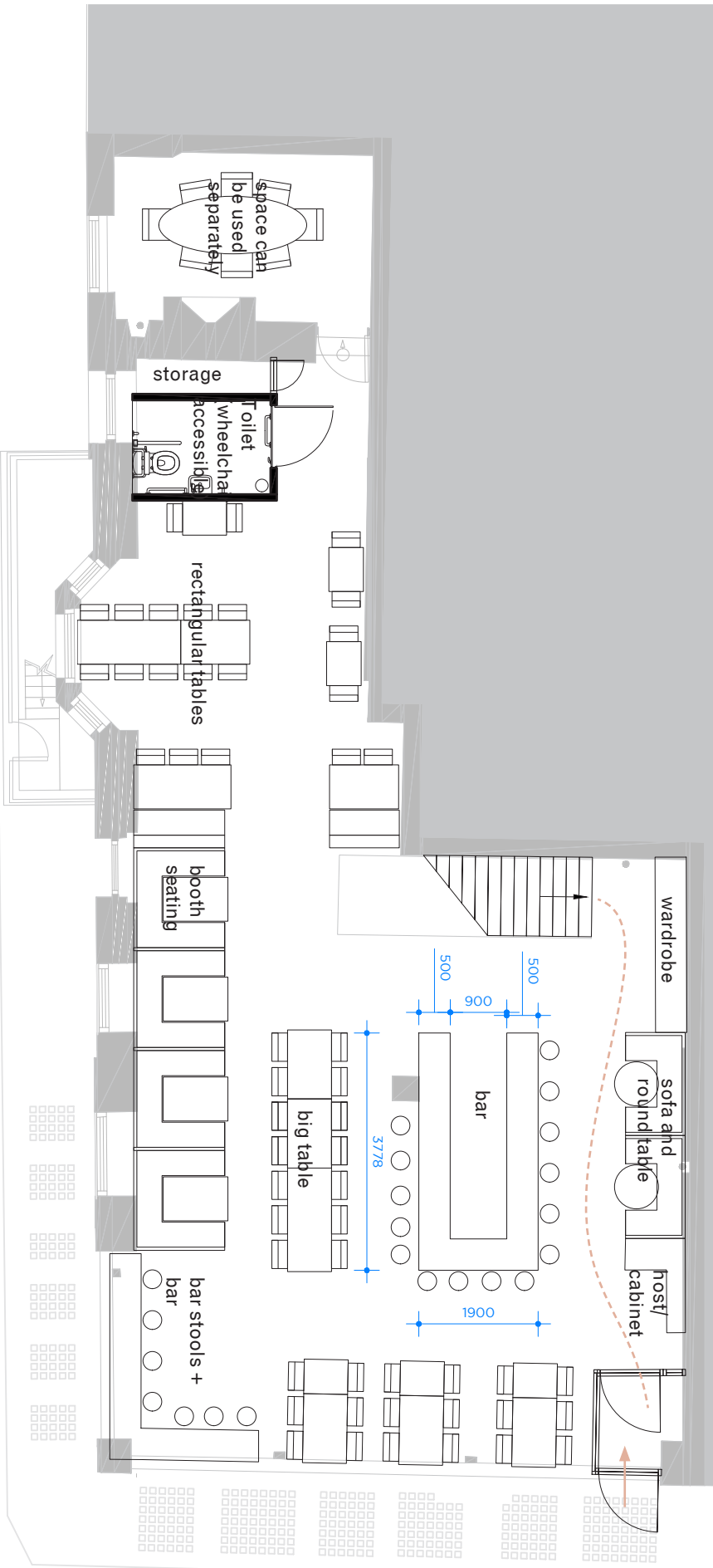


Lower Ground Floor



Ground Floor

GROUND FLOOR

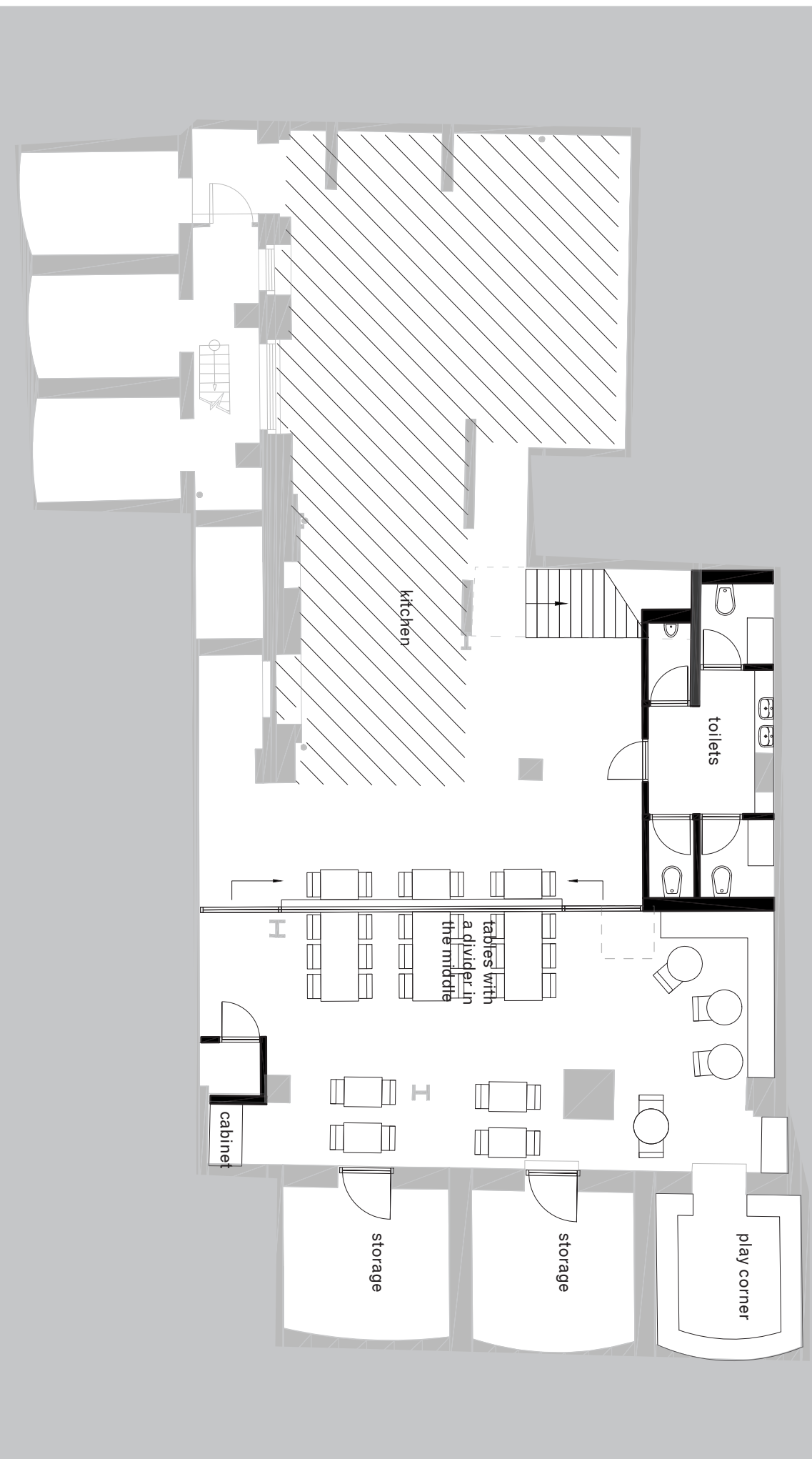


Langham Street

Great Portland Street

100 seats on this floor

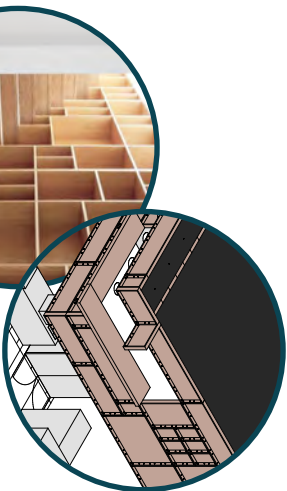
LOWER GROUND



