



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	18 March 2021
Licensing Ref No:	20/11567/LIPV - Premises Licence Variation
Title of Report:	Bellaria Restaurant Basement and Ground Floor 71 Great Titchfield Street London W1W 6RB
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	9 December 2020		
<b>Applicant:</b>	Mr Nimet Oner		
<b>Premises:</b>	Bellaria Restaurant		
<b>Premises address:</b>	Basement And Ground Floor 71 Great Titchfield Street London W1W 6RB	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently trade as an Italian restaurant		
<b>Variation description:</b>	<p>The application is to extend the hours premises are open to the public in stated days;</p> <ul style="list-style-type: none"> <li>- Monday to Wednesday from 10:00 – 23:30</li> <li>- Thursday to Saturday from 10:00 – 01:30</li> <li>- Sunday from 12:00 – 23:00</li> </ul> <p>We would like to add Live Music operation in the premises only in stated days;</p> <ul style="list-style-type: none"> <li>- Thursday to Saturday from 10:00 – 00:00</li> </ul> <p>We would like to add Performance of dance operation in the premises only in stated days;</p> <ul style="list-style-type: none"> <li>- Thursday to Saturday from 10:00 – 00:00</li> </ul> <p>We would like to change and extend the hours of Recorded Music in the premises in the stated days;</p> <ul style="list-style-type: none"> <li>- Monday to Wednesday from 10:00 – 23:30</li> <li>- Thursday to Saturday from 10:00 – 01:30</li> <li>- Sunday from 12:00 – 23:00</li> </ul> <p>We would like to change and extend the hours of Late Night Refreshment in the premises in the stated days;</p> <ul style="list-style-type: none"> <li>- Monday to Wednesday from 23:00 – 23:30</li> <li>- Thursday to Saturday from 23:00 – 01:30</li> </ul> <p>We would like to change and extend the hours of Supply of Alcohol in the premises in the stated days;</p> <ul style="list-style-type: none"> <li>- Monday to Wednesday from 10:00 – 23:00</li> <li>- Thursday to Saturday from 10:00 – 01:00</li> <li>- Sunday from 12:00 – 22:30</li> </ul>		
<b>Premises licence history:</b>	<p>The premises have had the benefit of a premises licence since at least 2005.</p> <p>The current premises licence reference is 19/07803/LIPVM a copy of which is attached at Appendix 1 of this report.</p> <p>The premises also had the benefit of a tables and chairs licence to place 2 tables, 4 chairs and 2 picnic benches from 1 October 2020 to 31 December 2020.</p> <p>Please see Appendix 3 of the report for a full licence history.</p>		

<b>Applicant submissions:</b>	None
<b>Applicant amendments:</b>	Following consultation, the applicant has withdrawn the performance of dance from the application.

<b>1-B</b>	<b>Current and proposed licensable activities, areas and hours</b>					
<b>Regulated Entertainment</b>						
<b>Recorded music</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	Unrestricted		10:00	23:30	Basement and ground floors	No change
<b>Tuesday</b>			10:00	23:30		
<b>Wednesday</b>			10:00	23:30		
<b>Thursday</b>			10:00	01:30		
<b>Friday</b>			10:00	01:30		
<b>Saturday</b>			10:00	01:30		
<b>Sunday</b>			12:00	23:00		
<b>Seasonal Variations/None-standard timings:</b>		<b>Current:</b>			<b>Proposed:</b>	
		See existing condition 13 at appendix 4 below.			No change	

<b>Private entertainment consisting of dancing, music or other entertainment of a like kind for consideration and a view to profit</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	Unrestricted		No change		Basement and ground floors	No change
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						
<b>Saturday</b>						
<b>Sunday</b>						
<b>Seasonal Variations/None-standard timings:</b>		<b>Current:</b>			<b>Proposed:</b>	
		See existing condition 13 at appendix 4 below.			No change	

Performance of live music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A		N/A		Basement and ground floors	No change
Tuesday			N/A			
Wednesday			N/A			
Thursday			10:00	00:00		
Friday			10:00	00:00		
Saturday			10:00	00:00		
Sunday			N/A			
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	See existing condition 13 at appendix 4 below.				No change	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No change		Basement and ground floors	No change
Tuesday	23:00	23:30	No change			
Wednesday	23:00	23:30	No change			
Thursday	23:00	23:30	23:00	01:30		
Friday	23:00	23:30	23:00	01:30		
Saturday	23:00	23:30	23:00	01:30		
Sunday	N/A		No change			
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.				No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	No change		Basement and ground floors	No change
Tuesday	10:00	23:00	No change			
Wednesday	10:00	23:00	No change			
Thursday	10:00	23:00	10:00	01:00		
Friday	10:00	23:00	10:00	01:00		
Saturday	10:00	23:00	10:00	01:00		
Sunday	12:00	22:30	No change			
Seasonal	<b>Current:</b>				<b>Proposed:</b>	

<b>variations/ Non-standard timings:</b>	See existing condition 13 at appendix 4 below.	No change
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<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	No change		Basement and ground floors	No change
<b>Tuesday</b>	10:00	23:30	No change			
<b>Wednesday</b>	10:00	23:30	No change			
<b>Thursday</b>	10:00	23:30	10:00	01:30		
<b>Friday</b>	10:00	23:30	10:00	01:30		
<b>Saturday</b>	10:00	23:30	10:00	01:30		
<b>Sunday</b>	12:00	23:00	No change			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> See existing condition 13 at appendix 4 below				<b>Proposed:</b> No change	

<b>1-C</b>	<b>Layout alteration</b>
No change of layout is proposed	

<b>1-D</b>	<b>Conditions being varied, added or removed</b>
No change of condition is proposed save for the additional conditions agreed with the Police and Environmental Health Service as set out at appendix 4	
<b>Adult entertainment:</b>	<b>Current position:</b> None
	<b>Proposed position:</b> No change

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Dave Nevitt
<b>Received:</b>	06 January 2021
<p>I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance</p> <p>The application seeks to extend licensable activities significantly beyond the 'Core Hours' as defined by the City Council's Licensing Policy. There are a number of local residents in the vicinity that may be adversely affected by licensable activities carried on later at night.</p>	
<b>Responsible</b>	Metropolitan Police

<b>Authority:</b>	
<b>Representative:</b>	Nicole Sondh
<b>Received:</b>	29 December 2021 <b>(withdrawn 11 February 2021)</b>

I am writing with regards to the above application for which you are applying to increase the hours for the following licensable activity;

Supply of Alcohol Mon to Wed 10:00hrs to 23:00hrs  
 Thurs to Sat 10:00hrs to 01:00hrs  
 Sun 12:00hrs to 22:30hrs

Live Music Thurs to Sat 10:00hrs to 00:00hrs  
 Recorded Music Mon to Wed 10:00hrs to 23:30hrs  
 Thurs to Sat 10:00hrs to 01:30hrs  
 Sun 12:00hrs to 23:00hrs

Performance of Dance Thurs to Sat 10:00hrs to 00:00hrs

Late Night Refreshment Mon to Wed 10:00hrs to 23:30hrs  
 Thurs to Sat 23:00hrs to 01:30hrs

Restaurant opening hours  
 Mon to Wed 10:00hrs to 23:30hrs  
 Thurs to Sat 10:00hrs to 01:30hrs

I note that this is a second application for the variation of your licence with the previous being withdrawn, anything agreed previously with the relevant authorities will not be carried forward to this application and this will be processed on his own merit. Therefore the Metropolitan Police as a responsible authority are making a representation against this application in relation to the licence objectives in the prevention of crime and disorder and in the protection of children from harm. The hours applied for are also out of the core hours listed in Westminster City Council Licensing policy.

Taking the licensing objectives and Westminster Licensing Policy into consideration I therefore propose the following conditions. I appreciate that some of these conditions have been suggested in your application however these have been reworded to reflect Westminster Model Conditions;

1. 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.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
4. An incident log shall be kept at the premises, and made available on request to an authorised

officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

5. The premises shall only operate as a restaurant

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

6. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.

7. On Thursday, Friday and Saturday, entry to the venue after 21:00 hours will be by prior reservation only and the last entry will be at 2300 hours.

8. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

9. On Thursday, Friday and Saturday, a minimum of one (1) SIA licensed door supervisor shall be on duty at the premises from 21:00 hours until 30 minutes after licensing hours.

10. Live entertainment shall cease at midnight.

11. Save for in any permitted external area, 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.

12. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

13. 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.

14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Please let me know if you agree to these conditions, where I may then be in a position to withdraw my representation.

**Following agreement of additional conditions, the Metropolitan Police withdrew their representation on 11 February 2021**

<b>2-B</b>	<b>Other Persons</b>		
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	20 December 2020		
Bellaria Restaurant, 71 Great Titchfield Street W1W 6RB			
<p>I write to register my objection to the licensing application of an extension to hours. The present 'end of operation time' means it is often a further hour before the premises is quiet. If this were extended - customers gathering outside and awaiting transport - would disturb residents well beyond 2am, which is not acceptable.</p> <p>This is a predominately residential part of the street. Many of us have been impacted by the restaurant often playing music 10 hours a day through an outside speaker. This stopped suddenly shortly before they submitted their first application. When they first installed the speaker outside the premises Westminster Noise team visited on a number of occasions and advised that the speaker was not allowed. Regular requests from neighbours/residents to turn the music down/off have been largely ignored.</p> <p>If live music and dancing was allowed 'IN' the premises and 'no alterations to the premises' - are there no plans for sound proofing? The restaurant doors are always open to serve customers outside - which has obviously increased with the present restrictions - so any noise from inside would not be contained. There is of course always noise of laughter, chatter from diners which residents accept as part of living in central London but this application would take the disturbance to a whole different level.</p> <p>Much as I wish Bellaria success - especially with the present restrictions - I do not support the extension application.</p>			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	17 December 2020		
<p>The Applicant's premises are in a predominantly residential area and the application for such greatly extended hours and use is totally inconsistent with a mainly residential area and would set a bad precedent for residents if approved.</p> <p>As near neighbours, we object to the application on the grounds that it will inevitably cause nuisance and disturbance to residents, particularly as listed building regulations constrain any potential soundproofing to nearby residential properties.</p>			
<b>Name:</b>	[REDACTED]		

<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	14 December 2020		
<p>I would not object this application if the parking issues is close to the premises are addressed first. There are single yellow lines from 82 to 77 Great Titchfield Street W1W with approx 4/5 spaces , it is very likely that these parking spaces will be used by taxis late at night, for the collection of guest from the premises.71. and engine idling, I would want these yellow lines given to parking bays for local residents, so there will be less chance of noise late at night , from slamming of car doors , the other side of the road has resident parking bays. I personally don't drive, so it's the noise from these taxis that concerns me most not getting extra bays ! The bedrooms in my block are to the front of the building so this is why i have concern about noise late at night, There is reduced parking already on this section of Great Titchfield because of the "eat out to the help scheme " out so it means that the spaces in front of my block will be definitely be used and bringing the above issues. There is room to leave a space in front of 75 Great Titchfield which is clearly closer to 71 , which is in front of the commercial premises, so this bay be use for deliveries and taxis. If these issues are addressed and the premises is managed properly late at night , than I would give approval</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 January 2021		
<p>I am writing again to object to this planning application as I understand the previous application has had to be re-submitted.</p> <p>My view has not changed: the extension of licencing hours as proposed, and permission to play live and recorded music until 1.30am totally ignores the fact that this is a mainly residential neighbourhood. The cafes and restaurants on Great Titchfield contribute to its relaxed and neighbourly atmosphere; it does not need a 'night club'.</p> <p>Apart from the music noise which is bound to escape from the restaurant, there will be considerable noise from customers leaving the premises. This is bad enough at 11pm but quite unacceptable up to 1.30am, disturbing the sleep of local residents. I live on the corner of Great Titchfield and New Cavendish Streets and anticipate that, if the application is allowed, we will have noisy groups passing by into the small hours.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 January 2021		
Sale of alcohol for consumption on the premises: I object to the requested Thurs to Saturday			

extension of 2 hours from the current licence.

Late night refreshment: I object to the requested Thurs to Saturday extension of 2 hours from the current licence.

I object to both the playing of live music and the performance of dance- this part of the street is a quiet residential street.

Opening hours: I object to the requested 10am to 1.30am Thurs-Sun extension of 2 hours from current licence. This is a quiet residential street and these hours would create a disturbance.

**Name:**

[REDACTED]

**Address and/or Residents Association**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Status:**

Valid

**In support or opposed:**

Opposed

**Received:**

6 January 2021

I'm a local resident and I've lived in the area for over 10 years. We've started a family and now have a young baby at home.

This area is full of local residents, and most of the buildings surrounding the premises include many flats.

I want to object to this application because I think it will cause a lot of public nuisance and noise, and it sets a dangerous precedent for our neighbourhood.

My biggest concern is the extremely late times for opening hours, serving alcohol, late refreshments, performance of dance and live music. It is far longer than the core hours set out in your policies and later than other local premises.

It will cause a lot of noise especially so late at night and anti-social behaviour, from people entering and leaving (including staff, entertainers and guests), smoking outside, eating and drinking on the tables and chairs outside, waiting for transport outside, etc.

I'm also concerned that the activities go beyond what would be expected for a restaurant. For example if this license is granted at all then it would be useful to include a condition that the sale of alcohol is ancillary to a table meal.

**Name:**

[REDACTED]

**Address and/or Residents Association**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Status:**

Valid

**In support or opposed:**

Opposed

**Received:**

5 January 2020

I object to Bellaria extending their licensing hours and having live music. The neighbourhood is highly residential and has a number of excellent (including Bellaria) restaurants. There is currently a good relationship with the residents and the businesses. To my knowledge none of the other local businesses have extended hours or play live music. It would be completely out of character for the area. If you allow one then others will follow so I am asking for this application to be rejected.

The application is muddled in what they are requesting/promising. In the application in section I they state that late night refreshments (after 23-00) will only be indoors. But on schedule 12 under point 11 they promise that there will be no alcohol consumption at external tables after 22-00. So what time are they promising to have last alcohol orders outside? And will they clear away all alcohol at 22-00 as they appear to be promising.

Again in the Licensing Objectives under 'The prevention of a public nuisance' they state after 23-00 there will be no groups of more than 6 sitting outside. But as they have already said in the application that late night (after 23-00) they only serve inside they shouldn't let any groups sit

outside.

Historically the door is constantly open for serving outdoor tables so the sound would carry. The staff have not controlled noise levels once guests are a few metres away.

I note there is no application for the playing of recorded music outside. Last summer and autumn loud music was being played very late in the evening out of speakers which had been installed externally. This really changed the nature of the neighbourhood. Can Bellaria assure that there will be no more recorded music from outside speakers and that these speakers will be removed.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	3 January 2021		

I am a local resident and member of the FitzWest neighbourhood association. I have had some very nice meals in this restaurant, but I have a number of concerns about this application to extend hours for live music, dancing and the serving of alcohol. I believe the application should not be accepted in its current form.

In particular:

The request to stay open until 1.30 am from Thursday to Saturday is unacceptable given the potential for noise and keeping residents awake

Re live music, I'm not against live music per se but what kind of music and how loud will it be?

Again the hours requested risk causing disturbances and anti-social behaviour

I strongly object to the application to add performance of dance operation on Thursdays and Saturdays from 10.00-00.00

This seems very odd for a restaurant.

I also object to the application to extend alcohol - Thursday to Saturday from 10:00 - 01:00

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 January 2021		

I strongly object to this. The part of Great Titchfield St between Langham St and New Cavendish Street is predominantly residential character and this extension would severely threaten that character. The restaurant has tables outside and as I read the application it is intended that these will be occupied during the extended opening hours.

Furthermore, there will inevitably be increased noise during the extended hours from

(i) the recorded music to be played at the restaurant (including to accompany dancing so presumably at high volume);

(ii) customers walking along the street to and from the premises;

(iii) customers standing around waiting for transport ;

(iv) increased taxi, minicab and pedicab use with the associated noise of minicab radios and pedicab sound systems (the latter at vastly excessive volumes);

(v) increased use of the street by pedicab riders riding past in search of custom;

(vi) taxi and minicab car doors being opened and closed.

Granting this application would also give rise to a dangerous precedent with a long term risk that this "village" atmosphere is transformed into a "Soho" type atmosphere.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	3 January 2021		
<p>This new application seems even worse than the previous one. It seems that the hours requested for dancing and live music have been extended - and also the times for the sale of alcohol. My objections are the same as before.</p> <p>Fitzrovia is a highly residential area - and there are many homes near this restaurant. Outdoor dining has always been a much valued feature of the area but within strict times. These times should not be extended. Loud live music and dancing is more in keeping with Soho and is not appropriate in this area. Local residents have been very keen to support outdoor dining and temporary licence changes due to the losses incurred by restaurants during Covid. However, I feel that this business is using it as an excuse to change long-established restrictions on live music and dancing. I fear that this could be a slippery slope towards night clubs and dancing with attendant problems of late night drinking and people on the streets and arriving after 11pm. It is very important not to set a precedent of this kind. Bellaria is clearly a restaurant and seems to want to convert to a night club. I object strongly to this application.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	20 December 2020		
<p>As a local for 38 years I wish to strongly object to the restaurants application. I eat in the restaurant myself and it is very good but we do not want these extended hours until 1.30 am. We need to sleep and this application must not go ahead. It would just cause antisocial behaviour and ill feeling towards the restaurant.</p> <p>Thank you!</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	17 December 2020		
<p>As near neighbours, we object to the application as it will inevitably cause great disturbance to residents, particularly as listed building regulations constrain any potential soundproofing to nearby residential properties.</p> <p>Bellaria's premises are in a predominantly residential area and the application for such greatly extended hours and use is totally inconsistent with a mainly residential area.</p>			

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 January 2021		
<p>The extension for Dance and Music after 2300 will make sleep night impossible beyond the hour when it is appropriate to settle for the night whether working or retired. Even under present regulations it has been necessary to phone Westminster Noise Abatement line on several occasions. My wife and I are over 80. 23.00 is already past the time we usually attempt to settle for the night. As a retired doctor I am well aware that a good night's sleep is vital to those of all ages, whether working or retired.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 January 2021		
<p>I write to object to Bellaria's licence application. I have been a resident since the inception of this restaurant. There are serious issues regarding this application.</p> <p>1. The restaurant already plays loud music to a level which is antisocial resulting in reports to the Westminster nuisance team. The restaurant allows people to spill out onto the road late at night with no consideration for the residential surroundings of the restaurant. The restaurant has little respect for waste disposal and residents more generally, allowing its staff to smoke on the stairs to our properties for example. The suggestion that it will impose safeguards to prevent anti social behaviour in view of this track record is questionable at best. Poor adherence to current rules is compounded by concerning issues related to the business itself. Bellaria Limited is currently in liquidation according to companies house. Mr Nimet Oner, the applicant, ceased to be a director of Bellaria Limited in 2016 two days after notice to strike off the company was released (having held that position for less than a year) and is not a director of what appears to be a newly formed entity called Bellaria Restaurant Limited (incorporated on 29 September 2019). I would strongly urge Westminster to investigate the corporate governance of the business as this has an impact on its likely commitment to adhering to the rules and its accountability.</p> <p>2. Great Titchfield Street is a quiet residential road. There re no premises within the vicinity which has been permitted to operate effectively as a nightclub, which is plainly the proposed activity envisaged by Bellaria (in view of the variations it seeks and the level of music played at the premises already). Bellaria should not be permitted to cause such a negative and disruptive change to the area so many of us live in.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	4 January 2021 (withdrawn 29 January 2021)		

I believe late night loud music and drinking will cause a disturbance as the Bellaria restaurant is located along the residential portion of Great Titchfield Street. Other restaurants in the area such as the Italian opposite shut around 11pm on weekends (pre-covid hours)

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	22 December 2020		

20/11567/LIPV | Premises Licence - Variation Basement and Ground Floor of 71 Great Titchfield Street London W1W 6RB -application for late night license to 01.30am

I have become aware of the above renewed application which seeks to turn a restaurant which operates in the middle of a residential area into something very close to a night-club. I have lived in the immediate area of the premises referred to in this application for over 20 years at [REDACTED], which is a residential block of 18 apartments. I did voice objections to the earlier application and my concerns and objections are, if anything, increased by this renewal.