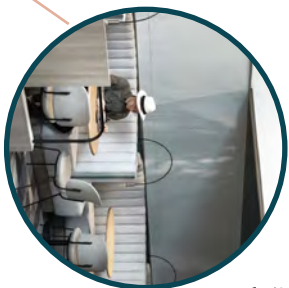
40 seats on this floor

PROPOSAL ATMOSPHERE DESIGN

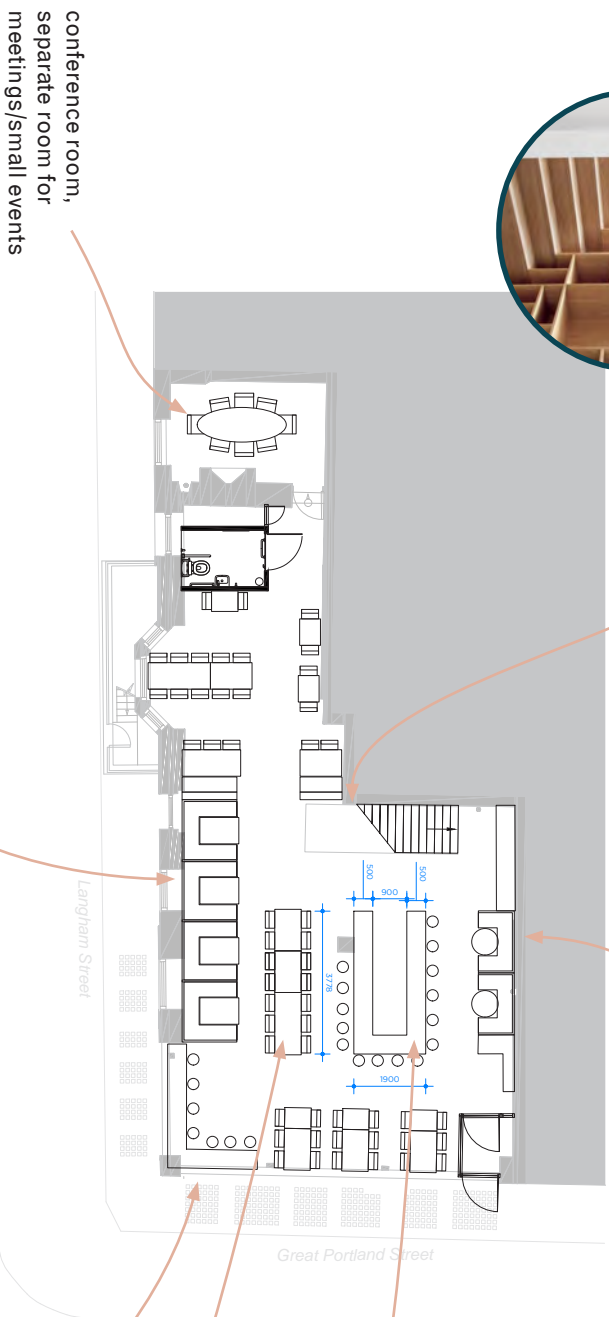
GROUND FLOOR



special object: stairs
from modular system of
concession model
with a wall that connects
ground en lower ground
floor