My principal concerns are:

1. While the area supports a number of businesses in the daytime, the nights are relatively quiet and peaceful, which is well appreciated by the people who live (and sleep therefore) here. The applicant seems to envisage serving food and/or drinks, inside and outside the restaurant, with live music and dancing until well after normal people will have retired. The restaurant would become a public nuisance. I have eaten there, and it is a busy restaurant; if the application were granted, it could effectively become a nightclub, open for drinking inside and out, with loud music and dancing.
2. The licencing hours proposed appear to be well outside the "core hours" defined in Westminster's policy, which is already beyond what residents would wish.
3. Although the premises are configured as a restaurant at present, I note with concern the application for various forms of regulated entertainment, until the early hours. 'Nightclub'-style hours and activities are a source of potential problems with crime and disorder; late night drinking - without food - will only encourage such problems
4. I fear the noise outcome of deliveries and waste disposal of thousands of bottles etc every day at the Westminster-specified hours of collection, as well as the preparation by staff for those collections
5. There are many other restaurants in the immediate area, which have been serving the needs of the local community without the need for inside and outside live music, dancing, and drinks being served without food. No other establishments in the immediate area have such a late-night licence and it would be a wholly unacceptable move were this to be approved; it would open the doors to many other applications for extended hours and activities.
6. Any alcohol sales must be limited to being served with a meal at lunchtime or in the evening. This is not an area for breakfast binging or late-night drinking.
7. The restaurant is at a crossroads - there must be some risks to public safety if many people are "wining and dining" outside the restaurant and spilling out into the roads.
8. There are tables outside the current restaurant; is it planned to have the live music available there too, as well as selling alcohol with/without food? Whilst the application says staff will "endeavour" to "prevent patrons congregating" and they will also endeavour "to maintain peace", that does not inspire confidence or certainty.
9. I do not know of a restaurant locally that has "live music and dancing". It seems to me that this presages a complete change of use to becoming a licensed venue for drinking, live music, and dancing until the early hours of the morning for most of the week - which would be better described as a night-club. It would no longer be a restaurant in the general understanding of that word.
10. It is alarming to see that this application, which replaces an earlier one which was

withdrawn, seeks not to fit in with the neighbourhood, but extends the hours earlier requested for the new activities of dance and live music. It clearly represents the mindset of the owners to move into a new business, possibly by "licence creep" - regularly and gradually moving away from being a restaurant with "normal hours".

11. There has been a distinct uptick in licence applications in this area in recent years. Residents have worked hard to engage with the licence process and to comment appropriately. We, the people who live here, have largely been successful in curbing the most unsettling aspects of these applications, and keeping licences which have been granted within reasonable bounds which represent an appropriate balance in the area. This application would, if granted, irretrievably damage this delicate equilibrium.

I would like Mr Richard Brown to represent me at the hearing, to whom I am copying my comments.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	23 December 2020		

I am writing in response to the letter received on the 10 of December 2020 regarding the application reference 20/11567/LIPV. Name of applicant: Bellaria Restaurant.

On the proposed licence plan, the activities include: playing music, sale of alcohol and late night refreshments until 23.00pm. The location of the premises is 71 Great Titchfield street which is directly opposite my building and therefore the noise will then travel directly to my bedroom/ living room windows making the comfort of my home unbearable.

As a resident located directly opposite the proposed premises location- I, along with the other occupants of my building, oppose the application due to the noise that is already experienced from the surrounding hospitality venues until 11.30pm and sometimes 1am at night.

The surrounding area is actually quite peaceful given that we are in Central London and we do not want this to change.

When people drink and eat outside there is noise and keeping the bars open only makes that situation worse. Given that this application will be another venue serving alcohol until late into the evenings it will bring an excessive amount of disturbance to the surrounding residents not to mention my building which is located directly above the proposed location. I appreciate this is for a basement but it is the people leaving and hanging around getting taxis etc late at night that causes the issues of unnecessary noise.

So given my points above, we strongly disprove application submitted by Bellaria.

If you would like a further commentary on the rejection of this application, please reach out.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	4 January 2021		

I write in response to the application to vary a Premise Licence at Bellaria Restaurant, 71 Great Titchfield Street, London W1W 6RB. The licence application reference number is 20/11567/LIPV and I strongly object to the application. I would also like the Committee to know that I objected to the Licence Application of 12 October 2020 that was subsequently withdrawn by the applicants.

I am a resident at [REDACTED]. The area around Langham Street, Great Portland Street, Great Titchfield Street and Foley Street is already saturated with restaurants,

bars and cafes. This part of Fitzrovia is and should remain distinct from other parts of the West End. Other parts of the West End such as Soho are more aligned with the night-time economy. Fitzrovia is characterised by quieter residential streets with a lower density of mixed retail and leisure uses. There is, however, a worrying trend of the character of busier streets such as Great Portland Street moving into quieter side streets such as Langham Street and Great Titchfield Street.

The Bellaria application for a restaurant located at the corner of Langham Street and Great Titchfield Street is a continuance to this worrying trend to extend opening hours, external seated areas and allow for music licences all of which will greatly disturb this predominantly residential neighbourhood.

This application seeks to change the current licence from reasonable licencing hours of 11:30pm on Thursday, Friday and Saturday to unreasonable and uncharacteristically late operating hours to 1:30am. The Committee will be aware that the application is outside of the Council's 'core hours' policy in its Statement of Licencing Policy. The immediate location to Bellaria is residential in nature with quiet streets and residents and I feel that this location is not appropriate for outside of 'core hours' licences.

This will undoubtedly create a public nuisance and should be of great concern to the Committee. The Council should be aware that granting approval for this licence, will create a worrying precedent for the area which is predominately residential in nature and should expect other restaurants in the area to follow suit. This is why it is very important the Committee do not set a key precedent and grant permission for this licence.

The changes proposed in this application will lead to a significant increase in noise and vibration from inside the premises due to longer 'recorded music' and 'late-night refreshment' hours which will cause a significant nuisance to residential amenity.

As stated above this part of Fitzrovia is much quieter than the bustling night-time economy in Soho. Live music and Performance of Dance is also of particular concern to residents. The Committee should also be aware of the potential impact on residential amenity of people and cars coming and going / dispersing from Bellaria at 1:30am. I do not feel that the proposed 'door supervisor' will be successful in mitigating this nuisance. I would question the extent of activities applied for here as Bellaria is a restaurant and not a bar or club. This is a small corner premises that has already doubled its ground floor table covers by placing seating year round outside the premises without licensed approval. This shows that the operator is unlikely to be constrained by any further license. I feel it is important for the Committee to add a condition to the Licence that the sale of alcohol is ancillary to a table meal. This will ensure that the restaurant is used as a restaurant and not a late-night bar or club.

I understand there have been numerous noise complaints in the past regarding the pubs and existing licences in the area therefore the situation should not be made worse for residents than it is as existing.

The Council should interrogate the use of the front of the property for external seating and if the sale of alcohol is permitted here. Under the supporting documentation there is a suggestion of the use of outdoor seating but there is no reference to outdoor seating in the licence application. Should the Committee grant this licence, a further restriction on operating hours should be placed on the use of any outdoor space and seating as the impact of having outdoor seating is considerable. The plan attached to the application suggests 'the premises' is the building itself and the application does not seek off-site sales, therefore is the sale of alcohol outside not permitted? This should be investigated by the Committee as this outdoor space currently is used for alcohol sales.

Bellaria is a restaurant and not a pub, bar or club and therefore I do not see why such late operating hours are justified. A licence outside of the Council's 'core hours' is not appropriate to the existing context and residential nature of the surrounding streets as this will create a substantial nuisance to residents. The existing premises do not have the appropriate mitigation measures in place to operate past their current licencing hours and no further mitigation is currently proposed. External seating and use of these tables for drinking not associated with eating only exacerbates these issues. The application of music and performance will make this worse still.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	6 January 2021		
<p>Dear Licensing Team</p> <p>I write to object to this application.</p> <p>I object to the application to extend opening hours to 1:30am on Thursdays, Fridays and Saturdays for late night refreshment and sale of alcohol, and until 11.30pm on Sunday for the sale of alcohol. The proposal to extend the hours when music played is also problematic. This would represent a very significant increase on the hours currently allowed for which currently end at 11pm Monday to Saturday, and half 10pm on Sunday.</p> <p>My key concern is that it will undermine licensing objectives to prevent public nuisance. The restaurant has I understand already received multiple noise complaints from residents about loud music emanating from the premise. It should be noted these complaints have been made within current licensing arrangements, which ensure the premise close at a reasonable time. It can, therefore, be assumed that these issues would continue were the premise allowed to open until 1:30am; only this time they would cause more nuisance as the restaurant would clearly continue much, much later into the night. In addition, it would create a precedent, paving the way for further public nuisance issues - again, contrary to the licensing objectives.</p> <p>These kinds of late night licensing applications are not appropriate for a highly residential area. The strength of feeling is such that the Neighbourhood Forum is submitting an objection; this is relatively rare and only used in circumstances where there is significant strength of opinion in opposition to application.</p> <p>One resident articulates this concern which I think is concerning:</p> <p>"The applicant does not propose specific measures to attenuate the noise and vibration caused by these activities: it does not propose limiters on volume and noise and bass, does not mention sound systems or volumes, or how this is to be controlled, does not propose to fit soundproofing; it does not show where within the premises this activity would take place and how many people would be allowed to dance on the floor. It is not clear whether the provision of public performance or dance is ancillary in nature or not.</p> <p>there are no measures to prevent noise escaping through the doors; currently, there are no double doors, and the door remains open most of the time, causing noise to escape to the street.</p> <p>there is no proposal to control and minimise the number of people going out for a smoke."</p> <p>It is right to support hospitality businesses during a moment like the one we're living through. However it's important to strike a balance between protecting residential amenity and supporting businesses, which this application would fail to do. Furthermore, the licensing objectives must be maintained and there is no provision, as far as I'm aware, of the challenges of coronavirus to businesses overriding the current licensing objectives. As such the application should be rejected.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 January 2021		
<p>I am writing on behalf of the Fitzrovia Neighbourhood Association - the recognised Amenity society for Fitzrovia, and the FitzWest Neighbourhood forum- a business NF designated by</p>			

WCC for the area.

Great Titchfield Street, north of Mortimer Street, lies at the heart of our residential area, especially around the immediate vicinity of the premises- 71 Great Titchfield Street.

There are quite a few long-established restaurants and cafes, co-existing with a large residential population. This has long been the case. It is part of the character of the area. Typically, those establishments hold premises licences for core hours, and there is a good relationship between the residents and those restaurants. FitzWest and the FNA strongly supported the covid induced temporary measures introduced by WCC to help the hospitality sector over this difficult period.

The FNA and FitzWest strongly oppose the application on grounds that the applicant failed to demonstrate how his proposals would promote the licensing objection of prevention of public nuisance to neighbours living in the area.

Bellaria has been operating for some years at the same location- the north-west corner of Great Titchfield and Langham Street.

The current premises license was granted for core hours:

[https://idoxpa.westminster.gov.uk/online-applications/files/C64246CC93E7B63F24C51BBED1AAE363/pdf/20\\_11567\\_LIPV-19\\_07803\\_LIPVM-ISSUED\\_LICENCE-6053745.PDF-6683448.pdf](https://idoxpa.westminster.gov.uk/online-applications/files/C64246CC93E7B63F24C51BBED1AAE363/pdf/20_11567_LIPV-19_07803_LIPVM-ISSUED_LICENCE-6053745.PDF-6683448.pdf)

the attached conditions mention outside seating, a capacity of up to 30 people at the basement, no mention of the ground floor or seating capacity outside the premises.

It is unclear what is the total capacity of the premises; from observations by residents, there were between 8-10 tables outside the premises, seating at least 30 people, if not more.

Over the years, residents approached both the FNA and recently FitzWest NF with concerns about the noise and nuisance caused by the premises; noise from the premises- music playing, doors remain open so people outside can hear it, the noise coming from groups of people coming and leaving - due to inadequate control by the applicant; there is a record of formal complaints made to WCC environmental health team re nuisance in the evenings.

The high number of people objecting to this application perhaps indicate the scale of the nuisance caused over the years by the operation of the restaurant.

The applicant wishes to extend the opening time of the restaurant till 0130 on Thurs to Saturdays and till 2330 on mon-fri, 2300 on Sunday.

He wishes to extend the hours in which recorded music is played till midnight at weekends, and recorded music is played till closing times -0130 on Thurs- Sat nights/mornings, adding live music and performance and dance as new permitted activities.

The applicant does not propose specific measures to attenuate the noise and vibration caused by these activities: it does not propose limiters on volume and noise and bass, does not mention sound systems or volumes, or how this is to be controlled, does not propose to fit soundproofing; it does not show where within the premises this activity would take place and how many people would be allowed to dance on the floor. It is not clear whether the provision of public performance or dance is ancillary in nature or not.

there are no measures to prevent noise escaping through the doors; currently, there are no double doors, and the door remains open most of the time, causing noise to escape to the street.

there is no proposal to control and minimise the number of people going out for a smoke.

We are very concerned about the tables and chairs placed outside the premises:

there is no specific reference to the times in which those tables and chairs are placed, but we do notice that in the set of conditions proposed by the applicant the following sentence appears: quote: After 23:00, we won't allow big groups more than 6 people taking seating outside. If they are not family, we won't allow groups more than 5 people taking seating in the whole premises. unquote After 23:00, we won't allow big groups more than 6 people taking seating outside. If they are not family, we won't allow groups more than 5 people taking seating in the whole premises.

[https://idoxpa.westminster.gov.uk/online-applications/files/356EC66D34986FC796180B95E9FD8BA0/pdf/20\\_11567\\_LIPV-BELLARIA\\_RESTAURANT\\_LICENSING\\_OBJECTIVES.PDF-6683450.pdf](https://idoxpa.westminster.gov.uk/online-applications/files/356EC66D34986FC796180B95E9FD8BA0/pdf/20_11567_LIPV-BELLARIA_RESTAURANT_LICENSING_OBJECTIVES.PDF-6683450.pdf)

this is unacceptable, patrons should not be allowed to sit outside after 2300, food and drink should not be served outside after 2230. the tables and chairs should be removed after 2300.

The restaurant is located at the heart of a residential area; we have major concerns over the potential loss of amenity to residents- in particular good night sleep- caused by the nuisance from the premises. There is a past record of complaints from residents regarding issues of public nuisance. The proposed conditions and measures by the applicant are inadequate and fail to address the concerns raised above. Given the residential character of the area, the potential of nuisance caused by the premises into 0130 and beyond would prevent residents from going to sleep before 0200. this is unacceptable.

This refers to the restaurant- noises from the premises, and the coming and going to and from the premises- cars, taxis minicabs, uber services, engine cars revving or being kept running while the vehicle is waiting for patrons to emerge, the dispersal of customers leaving the premises, the noise made by bringing chairs and tables inside, rubbish bins being put outside. We have asked Richard Brown from CAB- Westminster- licensing team- to represent FitzWest NF and the FNA in this case.

I would be grateful if this objection could be passed to the officer dealing with this application

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 January 2021		

We wish to again object to the above application in the strongest possible terms and enclosed our letter dated 27th Oct 2020 in respect to the earlier and prior application in substantially similar terms that was recently submitted and later withdrawn. The points and objection raised in our letter of 27th Oct 2020 still stand in respect of the current application and therefore are repeated. In addition, we have read through the proposed controlled measures outlined by the applicant and would make the following points:

1. Our experiences as both freeholder and neighbour to the applicant premises for over 30 years give us little if any confidence in the applicants' adherence to the proposed control measures. We have in the past had to take legal action in respect of both breach of covenants and breach of planning and licensing conditions in respect of the applicant's premises address. Whilst we have recovered some cost for doing this, they have not covered our cost/expenses for loss of our goodwill and business of our clients and customers, management time or cost incurred fully on a solicitor and own client basis. We have found the actions and enforcement by the WCC to be unreliable.

2. There seems little purpose for allowing or permitting exterior table service and exterior smoking in the requested increased and extended licensing hours as any noise disturbance and nuisance thereby caused exterior to the premises will have a direct effect on the occupants of neighbouring premises and in particular the guests and customers of our adjacent hotel (particularly children) who would wish to have a peaceful, quiet, restful, and undisturbed sleep. The applicants have presented no evidence of the manner in which they intend to address the potential undoubted impact that the later hours of opening until 01.30 and the provision of live music will have on our hotel and its residents some of whom will be attempting to sleep just yards away from this activity. The applicants suggest that no noise will emanate from the interior of the premises which we doubt and are extremely skeptical will be the case. There is no acoustic report and no reliability can be placed on a set of proposed conditions when no analysis has been done by the applicants on the noise and nuisance which may be caused by the new operation. It is their duty to carry out such an analysis.

3. There is no attempt by the applicants to address the policy of WCC on core hours and their application to exceed those hours. It is clear that the other licensed premises in the vicinity here have licenses which reflect the core hours in the policy and the applicant premises should also adhere to these hours in this sensitive area.

The above objections and matters together with those previously raised will be elaborated on, if

required by our legal representative, namely Messrs. Gareth Hughes of Keystone Law should the application be heard at a future date and not be withdrawn or dismissed.  
 We trust that our objections are considered properly and fully and that if you wish for further information or clarification you will in the first instance contact the undersigned on his email address.

**Comments submitted on 27th October 2020**

On behalf of the [REDACTED], we write to object in the strongest possible terms to the proposed amendment of the premises licence for the Bellaria Restaurant ground floor and basement, 71 Great Titchfield Street, London W1W 6BU.

We are the long standing (over 30 years) and long suffering freeholders and adjoining neighbours of the applicant premises and there is a long history of planning, breach of covenant and breach of licensing provision with the applicant premises and the building in which it forms part which is led to both injunctive and court relief being sought and obtained. The City of Westminster licensing file for the applicant premises should have full details of historic breaches of licensing conditions.

The agent for the applicant is currently attempting to deceive ourselves by proposing that a licence of alteration be given for works that do not possess appropriate planning or building regulation approval. In such circumstances absolutely no reliance whatsoever can be given to the

applicant premises being managed in compliance with all regulations and conditions to which it would be under a duty to comply with. The suggested increase in hours, of opening, the provision of live music and dancing are bound to lead to noise, disturbance and nuisance to the guest residing in the immediately adjoining hotel bedrooms. The periods when the increase hours and other changes are requested to be permitted are precisely the days when the hotel receives leisure business which includes a much higher proportion of children who get to sleep at early times. The undoubted effect of agreeing to the suggested and amendments to the licence conditions is that the guest in the hotel would have their peace and quiet enjoyment disturbed by noise emanating from the applicant premises and disturbance from this clientele coming to and from the premises late at night and after consumption of alcohol.

The applicant premises forms the south east corner of a predominantly residential block and bounded by Great Titchfield street to the east, New Cavendish St to the north, Goswell St to the west and Langham Street. There are no evening yet alone late evening commercial premises within such block. The nearest public houses do not have opening times later than those current enjoyed by the applicant premises and this is welcome.

For the reasons stated above and in particular noise disturbance, nuisance and harm to children resident at the adjoining hotel premises the applicant request for amendments of its licensing condition should be resisted and not permitted.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	21 December 2020		

I write to make a relevant representation under Licensing Act 2003 in respect of the above application.

My representation is made on the basis that the likely impact of the application, if granted, will be to harm the licensing objectives, notably 'prevention of public nuisance.

[REDACTED] very near to the proposed site. I have owned the flat for around 15 years. I understand that the premises must currently cease selling alcohol at 11pm each day (10:30 on Sundays).

I was therefore concerned to learn of an application to vary the licence to permit sale of alcohol and the addition of forms of regulated entertainment until such late hours.

**Basis of objection**

I object to the application on the basis that the likely effect will be to harm the licensing objectives, particularly 'prevention of public nuisance'.

I understand that the application seeks:

o Sale of alcohol for consumption on the premises - 10am to 11pm Mon-Weds (no change from current licence); 10am to 1am Thurs-Sat (extension of 2 hours from current licence); midday to 10.30pm Sun (no change).

o Late night refreshment - to 11.30 Mon-Weds (no change); to 1.30am Thurs-Sun (extension of 2 hours from current licence).

o Performance of dance - 10am to midnight Thurs-Sat (change from current licence as not permitted under current licence).

o Live music - 10am to midnight Thurs-Sat (change from current licence as not permitted under current licence).

o Recorded music - 10am to 11.30 pm Mon-Weds; 10am to 1.30 am Thurs-Sun; midday to 11pm Sun. As recorded music is unrestricted on the current licence, these are theoretically reductions, although not meaningful reductions.

o Opening hours - 10am to 11.30pm Mon-Weds (no change); 10am to 1.30am Thurs-Sun (extension of 2 hours from current licence); midday to 11pm Sun (no change from current licence).

I believe that the application is contrary to the Council's Statement of Licensing Policy, particularly HRS1 and PN1. It may also be contrary to the new policy SCZ1, in so far as it relates to Fitzrovia.

The hours sought go well beyond the 'core hours' set out in Policy HRS1, and there is no requirement for the premises to operate as a restaurant i.e. with sale of alcohol ancillary to a table meal

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	2 January 2021		

Dear Madam / Sir,

We are the [REDACTED]. We received a 2nd letter regarding the application by Bellaria Restaurant to extend their business hour to 1:30am some nights. We would like to object this application due to the following reasons, despite the fact that Bellaria has been very respectful to local residents nearby:

1. We are already surrounded by many restaurants and bars/clubs in our small cross road. It has been already very noisy for us. We simply want to have a quiet night that we can sleep after 10pm/11pm as latest, as the minimum;

2. We noticed that Bellaria would like to add music in their premises: we have been very troubled by the music from another restaurant nearby, Sergios. It has made all of our residence in the building very annoyed by their music, particularly when the weather is nice or in summer. We had to spend £600 to install a double glazed window in one of our rooms. I know that on 2nd floor, they have been troubled as well but felt it was too much to spend this amount of money to insulate their room. If we allow more music, it will make our home not habitable due to the noises.

3. Many problems come after restaurant finish: some of their customers are drunk, singing in the street after restaurants/bar close. We, the local residents, are suffering, not the restaurants staff. In many occasions, their customers pee outside of our building at the entrance.... The later these restaurants close, the worse the situation is. We already had suffered enough. No restaurants or bars are responsible for behaviour of their customers after they leave their premises.

Above are the main reasons / concerns for us. Thank you for your consideration.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	2 January 2021		
<p>I wish to object to this application.</p> <p>Although I am sympathetic to the struggle local businesses have to make a go of things in the current crisis, the disturbance which would be caused by extending the opening hours late into the night is not reasonable.</p> <p>This is an area with a high number of residents. All the buildings close to the specific location of the restaurant contain flats - other than the immediate neighbour on Langham Street, and that is a hotel. I believe that all these people could be badly affected by the extension of the opening hours late into the night and the additional disturbance that would be caused. I would certainly be impacted by the additional disturbance late at night because I live on Langham Street and my bedroom is directly opposite the restaurant.</p> <p>The potential disturbances are not only from the immediate noise of the diners and the entertainment proposed but the noise caused by their departure and the closing up of the restaurant. We know from experience the amount of noise that can occur whilst restaurants are closing up - loud leave-takings of customers, cars running their engines whilst waiting to pick up the customers, the sound of tables and chairs scraping on the pavement, the putting out of bags of bottles and other rubbish for collection, and so on.</p> <p>As I say, I am sympathetic to the need of our local restaurants to make a living. They make a valuable contribution to the vitality and liveliness of our area and I am keen that they should prosper, but this must not be at the expense of the ability of the local residents to get a good night's sleep. The local residents also make a valuable contribution to the atmosphere of the area and they should have their interests protected too.</p> <p>As I say, I am sympathetic to the need of our local restaurants to make a living. They make a valuable contribution to the vitality and liveliness of our area and I am keen that they should prosper, but this must not be at the expense of the ability of the local residents to get a good night's sleep. The local residents also make a valuable contribution to the atmosphere of the area and they should have their interests protected too.</p> <p>I believe an extension to opening hours would set a very bad precedent and open up the possibility of other restaurants in the area also seeking to extend their hours. The level of noise and disturbance could very rapidly become intolerable. I strongly believe there is a need for all the hospitality businesses in the area to close by 11pm at at the latest.</p> <p>For these reasons I wish to object strongly to any extension of opening hours for this restaurant and ask you to reject this licensing application.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	4 January 2021		
See full representation below			

By email only: licence-reps@westminster.gov.uk

Representation in respect of variation of application for new premises licence ref: **20/11567/LIPV** – Bellaria, 71 Great Titchfield, London W1W 6RB

Dear Sir/Madam

### **Overview**

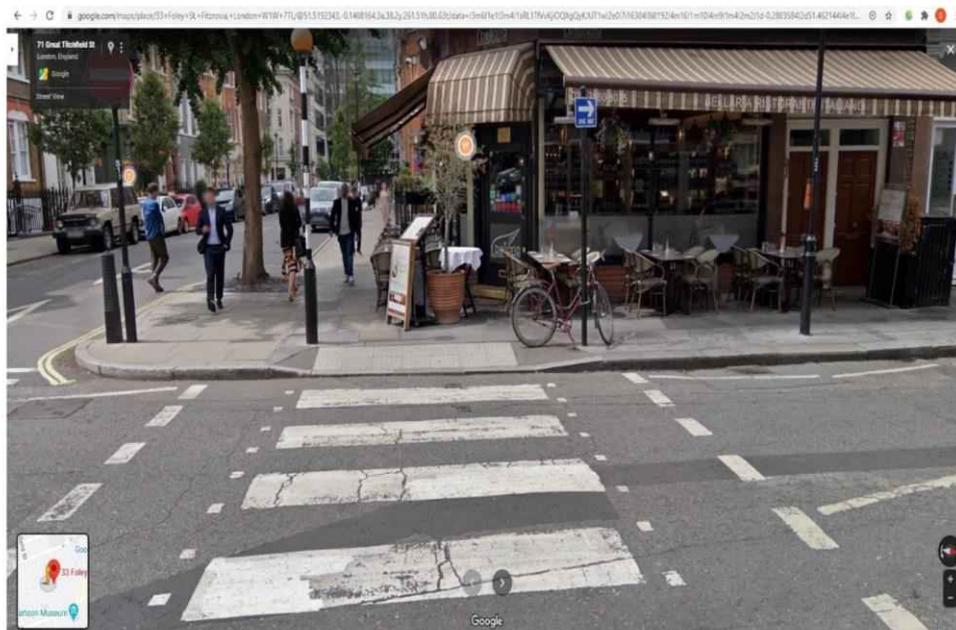
I write to make a relevant representation concerning the above application for a new premises licence variation. I represent [REDACTED]

[REDACTED] situated one block from this site. I represent both the directors and leaseholders of the 18 flats, housing approximately 50 residents ranging from a baby, professional workers, university students and retired residents with health issues who have lived in the building for over 40 years. Some have never had internet access! Below our homes are two commercial units, Rymans the stationer and Tank Form Ltd, a magazine and TV company.

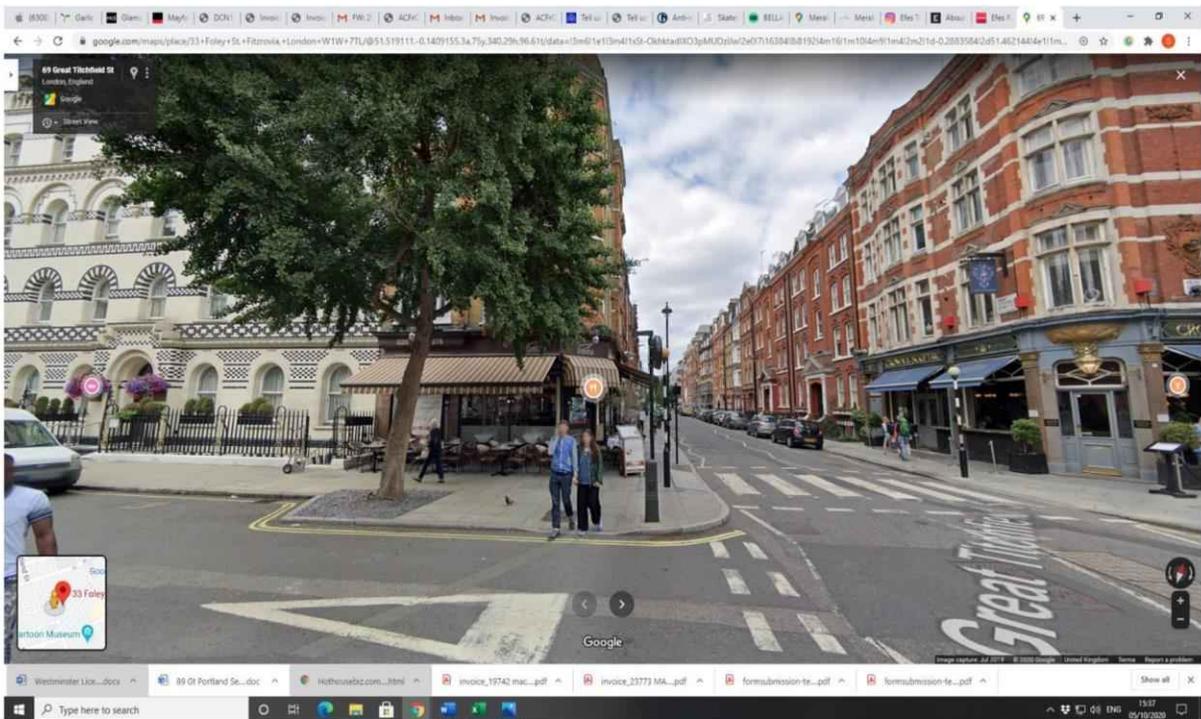
I have lived, and or worked this this part of Fitzrovia for over 25 years.

Please note due to Covid19 restrictions we are using historic photos to be deemed fair whilst highlighting how quiet this area is outside of weekday rush hour.

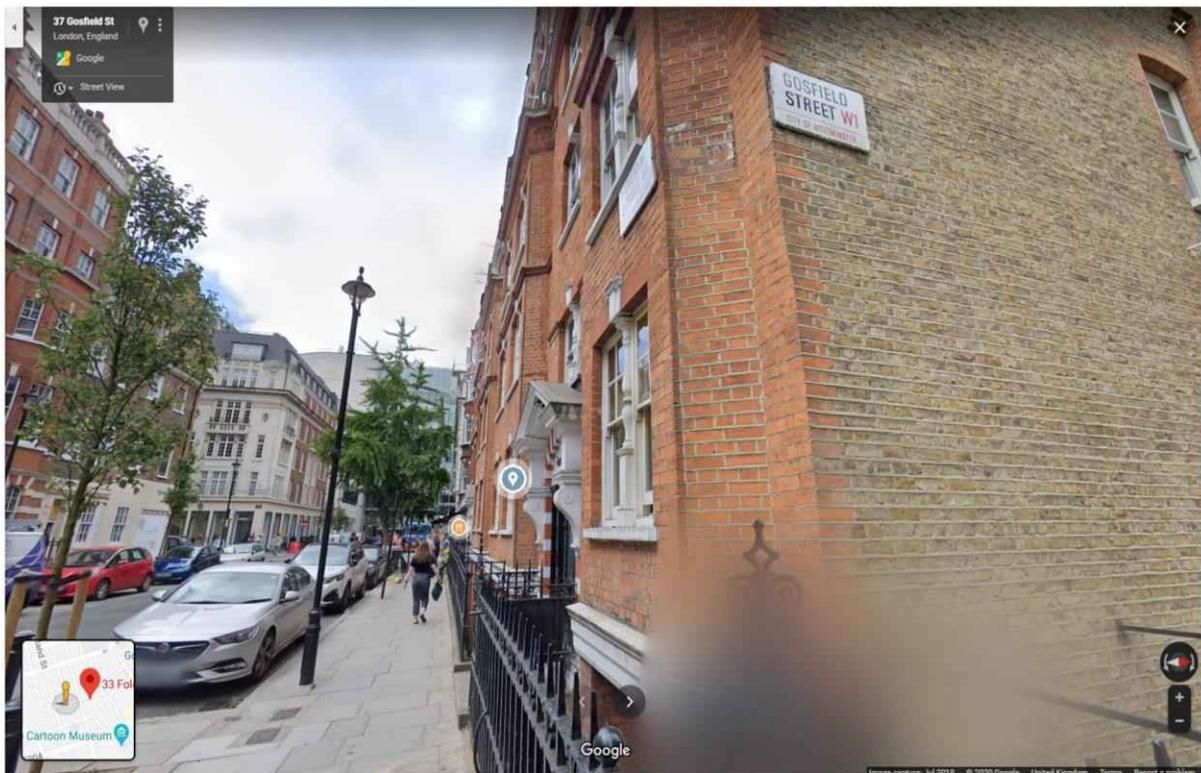
Site of application - 71 Great Titchfield Street – July 2019 - junction of Langham Street



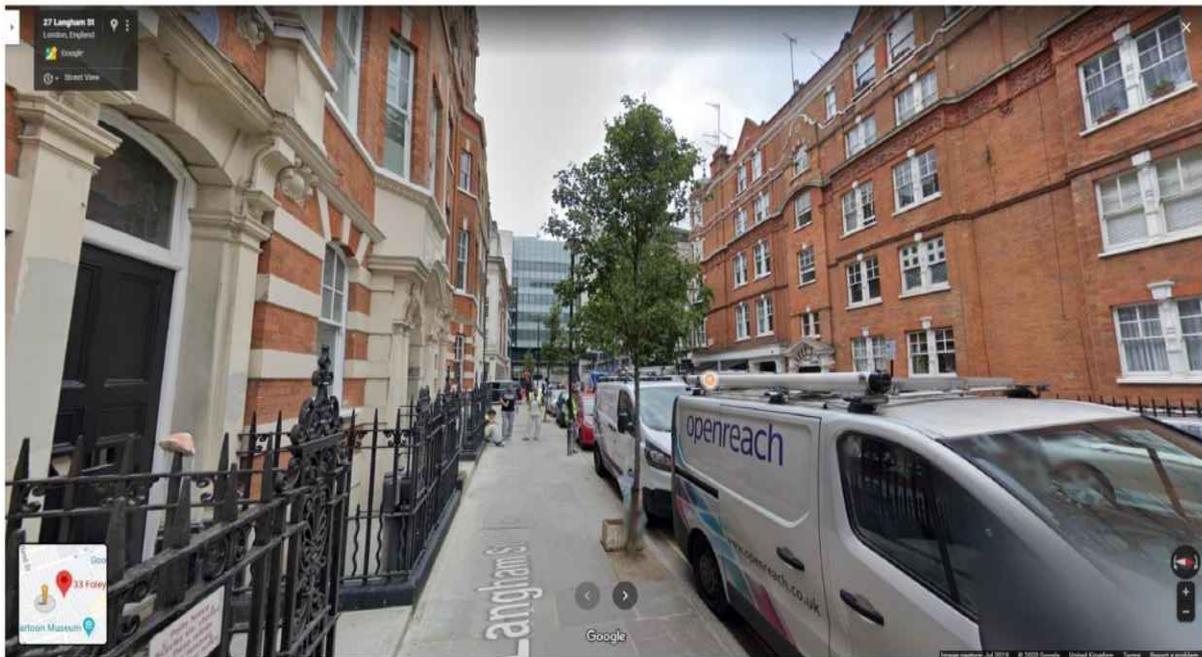
Langham Street Aspect July 2019



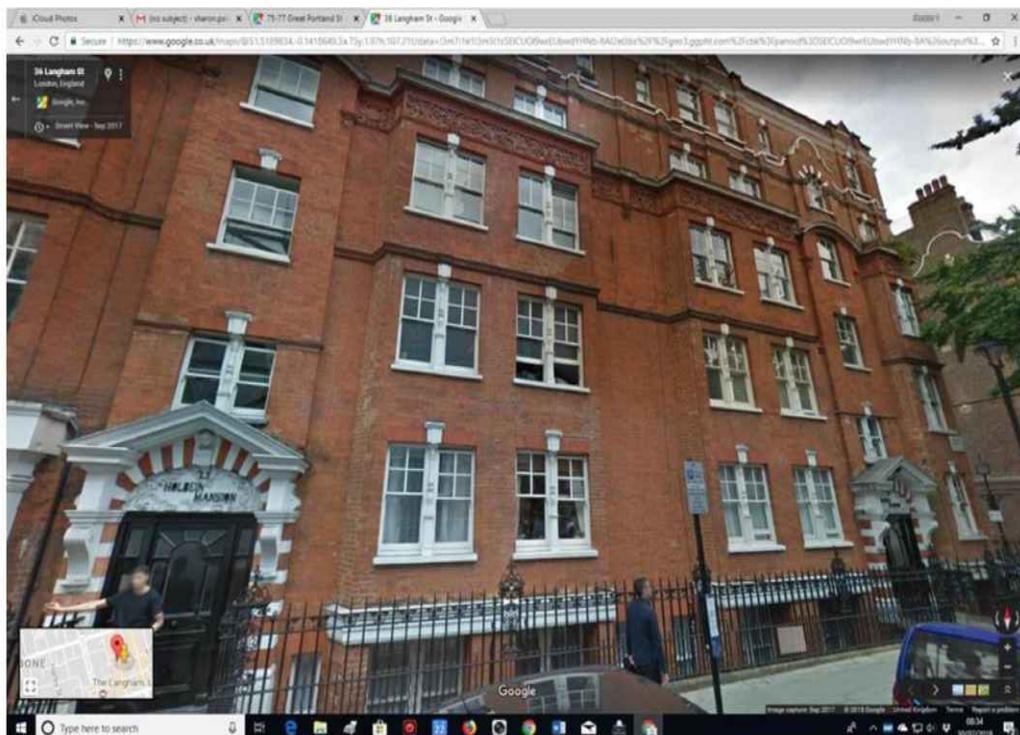
The restaurant is mainly surrounded by residential (red brick) flats with the Langham Court Hotel to the left (Black and white tiling) July 19