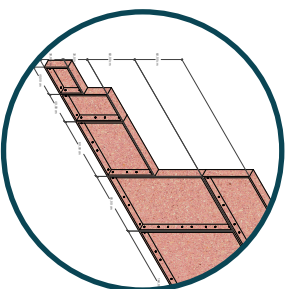
small booths
with round table



conference room,
separate room for
meetings/small events



booths for five people



special object: bar in the
same style as stairs

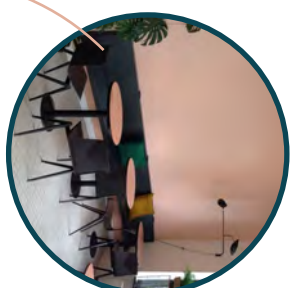


bar table with bar stools,
with a view to the street

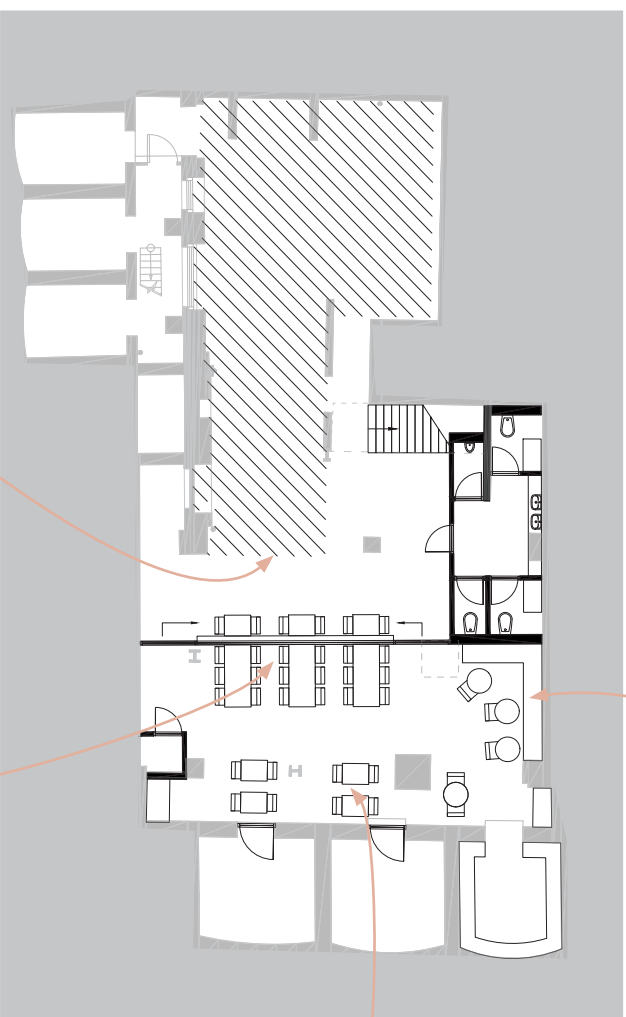


big table with an inviting
informal atmosphere

LOWER GROUND

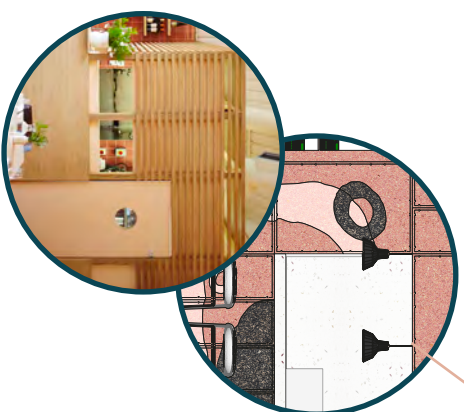


informal sofa with round tables next to this sofa there is a old coal storage space room where kids can play



tables under the skylight with soft daylight from above

special object: a wall around the kitchen which varies in openness to make a visual connection with the kitchen



transparent wall as room divider so that daylight can enter the kitchen

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions consistent with the operating schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. all seizures of drugs or offensive weapons
 - f. any faults in the CCTV system
 - g. any refusal of the sale of alcohol
 - h. any visit by a relevant authority or emergency service.
12. Except for persons seated in the external tables and chairs area, all sales of alcohol for consumption 'Off' the premises shall be in sealed containers only and shall not be consumed on the premises.
13. 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 after 23.00, and
 - v. 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.

14. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
15. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
16. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

17. 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.
18. 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.
19. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
22. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
23. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
24. A dedicated telephone number for the designated premises supervisor or duty manager shall be maintained to be used by any one person who may wish to make a complaint during the operation of the premises which shall be provided to the Local Authority; interested residents and local businesses and ward councillors. Any changes in the number should be notified to those parties within 7 days of the change.
25. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
26. 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.
27. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. The entrance door and all windows shall be kept closed after 21.00 hours except for the immediate access and egress of persons.
30. 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.
31. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to xx persons at any one time.

32. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.30 hours on the following day.
33. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 09.00 hours on the following day.
34. No deliveries to the premises shall take place between 20.00 and 08.00 hours on the following day.
35. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an ordinary manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
36. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
37. 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.
38. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
39. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
40. No Licensable activities shall take place at the Premises until the capacity of the Premises (Ground and Basement Floor) has been determined by the Environmental Health Consultation Team and the Licensing Authority has replaced this condition on the License with a condition detailing the capacity so determined.

Conditions proposed by the objectors and agreed with the applicant so as to form part of the operating schedule:

41. There shall be no self-service of alcohol.
42. All external doors shall be kept closed at all times except for the immediate access and egress of persons. All windows will be kept closed after 21.00 hours.

Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None



Resident Count: 204

Licensed Premises within 75 metres of 94 Great Portland Street, London, W1W 7NU				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/03669/LIPVM	The Whisky Exchange	90 Great Portland Street London W1W 7NT	Shop	Monday to Saturday; 10:00 - 20:00 Sunday; 10:00 - 18:00
17/11140/LIPN	Townhouse	Basement And Ground Floor 88 Great Portland Street London W1W 7NT	Hairdresser or beauty salon	Monday to Sunday; 07:00 - 23:00
19/03209/LIPDPS	Yorkshire Grey Public House	46 Langham Street London W1W 7AX	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00

20/00591/LIPV	Fugazzina	Basement And Ground Floor 104 Great Portland Street London W1W 6PE	Shop	Monday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
16/07226/LIPDPS	Assorti	14 Riding House Street London W1W 7HR	Restaurant	Monday to Sunday; 12:00 - 23:00
20/03540/LIPT	LABORATORIO PIZZA	Basement And Ground Floor 110 Great Portland Street London W1W 6PQ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/14252/LIPDPS	The Grange Langham Court Hotel	31-35 Langham Street London W1W 6BU	Hotel, 3 star or under	Monday to Saturday; 10:00 - 00:30 Monday to Sunday; 00:00 - 00:00 Sunday; 12:00 - 00:00
19/05536/LIPCH	Mac And Wild	Ground Floor 65 Great Titchfield Street London W1W 7PS	Restaurant	Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30 Sunday; 09:00 - 23:30 Sundays before Bank Holidays; 09:00 - 00:30
16/09925/LIPCH	Scandinavian Kitchen	Basement And Ground Floor 61 Great Titchfield Street London W1W 7PP	Restaurant	Monday to Sunday; 08:00 - 23:00