Flats on both sides of Langham Street - more detail below - July 19



From outside 27 Langham Street - residential flats on both sides of the street – left side still to be occupied July 19



Holbein Mansions 25 Langham Street & Van Dyke Mansions 27 Langham Street and Rembrandt House 100 Great Portland Street (GPS) flats - all residential

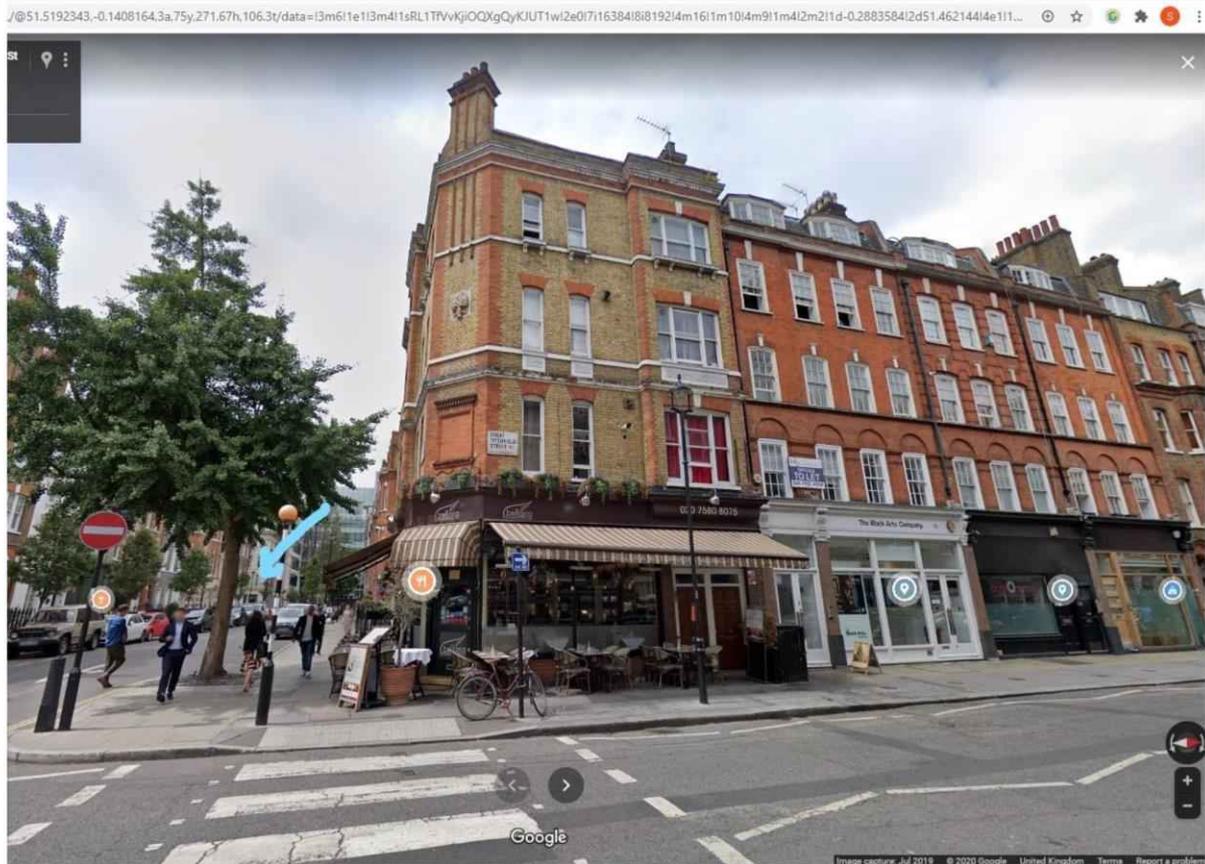


Gosfield Street – mostly residential both sides



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

The applicant's proximity to our residents



The blue arrow marks the junction of Great Portland Street and Langham Street where our flats are the next building to the left July 2019



The red mark marks where our flats are situated to the applicant which is one block (right of Langham Street) and two blocks (left of Langham Street).



Our flats to the left, St Gorbain showroom with flats above (30 Langham St) and ex BBC Brock House to the right currently being converted into serviced office space



Langham Street elevation with the BBC Piazza to right – flats above showroom



Langham Street to BBC Piazza Saturday July 28 2018 18:53:53

Showing quiet nature of our block to the north

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 1<sup>st</sup> – 6<sup>th</sup> Floors

### Our immediate area

We live in a small residential enclave surrounded by a number of institutions and businesses. We have three residential blocks of flats on our block. 79-83 & 89 Great Portland Street, 30 Langham Street 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).

Radio 1, 1Xtra and 6 and the BBC receiving bay sit next to the 30 Langham Street 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. Wogan House in on the next block along with The Portland Place School so we have therefore always enjoyed quiet neighbours.

The block opposite our flats – 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 which is completely out of character with this residential area. The Whisky Exchange, 90-92 Great Portland Street, is restricted by TENs **17/07371/LIPN**.



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/university students go home.

Another salient point is that our building is made of concrete and glass. Sound reverberates through our building from outside due to all the hard surfaces. How do we know? Every time there is a loud music event in the BBC Piazza sound travels round under the BBC bridge which acts like a sound tunnel and up and down Great Portland Street, as does building works noise on local sites opposite and adjoining our flats.

Our residents hear noise from the surrounding area but it takes time to get out of bed, wake up, get dressed, wait for the lift and start working out where noise is coming from and walk round the streets to find the source of disturbances. This is particularly acute in the summer when the weather is hot. 12 of our 18 flats are single aspect. Therefore, residents are forced to open windows for ventilation. So, residents hear every disturbance in the area.

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, particularly HRS1 and PN1

Our concerns: -

This application has been brought to our attention by a resident in Middleton Street. We are exceedingly concerned about many elements of this variation including: -

### **1. Proposed extending hours of operations**

The proposed changing of a restaurant into a late-night drinking venue and nightclub with performance dancing and live music will cause nuisance to us and all our hundreds of neighbours. We are aware there have been complaints about noise from these premises in the past, within existing operating hours, so any notion of extending hours of operation from 23.00 to 1.30 on Thursdays, Fridays and Saturdays is therefore unacceptable to residents.

It should also be noted the hours sought are well outside the Council's 'core hours' policy in its Statement of Licensing Policy.

### **2. Extended Sale of Alcohol hours**

We wish to object to the proposed 2-hour extension of sale of alcohol hours on Thursdays – Saturdays on 10am – 1.30am. Again, such extended hours of alcohol consumption will bring noise and nuisance to our residents and neighbours.

### **3. Proposed extension of late-night refreshment provision**

The variation requests the provision of late-night refreshment be extended on Thursdays - Sundays by two hours from 11.30pm to 1.30am. This extension will likely cause noise and nuisance to all the residents living around these premises, due to the fact this licence is currently not subject to a condition of alcohol ancillary to a meal. Please see point 6 below.

We strongly object to any notion of anyone sitting at outside tables after 10pm let alone groups of 6 after 23.00

This is a highly residential area and it is the norm in other areas in London such as this that restaurants close at traditional times such as between lunch and dinner service and close between 22.00 and 23.00 ensuring they give their staff rest time and prepare for the next service and no disturbance to neighbours. Examples in Westminster and other London boroughs include: -

Vasco & Piero (1971) Poland St W1 Lunch 12.15-2.15 Tues- Sat 17.30-21.630 (Closed Sat Lunch, Sun and Mon)  
Bocca Di Lupo W1 Soho Mon-Sat 12.00-15.00 17.00-23.00 Sun 12.30-15.30 17.00-21.30  
San Lorenzo (1963) Beauchamp Place SW3- highly residential – 12.30-15.00 18.30 – 22.00  
Baccala Bermondsey St Tues-Fri 12.00-14.30 & 17.30-22.00 Sat 12.00-22.00 Sun 12.00 17.00  
Via Emilia Hoxton Sq N1 Mon-Fri 11.30 -23.00 Sat 13.00-23.00 Sun 13.00 – 22.30  
Pallatino Central St EC1 12.30 – 15.00 & 17.30- 22.30  
Enoteca Turi (ex Putney- Pimlico Rd SW1) Mon- Sat 12.30-15.00 & 18.30 – 22.00 Sun 12.00-15.30

#### 4. Live Music and Performance of Dance

We have never come across an Italian restaurant which offers live music and performance of dance. In a native Spanish/Asian restaurant possibly but certainly never Italian nor in London. We have no wish for either live music or performance of dance to be held on our doorsteps between 10.00am and 00.00 any day of the week. This application suggests the business wish to turn these premises into a late-night drinking venue.

We are fortunate to live in a quiet residential area. There are more appropriate venues for live music and dance in this and other London boroughs.

It would appear this establishment is having an identity crisis. The website states: -

"Awarded as 'one of the best Italian restaurants in the UK' by the Italian Chamber of Commerce and Industry" (no date of award provided)

'gives you the opportunity to dine intimately within London's ancient walls'

'cosy atmosphere ...makes it the ideal venue for your birthday parties, formal dinners, corporate or private events'

Advertising three party fixed priced menus for groups of 15+

Facebook states: -

Bellaria restaurant and wine bar

Advertising Happy Hour 2 4 1 drinks – beers, house wine and aperol spritz

Hardly 'cosy' if this establishment is now requesting live music and performance of dance! None of the local neighbourhood restaurants in the list in #3 above need or expect either live music or performance of dance as people visit for their delicious Italian cuisine.

We have no wish to have a live performance venue on our doorstep. If we wish to listen to jazz we can go to Ronnie Scotts, Pizza Express Jazz Soho, Jazz Café Camden or the 606 Club in Chelsea. If we wish to go to other types of concerts or music venues, we have plenty of options which are suitable for live performance such churches, the Wigmore Hall, Cadogan Hall, pubs, clubs, Roundhouse, Royal Albert Hall, ExCel centre, Wembley etc

Generally, people meet in restaurants a) to eat great food and b) have a conversation with the person/people they are with. Music, piped or live, kills conversation. Musicians are unlikely to enjoy the noise of knives and forks on plates and higher than normal speech attempting to be heard above any music/singing. Anyone with any form of hearing impediment will be put off this venue by noise bouncing off hard surfaces competing with live performance.

We wish to remind committee members that residents were unaware of the licence variation **19/07803/LIPVM** application for these premises, nor were long term residents and business owners living/working on the blocks opposite on Langham and Middleton Streets, as no notification was issued to local residents by the licencing department. Had we known of these details, residents would have made representations concerning such proposals and sought for updated conditions where appropriate to existing outdated licence conditions. We have therefore lost an important opportunity to get to the bottom of these matter last year rather than now.

Therefore, we wish to raise our objections to any change to the current licence in respect of: -

- Live music - 10am to midnight Thurs-Sat as no permission is granted under the current licence
- Performance of dance – 10am to midnight Thurs-Sat as not permission granted under the current licence

**4.1** Can 'performance of dance' be a euphemism for striptease dancing? We have no wish for undesirables to be attracted to the streets in which we use and live, causing nuisance and noise. Can a condition be created to cover the prohibition of this please?

**5.** We seek clarity regarding application Ref. No: 19/03881/FULL for [Use of lower ground floor as nightclub \(sui generis\) and restaurant](#). The status is 'no further action' suggesting the applicant didn't pursue their proposal. Can the situation be clarified for residents please?

**6. Recorded Music**

We ask for no extension of recorded music be permitted especially as there appears to be no restriction on closing the doors and windows of these premises to reduce noise for residents.

Can a time of 20:00 be set for all doors and windows be closed daily to minimise disturbance to so many neighbouring residents please?

**7. Alcohol ancillary to a table meal**

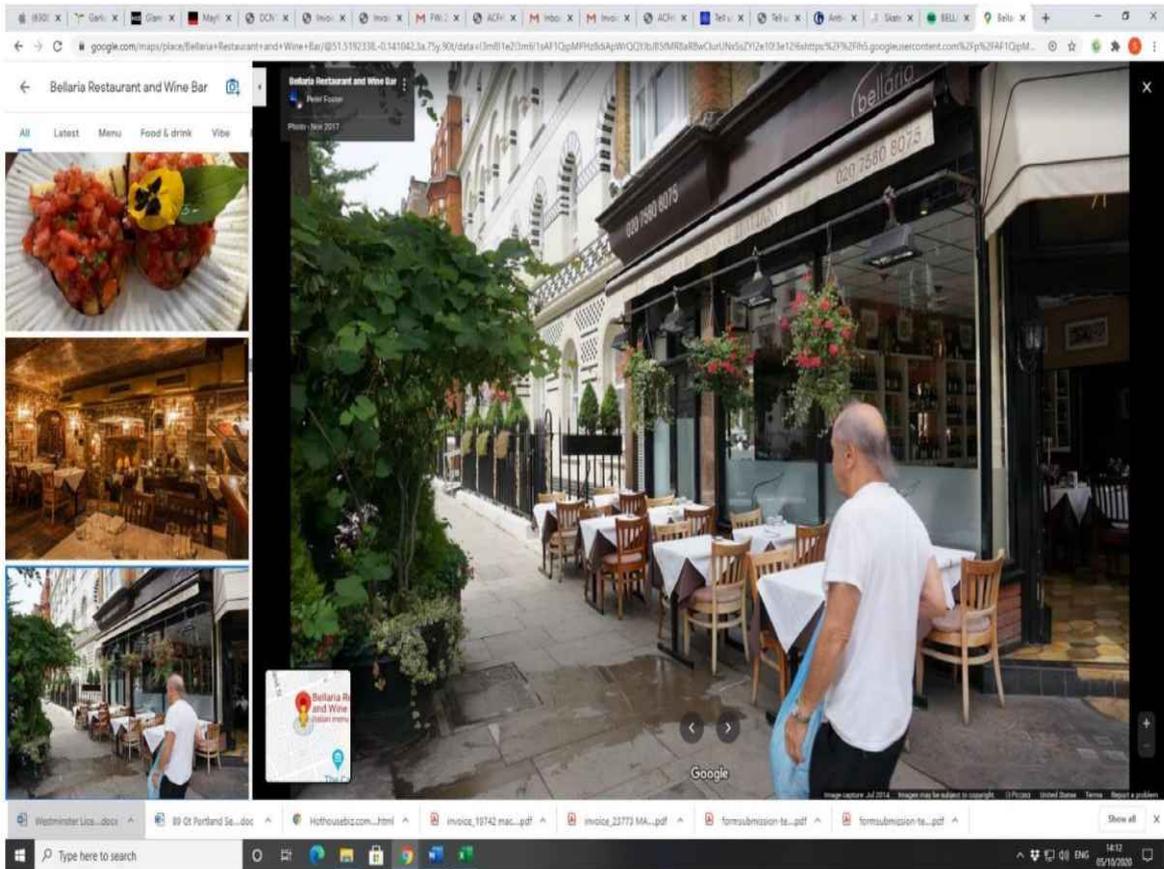
As per the Council's Policy Statement of Licensing Policy considerations, the premises are currently not subject to a condition that sale of alcohol is ancillary to a table meal i.e. it is a restaurant. The inference is these premises could therefore operate as a bar with music. In more recent licences granted by the council, this condition has featured. For example, **20/02820/LIPN** Can the position be clarified, and this condition be initiated please?

**8. External Table and Chairs Queries**

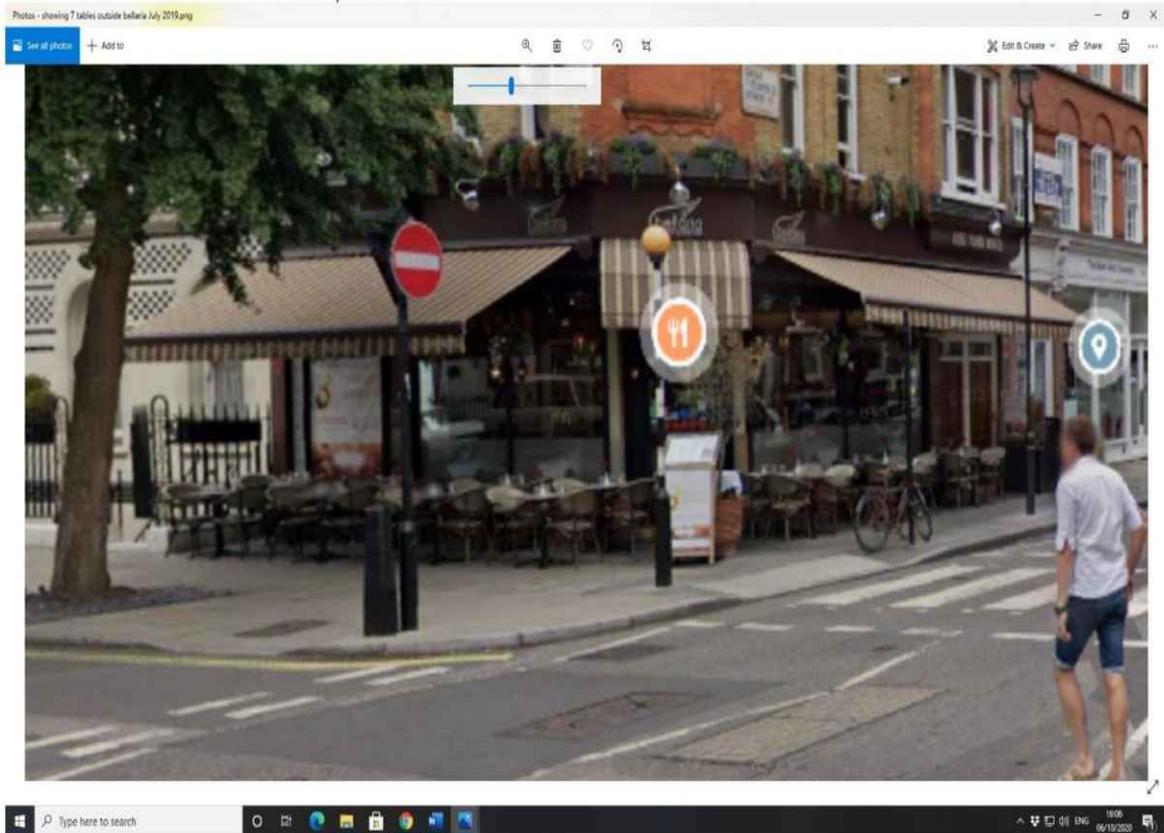
A planning application was submitted in 2019 for outside tables and chairs on the public highway at these premises. This is a great disappointment to all residents in the area that again we had no knowledge of this application as we spent a great deal of time and effort on other local licensing applications such as **18/07245LIPN** 94 GPS and would certainly have made comment on this application had we known of it.

The licence **19/07803/LIPVM** – original reference **05/10242/LIPC** – shows plans in Annex 4 for 6 tables and 24 chairs. Planning application was for 6 tables and 24 chairs. However, we note these premises regularly have 7 tables and 28 chairs and now have two further benches and tables on the kerb edge. Please see photos below dating back to November 2017. It transpires the applicant, having seen our previous representation has wrongly included the extra tables and chairs in their pavement furniture **20/11147/STCPL** to cover their breach of their licence.

It should also be noted that a planning application for outside tables and chairs was submitted in 2019 for 'Use of an area of the public highway measuring XX x XX for the placing of five tables and 18 chairs in connection with the existing ground floor use. Ref. No: 19/03880/TCH.' The application is showing as 'no further action' which the planning department have confirmed the application ran out of time. This suggests no planning permission may be in place for outside tables and chairs.



November 2017 Langham Street side of the restaurant showing 4 tables and 16 chairs – 1 table and 4 chairs above the then licence permission



July 2019 exterior again showing 7 tables and 28 chairs



Saturday 3 October 2020 18:28 showing 4 tables, 16 chairs and 2 further benches/seating – Langham Street



Saturday 3 October 2020 18:29 Great Titchfield St facia showing 3 tables and 12 chairs  
Note the blue Happy Hour Advert on the street to the right of the photo - does this sign have permission?

The number of tables shown above between November 2017 – October 2020 breaks the terms of the licence which states only 6 tables and 24 tables are permissible as per Annex 4 19/07803/LIPVM. Therefore we wish to suggest if one of the tables is removed a dedicated smokers area for internal dining could be created outside the restaurant?

Can it be clarified what action can be taken for long term breaches of licences?

The number of flower pots exceeds permission. Please can appropriate action be taken?

Whilst we accept there may be temporary measures in place post the Covid lockdown for some restaurants, we could see no permissions either sought or permitted for the extra benches on the pavement at the time of the original variation application in September 2020 on the planning and licencing portal. I wrote to Enforcement and James Cook confirmed by letter on 16 November 2020 that an application ref **20/07767/STICPL** allows tables and chairs on the public highway until 31 December 2020. However these details were and remain unavailable on the WCC system.

- Why are details for some premises covid additional tables and chair applications loaded onto the WCC website and others not please?
- Is it fair to residents that full details are not available to them when searching licensing and planning ion the WCC portal?
- Is it considerate to residents and councillors that during any licence/planning application the portal details online are incomplete? How can relevant parties make correct decisions when partial information is available?
- Why are officers not checking licence and planning conditions on the ground when this site has clearly been in breach for years?

We ask the Council to remove any additional tables and chairs post Covid relaxations as they block the pavement and cause addition noise. It is also unpleasant for residents to walk through a cloud of smoke on the road side of the pavement without consultation.

## 9. Smoking area

As you can see from the photographs above, there is no dedicated area for smokers from within the premises. We ask smoking/vaping is restricted to no more than 5 people with a dedicated area, after consultation with residents in the buildings above and alongside, with a sand bucket for used butts with no permission to take drinks outside whilst smoking.

Residents neither wish to inhale cigarette smoke/vaping around their homes, nor when walking past premises. We wish for clean air, as far as it can be with cars, taxis and lorries, to continue.

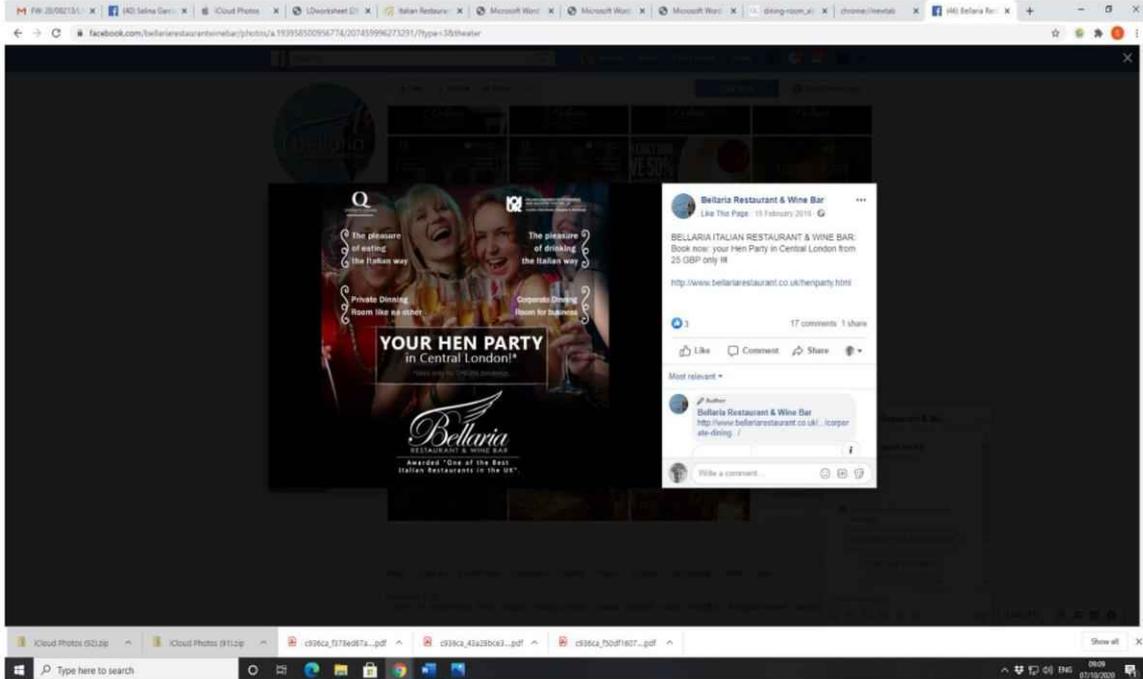
## 10. Noise

Nosie generated by customers eating and drinking at external tables and chairs late at night is a major concern. We ask the committee to maintain the existing terminal hours for the applicant serving alcohol to external tables and chairs and that the noise levels when clearing down at the end of each evening is clearly defined going forward.

### 11. Potential breaches of licence

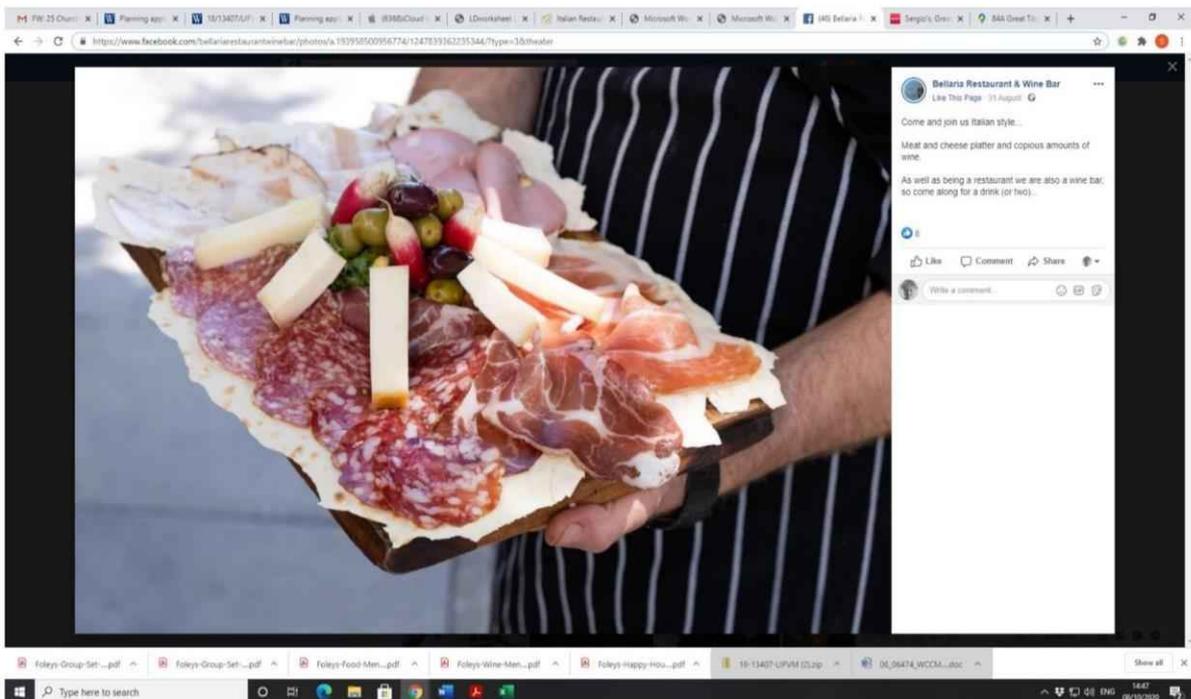
- 11.1 More tables/chairs outside premises than stated in the licence – please see # 8 above
- 11.2 Historic promotion of premises as a party venue

Facebook advert for Hen Parties 15 February 2016

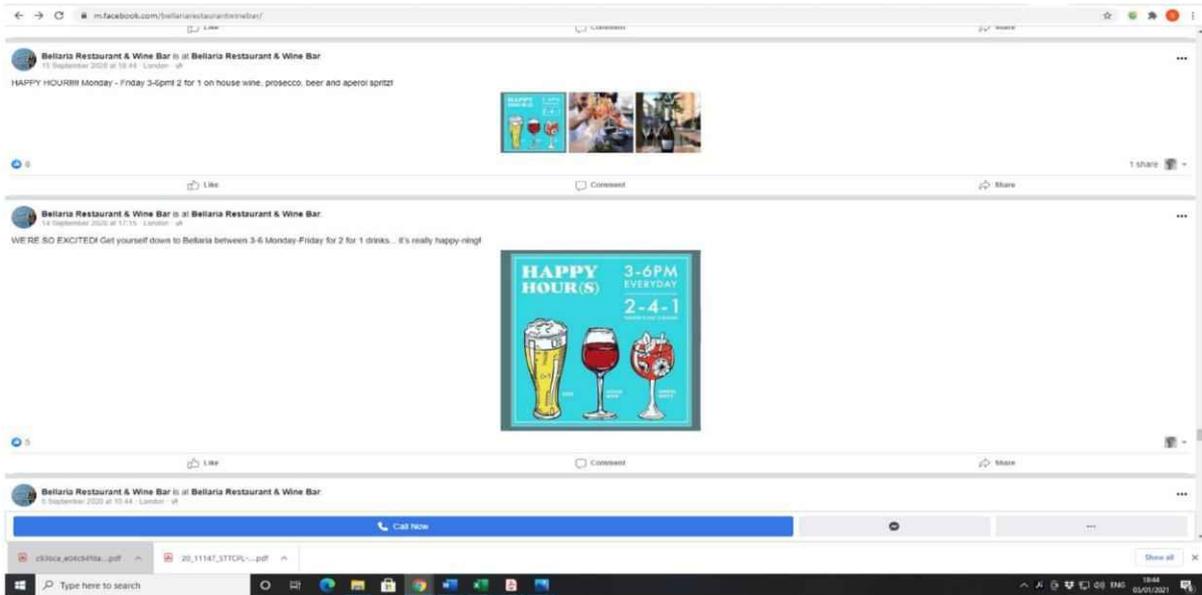


### 11.3 Promotion of alcohol contrary to licensing conditions

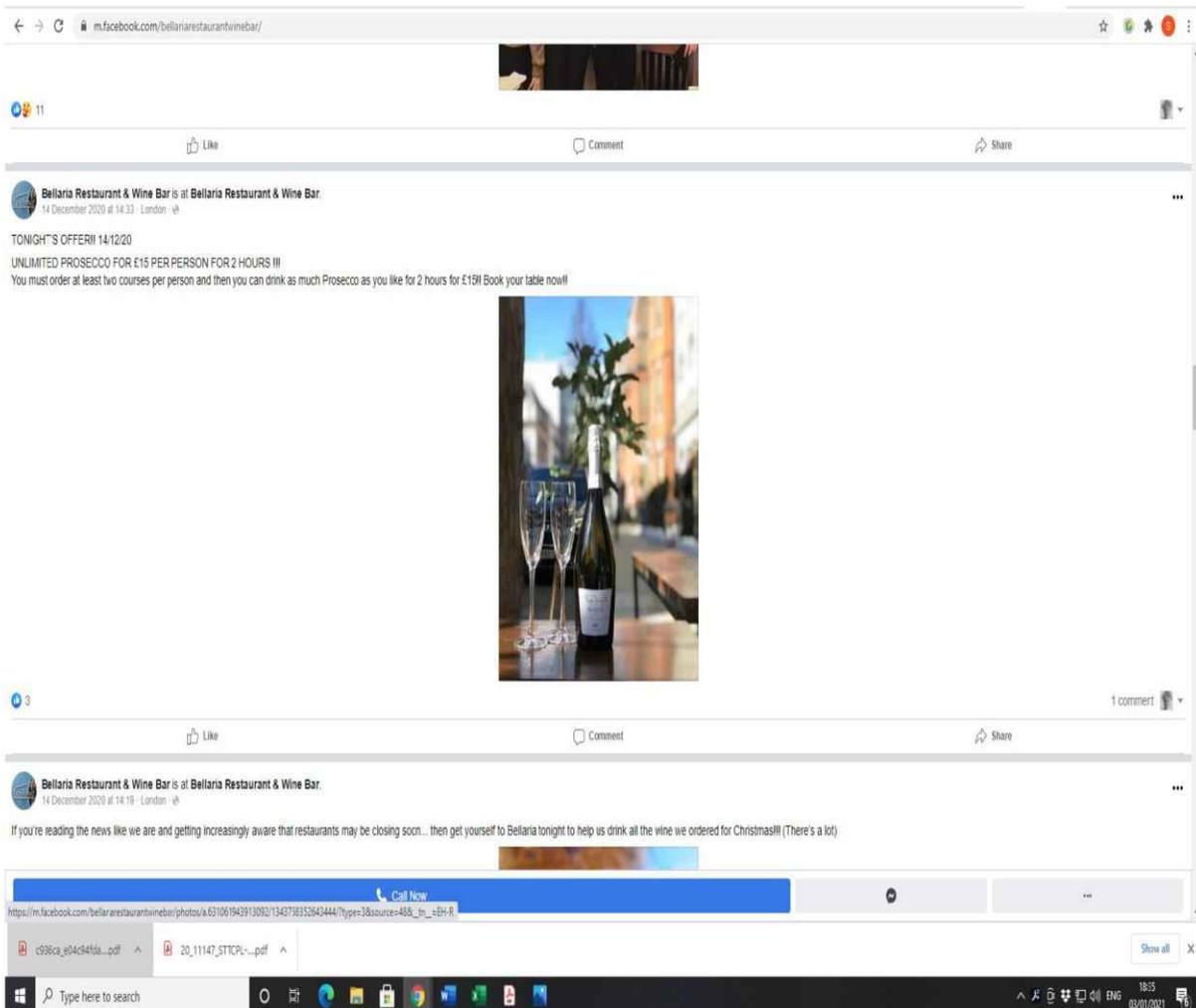
This restaurant appears to be making active steps promoting the premises as a drinking venue



Facebook advert for 'copious amounts of wine' August 2020



Facebook 6 September 2020 10.44 **HAPPY HOUR 3-6PM EVERYDAY - 2-4-1 Drinks**



Facebook 14 December 2020 offer 'Unlimited Prosecco for £15 per person for 2 hours'

Are these promotions the normal practise for any establishment: -

'awarded as 'one of the best Italian restaurants in the UK'?

Are these adverts and promotions responsible behaviour of any restaurateur?

Can conditions cover responsible drinking and non-promotion or discount of alcohol for these premises please?

Should the Sub-Committee be minded to grant any part of the application, we ask committee members to make the following conditions/restrictions: -

1. A 'restaurant' only condition with the sale of alcohol as an ancillary to a table meal where customers are seated and only served by a member of staff
2. Operations restricted to existing operating hours Monday – Saturday
3. Sunday trading restricted to 'core hours' as described in the council's licencing policy.
4. No audible noise/music from outside the premises in any direction. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
5. No customers to take drinks outside or seating outside the premises on or near the any forecourt.
6. Numbers of smokers from inside the restaurant to be restricted avoiding nuisance and noise both on the pavement and the surrounding area. Suggest maximum 5 smokers.
7. A dedicated smoking/vaping area is created with sand bucket for cigarette ends avoiding littering the pavement and street
8. (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)
9. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
10. No rubbish to be placed outside the premises in the late evening or early mornings to prevent noise and nuisance
11. Ditto no rubbish collections to be made overnight or in the early mornings

12. No rubbish, including bottles, shall be moved, removed, or placed in outside areas between 20.00 hours and 0800 hours. NB The evening timing fits in with the council collection times in GTS and Foley Street. Please see below #10
13. All waste/recycling shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times. Collection times as per 7/10/20 are: -

**Residential rubbish and commercial waste bags are collected on:**

Location	Week Days	Week Times	Weekend Days	Weekend Times
Foley Street (BOS)	Mon-Fri	06:00 - 08:00	Sat, Sun	06:00 - 08:00
	Mon - Fri	20:30 - 22:30	Sat, Sun	20:30 - 22:30

[Recycling collections for Foley Street](#)

**Recycling doorstep collections are made on:**

Location	Service Description	Week Days	Week Times	Weekend Days	Weekend Times
Foley Street (BOS)	blue (business) recycling bag collection	Mon-Fri	20:30 - 22:30	Sat, Sun	20:30 - 22:30

Please place your waste/recycling out up to 30 minutes before the start of the collection period for your street. Waste/recycling placed out after the start of the collection period may not be collected and may be enforced against.

**Residential rubbish and commercial waste bags are collected on:**

Location	Week Days	Week Times	Weekend Days	Weekend Times
Great Titchfield Street (BOS) (PCR)	Mon-Fri	07:00 - 08:00	Sat, Sun	07:00 - 08:00
	Mon-Fri	19:00 - 20:00	Sat, Sun	19:00 - 20:00

[Recycling collections for Great Titchfield Street](#)

**Recycling doorstep collections are made on:**

Location	Service Description	Week Days	Week Times	Weekend Days	Weekend Times
Great Titchfield Street	blue (business) recycling bag collection	Mon-Fri	19:00 - 20:00	Sat, Sun	19:00 - 20:00

14. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
15. Can a time of 21:00 be set for all doors and windows be closed daily to minimise disturbance to so many neighbouring residents?
16. No deliveries to be made overnight or in the early mornings Monday to Saturday
17. No deliveries to be made on Sundays
18. Condition 8(a) (ii) to be extended to all spirits - Cognac, Armagnac and Grappa are also on offer for example and no measure is featured on the menu
19. Condition 8 to be extended to cover
  - Cocktails
  - Bottle size - are these half bottles/full bottles/carafes?
20. All sales of alcohol for consumption on and off the premises shall only be to persons seated in the private forecourt and ancillary to a meal if the sale of alcohol is permitted
21. All tables and chairs shall be removed from the outside area by 21:00 if indeed the sale of alcohol is permitted outside the restaurant.
22. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
23. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
24. 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
  - (d) any incidents of disorder
  - (e) seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
25. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use of such services
26. All entrance doors shall be kept closed after 20:00 hours or at any time that regulated entertainment is provided, except for the immediate access and egress of persons
27. The performance of live music, if not disallowed, is restricted to no more than three musicians at any one time
28. 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 or passport
29. Loudspeakers shall not be located in the entrance lobby or outside the premises building or near any party wall
30. Capacity for the ground floor is determined by EH as only the basement appears to have a maximum capacity of 30 guests

Or the equivalent most up to date conditions in use within Westminster.

We would like to remind the committee this is the second variation request by this establishment, the first in September 2020. Administrative errors were apparently the cause of the first variation 20/08213/LIPV being withdrawn. The application clearly states on page 2: -

'We are making this application in order to change our operation schedule only.... The application is: -

**'only for related operation hours'**

which is clearly not the case in this instance as new operational activities are also included in this application. Does this mean this application also has administrative errors and will need to be scrapped and a new third application be required?

It would save all Westminster residents a great deal of time and effort having to go through documentation twice (or more) as well as time expended submitting new/amended representations. This is unfair to residents particularly in current circumstances. Therefore, is there some way of stopping or discouraging the practice of making multiple applications for the same site such as a time delay for any renewed licence or variation application going forward?

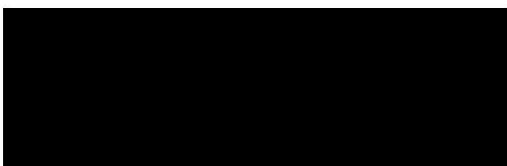
It would be a great help to residents if: -

- A. All planning and licensing applications are brought to the attention of residents and residents are given sufficient time to research and write representations. It is clear local residents are not being informed by letter or local signage. Some residents are not even on email. Every council has a duty of care to provide details for anything that might disturb or change the quality of their residents' life
- B. A planning equivalent of Richard Brown is appointed to help residents with planning issues associated with licensing applications/new installations as the planning portal is so unreliable. This person can sense check when planning crosses into a licence application or variation.
- C. It beggars belief the council is contemplating any increase in trading hours during a worldwide pandemic not seen for over 100 years. Residents have more pressing things to deal with right now. IF office space is turned into living space going forward, this area could become even more residential and late-night opening will be even more unwanted. Therefore, please stop all variations of any increased trading hours until life becomes more normal.

As we hope to have demonstrated, we live in an unusually quiet part of Fitzrovia, with high residential occupancy. It is more evident than ever that residents have historically, as well as more recently, not been notified of many licence and planning applications. This means the later hours on other licences went through without full scrutiny due to residents being unaware. Residents wish to maintain their quality of life and not descend into a life similar to the unfortunate residents of in and around Berkeley Street.

We ask Committee Members to consider our concerns and that of our neighbours.

With grateful thanks for your time.



- CHANGE OF USE TO RESTAURANT & TAKE AWAY AT GROUND FLOOR LEVEL  
Ref. No: 86/01167/FULL | Status: RP
- CHANGE OF USE FROM SNACK BAR TO FISH RESTAURANT  
Ref. No: 84/02130/FULL | Status: RP
- PLACE TABLES AND CHAIRS OUTSIDE RESTAURANT PREMISES  
Ref. No: 89/04849/FULL | Status: UNK
- USE OF PUBLIC FOOTPATH FOR THE PLACING OF TABLES & CHAIRS IN CONNECTION WITH THE TITCHFIELD CAFE RESTAURANT  
Ref. No: 96/06785/FULL | Status: UNK

### Planning Appeals (0)

### Planning Enforcements (0)

### Properties (0)

### Building Control Applications (1)

- Erection of first floor extension, loft floor and change of use of upper floor from residential to HMO use.  
Ref. No: 18/00576/01/HFP | Status: Received

### Licensing (1)

- 20/11147/STTCPL  
Ref. No: 20/11147/STTCPL | Status: Current Licence

### Licensing Application (0)

### Building Control Contraventions (0)

## Licensing - Related Items

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### Properties (1)

- Basement And Ground Floor 71 Great Titchfield Street London W1W 6RB

### Licensing (6)

- Premises Licence - Conv App  
Ref. No: 05/10242/LPC | Status: Licence Expired
- Master Licence - Premises Licence  
Ref. No: 06/06816/WCCMAP | Status: Licence Expired
- Premises Licence - Transfer  
Ref. No: 07/06371/LPT | Status: Licence Expired
- Premises Licence - Change of DPS  
Ref. No: 07/06373/LPDPS | Status: Licence Expired
- Premises Licence - Variation - Minor  
Ref. No: 19/04803/LPVM | Status: Licence Expired
- Premises Licence - Variation - Minor  
Ref. No: 19/07803/LPVM | Status: Current Licence

### Licensing Application (4)

- Premises Licence - Variation - Minor  
Ref. No: 19/05663/LPVM | Status: Rejected
- Premises Licence - Variation  
Ref. No: 19/07480/LPV | Status: Withdrawn
- Premises Licence - Variation  
Ref. No: 20/08213/LPV | Status: Withdrawn
- Premises Licence - Variation  
Ref. No: 20/11558/LPV | Status: Withdrawn



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## Licensing - Licensing Application Documents

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<input type="checkbox"/>	10 Dec 2020	Other	SITE NOTICE	
<input type="checkbox"/>	09 Dec 2020	Other	19_07803_LPVIM-ISSUED_LICENCE-6053745.PDF	
<input type="checkbox"/>	09 Dec 2020	Other	BELLARIA RESTAURANT LICENSING OBJECTIVES.PDF	

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**Erection of mansard roof extension at fourth floor level to create an additional residential unit (Class C3). Erection of a single storey first floor level rear side extension for use in connection with the residential flats from first to new fourth floor level with re-located air handling unit and air-conditioning units above. Installation of replacement duct to the rear of the property terminating above new roof level.**

71 Great Titchfield Street London W1W 6RB  
Ref. No: 18/06133/FULL | Received: Thu 19 Jul 2018 | Validated: Thu 29 Nov 2018 | Status: Decided

**Erection of single storey first floor rear side extension and use of the upper floor from residential to HMO use.**

71 Great Titchfield Street London W1W 6RB  
Ref. No: 17/07328/FULL | Received: Tue 15 Aug 2017 | Validated: Mon 09 Jul 2018 | Status: Withdrawn

**Erection of a roof extension and use of the upper floors and roof extension as 12 self-contained flats (Class C3).**

71 Great Titchfield Street London W1W 6RB  
Ref. No: 17/00208/FULL | Received: Tue 10 Jan 2017 | Validated: Wed 12 Apr 2017 | Status: No Further Action

**Erection of mansard roof extension to create new fourth floor level to form an additional flat (Class C3).**

71 Great Titchfield Street London W1W 6RB  
Ref. No: 16/08918/FULL | Received: Thu 15 Sep 2016 | Validated: Mon 19 Sep 2016 | Status: Decided



11

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Bellaria Restaurant & Wine Bar is at Bellaria Restaurant & Wine Bar

14 December 2020 at 14:33 · London · 🇬🇧

TONIGHT'S OFFER!! 14/12/20

UNLIMITED PROSECCO FOR £15 PER PERSON FOR 2 HOURS !!!

You must order at least two courses per person and then you can drink as much Prosecco as you like for 2 hours for £15!! Book your table now!!



3

1 comment

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Bellaria Restaurant & Wine Bar is at Bellaria Restaurant & Wine Bar

14 December 2020 at 14:16 · London · 🇬🇧

If you're reading the news like we are and getting increasingly aware that restaurants may be closing soon... then get yourself to Bellaria tonight to help us drink all the wine we ordered for Christmas!!! (There's a lot)



Call Now

[https://m.facebook.com/bellariarestaurantwinebar/photos/6631061943913032/1343738353643444/?type=3&source=438...\\_tr\\_=&H-R](https://m.facebook.com/bellariarestaurantwinebar/photos/6631061943913032/1343738353643444/?type=3&source=438..._tr_=&H-R)

rs36ca\_e04c94f5a...pdf

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Bellaria Restaurant & Wine Bar is at Bellaria Restaurant & Wine Bar  
15 September 2020 at 18:44 London

HAPPY HOUR!!!! Monday -Friday 3-6pm! 2 for 1 on house wine, prosecco, beer and aperol spritz!

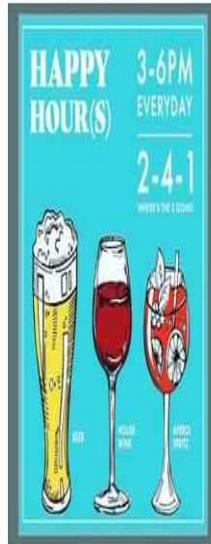


6

1 share

Bellaria Restaurant & Wine Bar is at Bellaria Restaurant & Wine Bar  
14 September 2020 at 17:15 London

WE'RE SO EXCITED! Get yourself down to Bellaria between 3-6 Monday-Friday for 2 for 1 drinks... it's really happy-ning!



5

Bellaria Restaurant & Wine Bar is at Bellaria Restaurant & Wine Bar  
6 September 2020 at 10:44 London

Call Now

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20\_11147\_STCPL-...pdf

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# CHOOSE YOUR EXPERIENCE

- A' la Carte
- Party Set £25
- Party Set £35
- Party Set £60
- Drinks

Party Set Menus Only for Groups of 15+



<b>3.</b>	<p><b>Policy &amp; Guidance</b></p> <p>Westminster City Council has adopted a revised Statement of Licensing Policy that became operative from 7 January 2021. This application for was applied for on 9<sup>th</sup> December 2020. At the time of submission, the Council's Statement of Licensing Policy 2016 was applied to this application. However, the Licensing Service has outlined below the policy considerations necessary for this application in accordance with the revised policy which will be effective when this application is determined on 18 March 2021</p>
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The following policies within the City Of Westminster Statement of Licensing Policy apply:

<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy. B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</li> <li>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</li> <li>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</li> <li>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</li> <li>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities</li> </ol>
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	<p>may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>The premises trade as a theatre. The core hours specified for this premises use are as follows: Monday to Sunday: 9am to 12am</p>
<b>Policy RTN1 applies</b>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>4. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>4. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> <li>1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.</li> <li>2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.</li> <li>3. Which do not provide any takeaway service of food and/or drink for immediate consumption.</li> <li>4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</li> <li>5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal</li> </ol>
<b>Policy PB1 applies</b>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone.</li> <li>4. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> <li>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.</li> </ol>

	<p>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</p> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <p>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,</p> <p>2. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.</p> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue</p>
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#### 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

<b>4.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Premises Licence 19/07803/LIPVM
<b>Appendix 2</b>	Mediation correspondence
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity
<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kjackaman@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 <sup>th</sup> January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	6 January 2021
5	Metropolitan Police (withdrawn 11 February 2021)	29 December 2020
6	Interested Party representation (1)	20 December 2020
7	Interested Party representation (2)	17 December 2020
8	Interested Party representation (3)	14 December 2020
9	Interested Party representation (4)	5 January 2021
10	Interested Party representation (5)	5 January 2021
11	Interested Party representation (6)	6 January 2021
12	Interested Party representation (7)	5 January 2021
13	Interested Party representation (8)	3 January 2021
14	Interested Party representation (9)	5 January 2021
15	Interested Party representation (10)	3 January 2021
16	Interested Party representation (11)	20 December 2020
17	Interested Party representation (12)	17 December 2020
18	Interested Party representation (13)	5 January 2021
19	Interested Party representation (14)	5 January 2021
20	Interested Party representation (15) <b>(withdrawn 29 January 2021)</b>	5 January 2021
21	Interested Party representation (16)	22 December 2020
22	Interested Party representation (17)	23 December 2020
23	Interested Party representation (18)	4 January 2021
24	Interested Party representation (19)	6 January 2021
25	Interested Party representation (20)	5 January 2021
26	Interested Party representation (21)	5 January 2021
27	Interested Party representation (22)	21 December 2020
28	Interested Party representation (23)	2 January 2021
29	Interested Party representation (24)	2 January 2021
30	Interested Party representation (25)	4 January 2021



**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: West End  
UPRN: 010033553900

Premises licence

Regulation 33, 34

Premises licence number:

19/07803/LIPVM

Original Reference:

05/10242/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Bellaria Restaurant  
Basement And Ground Floor  
71 Great Titchfield Street  
London  
W1W 6RB

**Telephone Number:** 020 7636 1780

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**  
Monday to Saturday: 23:00 to 23:30

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**  
Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 23:30  
Sunday: 12:00 to 23:00

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

Alcohol is supplied for consumption on the Premises.

**Part 2**

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

Mr Nimet Oner  
12 Anguilla House  
172 Watkinson Road  
London  
N7 8ET  
*Electronic Mail : info@bellariorestaurant.co.uk*

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

N/A

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

**Name:** Nimet Oner

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

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

**Licence Number:** 88205  
**Licensing Authority:** London Borough Of Islington

**Date:** 16 July 2019

**This licence has been authorised by Bushara Hamida on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
  - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

8. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

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.

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions for Sale of Alcohol**

**Such parts of the Basement and Ground floor as are shown more particularly coloured and edged in red on the deposited plan.**

- 9. Service of intoxicating liquor shall be by waiter/waitress service only.
- 10.. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
- 11. At the external tables there shall be no consumption of intoxicating liquor after 22:00.
- 12. At the external tables, intoxicating liquor will only be served as an ancillary to table meals.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment**

- 13. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00;
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30;
- (c) On Good Friday, 12:00 to 22:30;
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00;
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30;

(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;

(d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

(h) the taking of alcohol from the premises by a person residing there;

(i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

14. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence.

(b) He resides in the premises, but is not employed there.

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

15. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

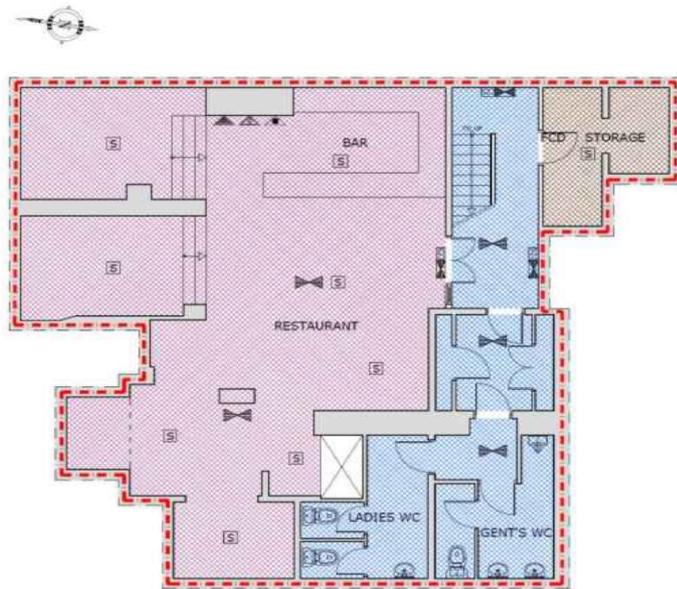
**Annex 2 – Conditions consistent with the operating Schedule**

16. The maximum number of persons accommodated in the basement shall be no more than 30 persons.
17. There shall be no off sales of alcohol.

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

None

# Annex 4 – Plans



**BASEMENT FLOOR PLAN**  
SCALE: 1/100

**LEGEND**

- SAFETY LIGHTING (BS 5266)
- SMOKE DETECTOR (BS 5266)
- HEAT DETECTOR (BS 5266)
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- WC, PASSAGEWAY, ETC.
- DRINKING & REFRESHMENT AREA
- LIQUOR STORAGE
- KITCHEN AREA
- AMBIT OF LICENSED PREMISES
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- FIRE BLANKET IN CONTAINER
- FOAM FIRE EXTINGUISHER

GROUND FLOOR RESTAURANT AREA= 144.61 m<sup>2</sup>

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**BELLARIA RISTORANTE ITALIANO**

71 GREAT TITCHFIELD STREET  
LONDON W1W 6RB

**-BASEMENT FLOOR**

SCALE: 1/100

REF. NO : 031.19/01

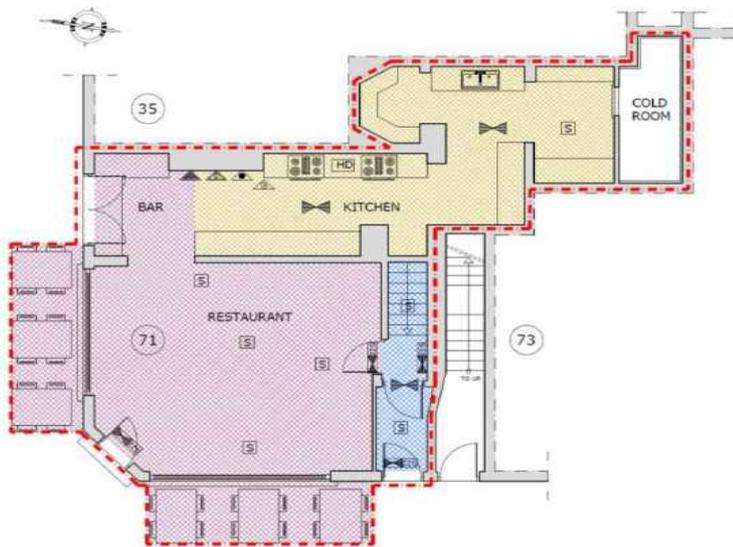
DATE: APR. 2019

DRG BY: A.AY

**anva ltd.**

architectural, engineering  
and licensing

P.O. BOX 1827  
ILFORD, IG2 7WJ  
TEL: 020 8599 5036  
MOBILE: 077 30942923 / 079 30407212  
E-MAIL: info@anva.co.uk



GREAT TITCHFIELD STREET

**GROUND FLOOR PLAN**  
SCALE: 1/100

**LEGEND**

- SAFETY LIGHTING (BS 5266)
- SMOKE DETECTOR (BS 5266)
- HEAT DETECTOR (BS 5266)
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- WC, PASSAGEWAY, ETC.
- DRINKING & REFRESHMENT AREA
- LIQUOR STORAGE
- KITCHEN AREA
- AMBIT OF LICENSED PREMISES
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- FIRE BLANKET IN CONTAINER
- FOAM FIRE EXTINGUISHER

GROUND FLOOR RESTAURANT AREA= 88.47 m<sup>2</sup>

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**BELLARIA RISTORANTE ITALIANO**

71 GREAT TITCHFIELD STREET  
LONDON W1W 6RB

**-GROUND FLOOR**

SCALE: 1/100

REF. NO : 031.19/02

DATE: APR. 2019

DRG BY: A.AY

**anva ltd.**

architectural, engineering  
and licensing

P.O. BOX 1827  
ILFORD, IG2 7WJ  
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MOBILE: 077 30942923 / 079 30407212  
E-MAIL: info@anva.co.uk



**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part B

WARD: West End  
UPRN: 010033553900

Premises licence  
summary

Regulation 33, 34

Premises licence number:

19/07803/LIPVM

### Part 1 – Premises details

#### Postal address of premises:

Bellaria Restaurant  
Basement And Ground Floor  
71 Great Titchfield Street  
London  
W1W 6RB

Telephone Number: 020 7636 1780

#### Where the licence is time limited, the dates:

Not applicable

#### Licensable activities authorised by the licence:

Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**  
Monday to Saturday: 23:00 to 23:30

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**  
Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

#### The opening hours of the premises:

Monday to Saturday: 10:00 to 23:30  
Sunday: 12:00 to 23:00

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

Alcohol is supplied for consumption on the Premises.

**Name and (registered) address of holder of premises licence:**

Mr Nimet Oner  
12 Anguilla House  
172 Watkinson Road  
London  
N7 8ET

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

N/A

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Name:** Nimet Oner

**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 16 July 2019

**This licence has been authorised by Bushara Hamida on behalf of the Director - Public Protection and Licensing.**

Licensing Service email to objectors

**From:**  
**Bcc:**



**Subject:** Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV –  
**Date:** 28 January 2021 11:36:00  
**Attachments:** [BELLARIA\\_REPLY.pdf](#)  
[image003.png](#)

---

Good morning

I have been asked to forward the attached comments on behalf of the applicant.

You will note that the applicant has agreed a number of additional conditions with the Metropolitan Police and has also withdrawn the performance of dance from the application.

I would be grateful if you could confirm that given the amendments to the application, and the additional conditions that have been agreed, whether your concerns have been addressed and you wish to withdraw your representation at this stage?

I look forward to hearing from you.

Regards

Kevin Jackaman  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department  
Westminster City Council  
15th Floor  
64 Victoria Street  
London SW1E 6QP  
Direct Line: 07816217005  
Call Centre (for general queries): 0207 641 6500  
Email: [kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)  
Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)



## Applicant letter to objectors

Dear Neighbours,

We as Bellaria Restaurant have recently applied for a variation of our current licence to provide live music on specific days of the week, namely Thursday, Friday and Saturdays, we have been made aware of the objections to our application and now wish to reply to your concerns.

We understand that you are concerned mostly with the sound and public nuisance which you feel may arise if such an application is granted. We wish to take this opportunity to explain and clarify our intentions and conditions which we have agreed to comply with.

Please be assured that when we submitted our application for a variation, we considered all the aspects which have been raised in the objections, we have been located at 71 Great Titichfield Street for many years and consider ourselves to be part of the neighbourhood and community and would not do anything to bring nuisance to this very lovely bespoke neighbourhood.

We note that the main concern is the noise from the live music, we wish to advise that when referring to live music this is not a band but an artist singing over background music or an artist playing acoustic instruments unplugged, the live music will only be held in the basement area. In addition, we will not be playing any form of music from any external speakers and these have been removed from the outside of the premises, another concern is public nuisance mainly the concern of customers making noise when smoking or leaving the premises. We confirm that we will be hiring a registered and licenced security official on these days therefore ensuring that patrons respect the surrounding neighbourhood and groups of people will not congregate outside on the street.

We confirm that we have withdrawn the application for the performance of dance.

We have included our agreed terms with police department and local authority which we believe can answer your concerns, please feel free to contact us directly should you require any further information.

- 1. 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.**

- 2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.**
  
- 3. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.**
  
- 4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:**
  - a. all crimes reported to the venue**
  - b. all ejections of patrons**
  - c. any complaints received concerning crime and disorder**
  - d. any incidents of disorder**
  - e. all seizures of drugs or offensive weapons**
  - f. any faults in the CCTV system, searching equipment or scanning equipment**
  - g. any refusal of the sale of alcohol**
  - h. any visit by a relevant authority or emergency service.**
  
- 5. On Thursday, Friday and Saturday after 23:00hrs until 01:00hrs the following day The premises shall only operate as a restaurant**
  - (i) in which customers are shown to their table,**
  - (ii) where the supply of alcohol is by waiter or waitress service only,**

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iv) which do not provide any take away service of food or drink for immediate consumption,

(v) which do not provide any take away service of food or drink after 23.00, and

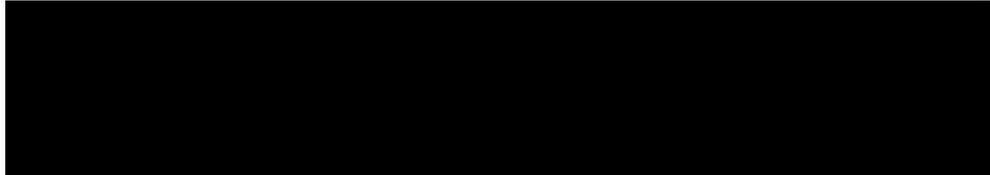
(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

6. **All outside tables and chairs shall be rendered unusable by 23:00 hours each day.**
  
7. **On Thursday, Friday and Saturday, entry to the venue after 21:00 hours will be by prior reservation only and the last entry will be at 2300 hours.**
  
8. **All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.**
  
9. **On Thursday, Friday and Saturday, a minimum of one (1) SIA licensed door supervisor shall be on duty at the premises from 21:00 hours until 30 minutes after licensing hours.**
  
10. **Live entertainment shall cease at midnight.**
  
11. **Save for in any permitted external area, 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.**

12. **The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.**
  
13. **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.**
  
14. **Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.**

## Licensing Service additional email to objectors

**From:**  
**Bcc:**



**Subject:** FW: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV –  
**Date:** 28 January 2021 13:39:00  
**Attachments:** [BELLARIA REPLY.pdf](#)  
[image001.png](#)  
[image002.png](#)

---

Good afternoon

Further to my previous email, following discussions with the Environmental Health Consultation Team, the applicant is proposing a number of further measures as set out below:

1. Regulated Entertainment (live music/recorded music after 2300hrs) will only take place in the Basement
2. There will be a designated smoking area and the number of smokers permitted at any one time will be limited to 6
3. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00

The above matters will be conditions on any issued premises licence.

I would be grateful if you could confirm if the above measures, together with the conditions set out in my previous email, have addressed your concerns and whether you wish to withdraw your representation at this stage?

I look forward to hearing from you.

Regards

Kevin Jackaman  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department  
Westminster City Council  
15th Floor  
64 Victoria Street  
London SW1E 6QP  
Direct Line: 07816217005  
Call Centre (for general queries): 0207 641 6500  
Email: [kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)  
Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)

## Responses from Interested Parties

**From:** [REDACTED]  
**To:** [Jackaman, Kevin: WCC](#)  
**Subject:** Re: FW: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV –  
**Date:** 01 February 2021 10:08:52  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Dear Mr Jackaman

Thank you for sending me this update.

Whilst my wife and I are pleased to see that the Applicant has made some amendments, we still have significant concerns and therefore we maintain our objection to the application.

Our key concerns remain that:

- Remaining open until 1.30am in this location sets a bad precedent for maintaining the peace of a largely residential area.
- We cannot see how trying to restrict the number of smokers to six in a designated area will prevent noise and disruption. Six people at 1am or 1.30am can still make a lot of noise and disturbance in this relatively narrow street where sound echoes. And how exactly will the Applicant prevent more than six people going outside to smoke; presumably people are free to leave the premises?
- We do not accept that having a security official will prevent there from being noise and disturbance. How exactly does he or she stop there being noise particularly for example when customers are leaving and shouting goodbye to each other and similar behaviour and what enforcement powers will he or she be given?
- Assurances by the Applicant that the live music will only be "an artist singing over background music or an artist playing acoustic instruments unplugged" do not appear to be part of the proposed formal licence conditions and therefore would not be enforceable.
- We and other neighbours will be left to monitor the Applicant's adherence to the various conditions of the licence extension and then go through time consuming processes to try to rectify problems if and when there are breaches of the conditions.

Please would you also let me know why my original objection is not recorded on the Westminster Licensing website under this application reference? I understood that my objection and any others would be recorded on the register after removal of personal details such as my name, address and email.

Regards

[REDACTED]

On Thu, Jan 28, 2021 at 1:39 PM Jackaman, Kevin: WCC  
<[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)> wrote:

Good afternoon

Further to my previous email, following discussions with the Environmental Health Consultation Team, the applicant is proposing a number of further measures as set out below:

**From:** [REDACTED]  
**To:** [Jackaman, Kevin: WCC](mailto:Jackaman, Kevin: WCC)  
**Cc:** [Richard Brown](#)  
**Subject:** Re: FW: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV -  
**Date:** 03 February 2021 17:18:54  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Dear Kevin,

Thank you for your email. I've copied Richard Brown into this email thread because I asked that he help to represent me and my husband with this application.

It's great to see that some progress has been made to reduce public nuisance and noise for residents.

However unfortunately I'm still really concerned about the application and the detrimental impact it will have on local residents, directly from these premises and the dangerous new precedent that it sets.

For example the outside chairs and seating until 11pm is extremely late, and noise will continue past this time as guests are asked to leave or move inside. It's also later than other licenses in the area. I live in the area with our 1-year-old daughter and there are many other families, professionals, students etc who will want to rest and go to sleep long before this time.

The even later terminal hour to 1am for the license is extremely worrying. It will continue to cause lots of noise and public nuisance in the middle of the night for hundreds of residents that live in the surrounding flats.

Please can you confirm that the premises will operate as a restaurant at all times? Condition 5 just refers to 11pm - 1am on Thursdays, Fridays and Saturdays, which is concerning.

Sales for off license should also finish before 11pm, because this also causes noise.

All windows and doors should be closed in the evenings, not just if there's entertainment, as there is a lot of noise from the restaurant.

Overall I'm really worried because this is setting a very dangerous precedent for our local area - both for the license that covers the outside area so late until 11pm and that restaurants can operate until 1am.

We appreciate your help to factor in our concerns.

Best regards,  
[REDACTED]

On Thu, 28 Jan 2021 at 13:39, Jackaman, Kevin: WCC  
<[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)> wrote:

Good afternoon

**From:** [REDACTED]  
**To:** [Jackaman, Kevin: WCC](mailto:Jackaman, Kevin: WCC)  
**Subject:** Re: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV -  
**Date:** 29 January 2021 16:57:54  
**Attachments:** [image003.png](#)

---

Dear Mr Jackson,

The amendments made by Bellaria do not address my concerns and I do not wish to withdraw my opposition.

My main objection is the serving of alcohol until 1am. Customers would then not be leaving until 1-30/2 am and once they are a few metres from the restaurant then Bellaria will have no control over their behaviour. As far as I am aware none of the other local restaurants which have a good relationship with local residents have such an extended licence. If one restaurant was allowed this then what is to stop others applying and then completely changing the character of this residential neighbourhood.

Also, where will the smoking area be? Presumably at the front of the restaurant on the street. People could be out chatting (loudly if alcohol had been consumed) until 1 am.

I am pleased that the outside speakers have been removed - although not when first asked. My main objection is the extension of the licensing hours. I would have no objection to the live performance if alcohol was not allowed to be served after 11.

King regards,

[REDACTED]

Sent from my iPad

On 28 Jan 2021, at 11:36, Jackaman, Kevin: WCC  
<kjackaman@westminster.gov.uk> wrote:

Good morning

I have been asked to forward the attached comments on behalf of the applicant.

You will note that the applicant has agreed a number of additional conditions with the Metropolitan Police and has also withdrawn the performance of dance from the application.

I would be grateful if you could confirm that given the amendments to the application, and the additional conditions that have been agreed, whether your concerns have been addressed and you wish to withdraw your representation at this stage?

I look forward to hearing from you.

Regards

**From:** [REDACTED]  
**To:** [Jackaman, Kevin: WCC](#)  
**Subject:** Re: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV -  
**Date:** 04 February 2021 11:43:55  
**Attachments:** [image003.png](#)  
[BELLARIA.REPLY.pdf](#)

---

Dear Kevin  
Thanks for sending this to me.

There are a few improvements but mainly my objection stands.

Mainly because as I understand it, they want to extend the normal licensing hours which I worry sets a precedent that other restaurants/bars will be quick to seize upon. As I said in my original objection, this area of Fitzrovia is not like Soho with late night bars - and I am very concerned that even existing businesses are now pushing for later and later openings.

Also, typically, serving drinks etc outdoors (so in effect outdoor seating) should be restricted to the existing time of 10.30pm.

Thanks  
Kind Regards

[REDACTED]

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*Please contact the sender if you believe you have received this email in error.*

On 28 Jan 2021, at 11:36, Jackaman, Kevin: WCC  
<[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)> wrote:

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I would be grateful if you could confirm that given the amendments to the application, and the additional conditions that have been agreed, whether your concerns have been addressed and you wish to withdraw your representation at this stage?

I look forward to hearing from you.

Regards

Kevin Jackaman  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department

**From:** [REDACTED]  
**To:** [Jackaman, Kevin: WCC](#)  
**Subject:** Re: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV -  
**Date:** 29 January 2021 10:25:58

---

Dear Kevin Jackaman, Thank you for this .No, these measures do NOT address our concerns and we do NOT wish to withdraw our concerns. Alcohol served after 2300 hrs means noise....The history of this restaurant has been that they do not stick to the rules, and even after complains they revert to the behaviour complained about. We are not happy. The applicant suggested these measures...Maybe the environmental health consultation team could reflect on them and imagine all the possible scenarios. Best regards [REDACTED]  
[REDACTED]

Sent from my iPad

On 28 Jan 2021, at 13:39, Jackaman, Kevin: WCC  
<kjackaman@westminster.gov.uk> wrote:

Good afternoon

Further to my previous email, following discussions with the Environmental Health Consultation Team, the applicant is proposing a number of further measures as set out below:

1. Regulated Entertainment (live music/recorded music after 2300hrs) will only take place in the Basement
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3. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00

The above matters will be conditions on any issued premises licence.

I would be grateful if you could confirm if the above measures, together with the conditions set out in my previous email, have addressed your concerns and whether you wish to withdraw your representation at this stage?

I look forward to hearing from you.

Regards

Kevin Jackaman  
Senior Licensing Officer

**From:** [REDACTED]  
**To:** [Jackaman, Kevin: WCC](#)  
**Subject:** Re: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV –  
**Date:** 01 February 2021 17:49:45  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Dear Mr Jackaman

Further to our recent email exchange regarding the above application about Bellaria, I do not think the applicant has in any way appreciated the possible disturbance to neighbours.

I do not wish to wish to withdraw my representation; indeed, I would like to add two things:

(a) the restaurant has a number of tables outside - seemingly in excess of that permitted - which it will render unusable after 2300hrs. This will undoubtedly cause noise and disturbance when in use and when "rendering unusable after 2300 hrs"

(b) I note the withdrawal of the application for dance - does this reduce the hours for sale of alcohol and reduce the lateness of hours of operation?

Rgds

[REDACTED]

---

**From:** Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>  
**Sent:** 28 January 2021 13:39  
**Subject:** FW: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV –

Good afternoon

Further to my previous email, following discussions with the Environmental Health Consultation Team, the applicant is proposing a number of further measures as set out below:

1. Regulated Entertainment (live music/recorded music after 2300hrs) will only take place in the Basement
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3. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00

The above matters will be conditions on any issued premises licence.

I would be grateful if you could confirm if the above measures, together with the conditions set out in my previous email, have addressed your concerns and whether you wish to withdraw your representation at this stage?

**From:** [REDACTED]  
**To:** [Jackaman, Kevin: WCC](#)  
**Cc:** [Licensing: WCC](#); [REDACTED]  
**Subject:** RE: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV  
**Date:** 03 February 2021 11:27:56  
**Attachments:** [image003.png](#)  
[image005.png](#)

---

Dear Mr Jackaman

Thank you for your email below in relation to my objection to the application to vary a Premises Licence, reference number 20/11567/LIPV.

While I do acknowledge the very limited measures recently put forward by the applicant, **I still maintain my objection** as there are still some very significant concerns with the application that have not been addressed and that the Licensing Committee should interrogate and have regard to when making their decision.

I summarise the remaining concerns below:

- Licensing Hours: there has been no change to the licensing hours sought by the applicant. This remains the greatest concern for me and other surrounding residents and (non-food) businesses. The applicant is seeking licensing hours outside of the Council's core hours. There is no reason for these hours to be granted and would set a **very worrying precedent** should these hours be accepted by the Licensing Committee. As set out in my original objection, this precedent would then be capitalised upon by all the restaurants in close proximity which will compromise our residential amenity and cause further nuisance and harm to the amenity of our quiet residential neighbourhood.
- I feel it is still important for the Committee to add a condition to the licence that the sale of alcohol is ancillary to a table meal. This will ensure that the restaurant is used as a restaurant and not a late-night bar or club or for off sales.
- Designated smoking area: alcohol should not be allowed to be consumed in the designated smoking area and this should be regulated by Bellaria. This will ensure that patrons are not lingering outside for long periods of time and causing a nuisance to residents. This should be conditioned.
- Use of outdoor seating is still a very worrying aspect of this application for residents. The outdoor seating is currently used for the sale of alcohol, but there is no reference in this application to outdoor seating. The plan attached to the application suggests the 'premises' is the building itself and there are no off-site sales sought, therefore the current use of the outdoor seating for the sale of alcohol is prohibited and appears in violation of their current licence.
- The Committee should ensure that any outdoor seating is conditioned to terminate much earlier than the Council's core hours. 22:30 should be the latest that the use of outdoor seating should be allowed. This needs to be strictly conditioned by Committee.
- 

Please do let me know if you need any further information on the above and look forward to hearing when this item will be on the agenda at Licensing Committee.

Yours sincerely

[REDACTED]

---

**From:** Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>  
**Sent:** 28 January 2021 13:39  
**Subject:** FW: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV –

Good afternoon

Kevin Jackaman  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department  
Westminster City Council  
15th Floor  
64 Victoria Street  
London SW1E 6QP

Your ref: 20/11567/LIPV  
Our ref: GH/GLO38/10  
Direct dial: 020 3319 3700  
gareth.hughes@keystonelaw.co.uk

1<sup>st</sup> February 2021

Dear Mr Jackaman

**RE: Application for variation to a premises licence by Bellaria Restaurant, 71 Great Titchfield, London W1W 6RB**

We have now had a further opportunity to consider comments made by the owners of Bellaria restaurant on the representations of our client and other parties but sadly, at the moment, those comments are inadequate for the purposes of addressing the matters which we have raised.

As our client has pointed out in previous correspondence, one of the key issues here is that the application is subject to Westminster City Council's Licensing Policy Statement on Core Hours. This is set out in detail in section E of the new Statement of Licensing Policy.

The policy makes it quite clear that applications within the core hours will generally be granted for the relevant premises' uses, subject to not being contrary to other policies in the Statement of Licensing Policy. The core hours for restaurants run from 9.00 am to 11.30 pm on Mondays to Thursdays and from 9.00 am to midnight on Fridays and Saturdays. This application, therefore, is for hours which exceed those set out in the policy by 90 minutes, seeking a closure time of 01.30 hours from Thursdays to Saturdays.

Accordingly, paragraph B of the Core Hours Policy is engaged, which indicates that applications for hours outside core hours will be considered on their merits subject to other relevant policies and with particular regard to 14 matters set out in detail. Not all the matters are relevant to this application but in our respectful submission the application fails to address B1 relating to public nuisance; B3 relating to the proximity to residential accommodation, which would be adversely affected by the premises being open late; B4 which relates to the proposed hours of the licensable activities and for how long customers are to remain on the premises; B5 which relates to the proposed hours for live music; B7 relating to the existing hours of licensable activities, which we submit are adequate; B8 dealing with the public transport available to customers who are leaving,

especially at night; B9 the capacity of the premises, which is not addressed in the application or follow-up comments; and B11 which invites an applicant to deal with the winding-down period in the run-up to closing time.

It appears to our client that none of the above issues has been addressed in any detail or substance in order to provide satisfaction to them. This is an essential part of any application within Westminster, particularly when the applicant is seeking to extend the hours of operation to hours beyond what is contained on the existing Licence and 90 minutes beyond the core hours policy.

If granted, it also means that the applicant would have the latest operating hours on a Premises Licence in this immediate area.

There has been no analysis of the impact of comings and goings on the residents in the area and particularly the residents of the hotel, some of whom will be sleeping in rooms a matter of a few yards away from the activity. There appears to be no policy in place on the part of the applicant apart from the introduction of a door supervisor, who is apparently to ensure customers leave quietly after 01.30 hours. However, it is submitted that even if a door supervisor were to act swiftly to move people on, a dinner party coming out of the restaurant at 01.30 hours would be highly likely to disturb and wake up the residents who are on the ground floor of the hotel which adjoins the restaurant. It is submitted that with the best will in the world, the restaurant might find it exceedingly difficult to control customers leaving at this very late hour who have all had a good time and are in high spirits.

Furthermore, the applicant wishes to retain live music until midnight, albeit with no speakers, but this could still be the subject of noise transmission through the adjoining walls with our client's hotel and bedrooms. We have not yet seen an acoustic report prepared by the applicant to suggest how they would address the issue of sound transmission caused by live musicians playing drums and guitars at such a late hour. As the Licensing Authority will appreciate, it is normal on applications such as this where a request is made for live music in premises which immediately adjoined residential accommodation to have a detailed acoustic report prepared which addresses all issues of sound transmission and the manner in which that will be reduced so as not to cause noise nuisance to residents sleeping immediately beyond the adjoining wall. For this reason alone the application must be regarded as defective.

The application does not suggest what the capacity of this restaurant will be, but we do know from the condition on the existing Licence that the basement itself is subject to a capacity limit of 30, which suggests that the ground floor is subject to similar capacity or more. This could, therefore, mean that if there is a private dinner party in the restaurant, there is the risk that a substantial number of people may exit at 01.30 hours right in front of the bedroom windows of residents of the hotel. Even if only small dinner parties exited the premises, for example in groups of four, then disturbance is still likely to be caused if those people are speaking at sufficiently high volumes in what is essentially a quiet street at this time of night.

Insofar as tables and chairs are concerned, we note that they have indicated that they will be rendered unusable after 23.00 but we also note that the existing Licence does not allow consumption of alcohol at the external tables beyond 22.00 hours. In our submission, the hour of 22.00 would be more appropriate for rendering unusable the tables and chairs which will be standing immediately outside our client's ground-floor bedroom windows.



It is also our client's submission that any smokers who are allowed outside the premises during the later hours should be located on the Great Titchfield side of the premises and not on the hotel side, which could again cause significant disturbance to those sleeping in the rooms particularly on the ground floor.

In all the circumstances, it follows that our client is not prepared to withdraw its representation.

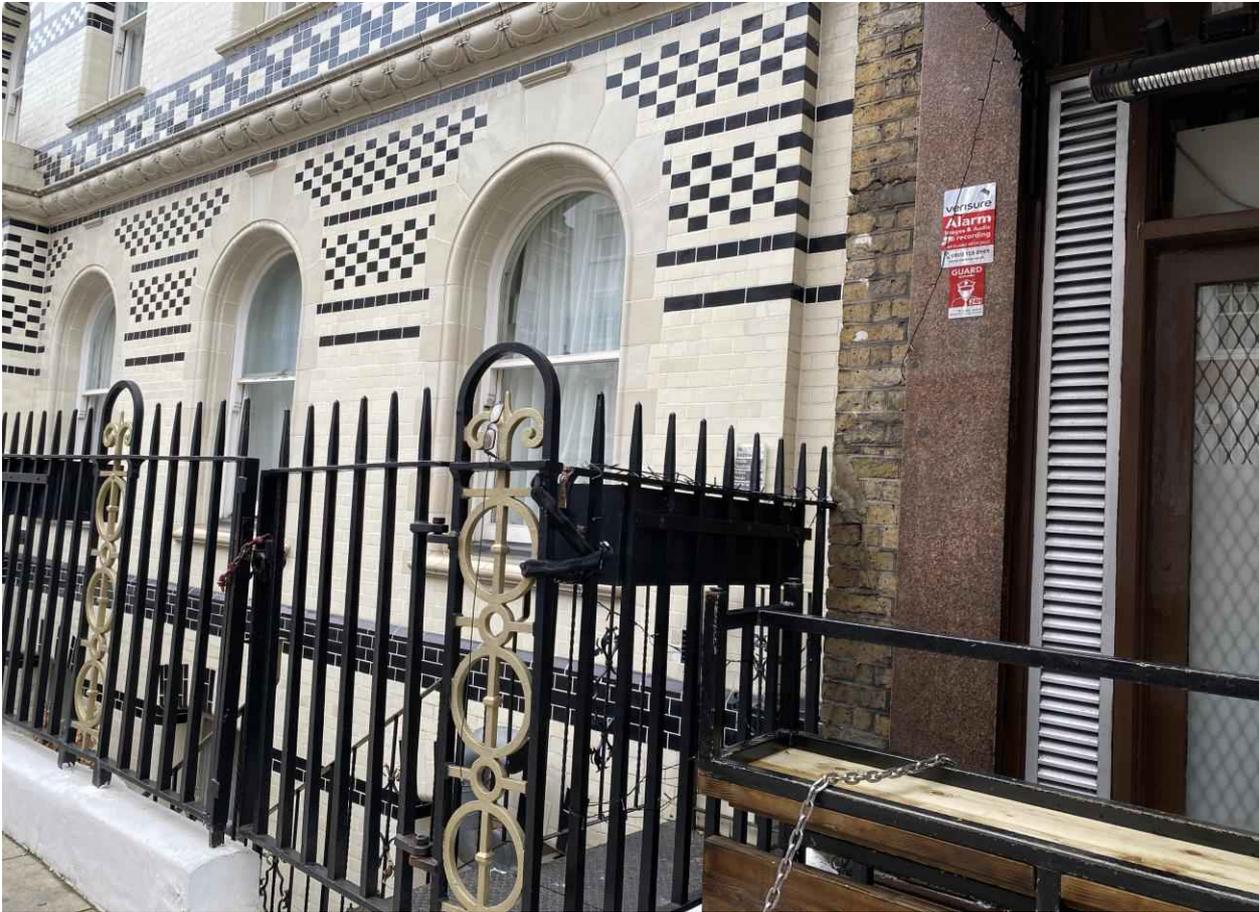
Yours faithfully,



**Gareth Hughes – Partner and Barrister**  
**Keystone Law**



Photographs provided by Interested Part 21







**From:** [REDACTED]  
**To:** [Jackaman, Kevin: WCC](mailto:kjackaman@westminster.gov.uk)  
**Subject:** Re: Bellaria, 71 Great Titchfield, London W1W 6RB - 20/11567/LIPV –  
**Date:** 02 February 2021 11:46:30

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Dear Mr Jackaman.

Thank you for updating me on this licensing application.

As I said in my original response I do wish the owners and managers of Bellaria well and want them to succeed. It is beneficial for the area in general. However, even with the proposed changes to their application I think there is still a potential for late night disturbance.

All the problems with people leaving after closing time remain (even if they do employ someone on security) and the noise of cars and the putting away of tables etc is still going to happen after final closing. This means that, several nights each week, there is a likelihood of disturbance taking place later than 1.30am. There are lots of people living close to the restaurant (or staying in the hotel next door) and I think their need for peace and quiet at night must come first.

I also believe the original application is a clear indication of the kind of business that the owners envisage for Bellaria. The slow accepting of increasing limitations on their application suggests that this is still what they really want. I think it is almost inevitable that they will in the practice of operating the restaurant push against these limitations.

So - I do not wish to withdraw my representation.

Many thanks.

[REDACTED]

On 28 Jan 2021, at 13:39, Jackaman, Kevin: WCC  
<[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)> wrote:

Good afternoon

Further to my previous email, following discussions with the Environmental Health Consultation Team, the applicant is proposing a number of further measures as set out below:

1. Regulated Entertainment (live music/recorded music after 2300hrs) will only take place in the Basement
2. There will be a designated smoking area and the number of smokers permitted at any one time will be limited to 6
3. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00

The above matters will be conditions on any issued premises licence.

I would be grateful if you could confirm if the above measures, together with the

## Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/10242/LIPC	Conversion	03.10.2005	Granted under delegated authority
06/06816/WCCMAP	Master Licence	04.08.2005	Granted under delegated authority
07/06371/LIPT	Transfer of premises licence – Titchfield Café Limited to Nimet Oner	25.07.2007	Granted under delegated authority
07/06373/LIPDPS	Variation of DPS	25.07.2007	Granted under delegated authority
19/05663/LIPVM	Minor Variation of the premises licence – Change of layout	07.06.2019	Refused under delegated authority
19/07488/LIPV	Variation of the premises licence – Change of layout	25.06.2019	Withdrawn
19/07803/LIPVM	Minor Variation of the premises licence – Change of layout	16.07.2019	Granted under delegated authority
20/08213/LIPV	Variation of the premises licence – Change of layout	01.12.2020	Withdrawn

**There is no appeal history**

### Tables and Chairs Licence History

<b>Application</b>	<b>Details of Application</b>	<b>Duration</b>	<b>Decision</b>
20/05489/STTCX	2 Tables, 4 chairs	16.07.2020 to 30.09.2020	Granted under delegated authority
20/07767/STTCPL	2 tables, 4 chairs, 2 picnic benches	01.10.2020 to 31.12.2020	Granted under delegated authority
20/11147/STTCPL	2 Tables, 4 chairs	15.12.2020 to 30.04.2021	Granted under delegated authority

***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 appropriate for the promotion of the licensing objectives.

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

**Conditions: On Current Licence -**

**Mandatory:**

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the 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 reproducing the effect of conditions subject to which the relevant existing licences have effect**

## Conditions for Sale of Alcohol

**Such parts of the Basement and Ground floor as are shown more particularly coloured and edged in red on the deposited plan.**

9. Service of intoxicating liquor shall be by waiter/waitress service only.
- 10.. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
11. At the external tables there shall be no consumption of intoxicating liquor after 22:00.
12. At the external tables, intoxicating liquor will only be served as an ancillary to table meals.

## Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

13. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00;
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30;
- (c) On Good Friday, 12:00 to 22:30;
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00;
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30;
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

14. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence.

(b) He resides in the premises, but is not employed there.

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

15. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

## **Annex 2 – Conditions consistent with the operating Schedule**

16. The maximum number of persons accommodated in the basement shall be no more than 30 persons.

17. There shall be no off sales of alcohol.

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

None

### **Conditions proposed by the Metropolitan Police and agreed by the applicant so as to form part of the operating schedule**

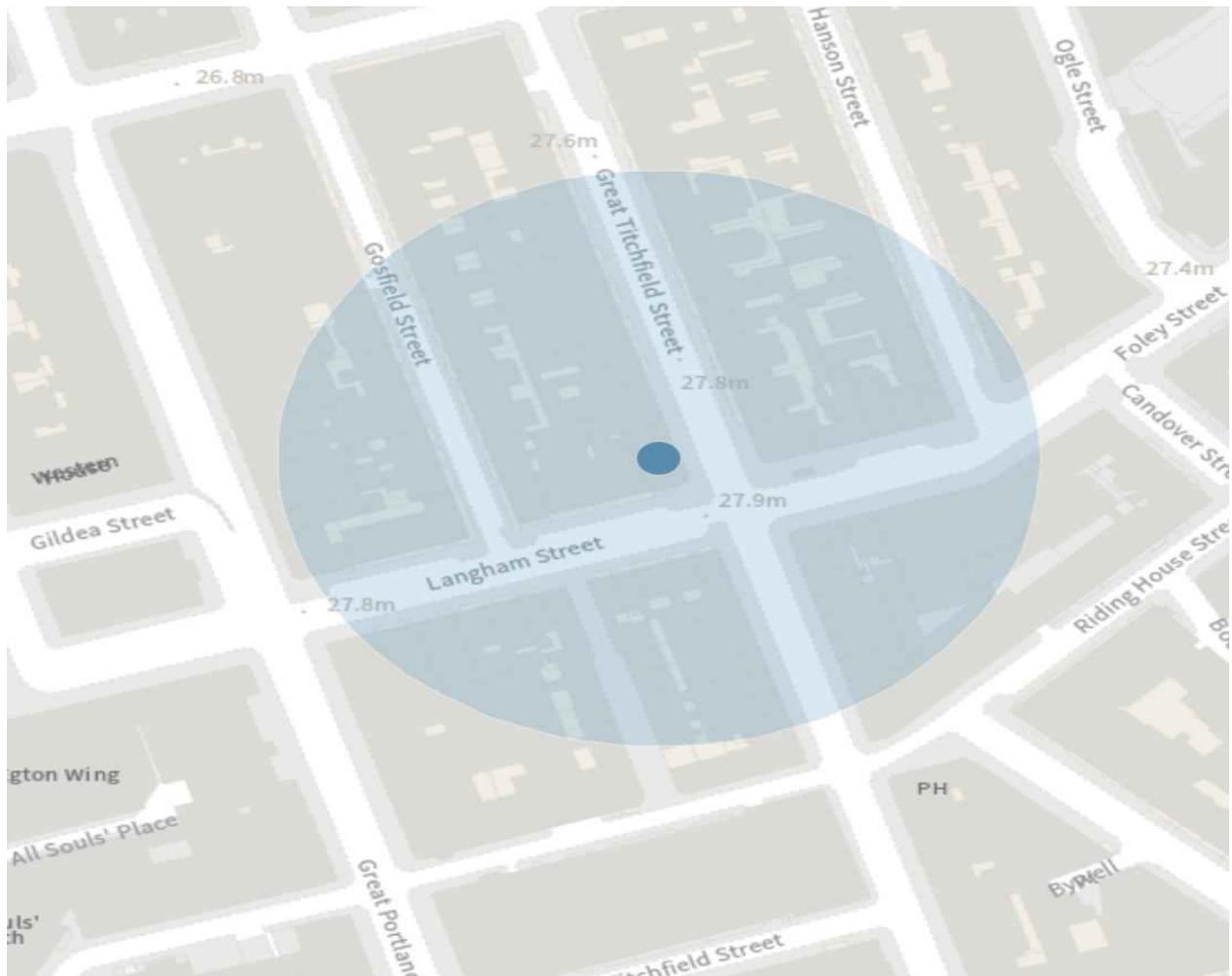
18. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.

19. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
20. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
21. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
22. On Thursday, Friday and Saturday after 23:00hrs until 01:00hrs the following day The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
23. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
24. On Thursday, Friday and Saturday, entry to the venue after 21:00 hours will be by prior reservation only and the last entry will be at 2300 hours.
25. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
26. On Thursday, Friday and Saturday, a minimum of one (1) SIA licensed door supervisor shall be on duty at the premises from 21:00 hours until 30 minutes after licensing hours.
27. Live entertainment shall cease at midnight.
28. Save for in any permitted external area, 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.
29. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

30. 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.
31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

**Conditions proposed by the Environmental Health Service and agreed by the applicant so as to form part of the operating schedule**

32. Regulated Entertainment (live music/recorded music after 2300hrs) will only take place in the Basement
33. There will be a designated smoking area and the number of smokers permitted at any one time will be limited to 6
34. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00



Resident count: 476

Licensed premises within 75 m of 71 Great Titchfield Street, London, W1W 6RB				
Licence Number	Trading Name	Address	Premises Type	Time Period
19/14252/LIPDPS	The Grange Langham Court Hotel	31-35 Langham Street London W1W 6BU	Hotel, 3 star or under	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30   Monday to Sunday; 00:00 - 00:00
19/09563/LIPDPS	Crown & Sceptre Public House	86 Great Titchfield Street London W1W 6SD	Public house or pub restaurant	Sunday; 07:00 - 23:00   Monday to Saturday; 07:00 - 23:30
13/10063/LIPDPS	West One News Ltd	Ground Floor 24-25	Shop	Monday to Sunday; 00:00

		Foley Street London W1W 6DX		- 00:00
17/12454/LIPN	Not Recorded	Ground Floor 24-25 Foley Street London W1W 6DX	Restaurant	Monday to Friday; 07:00 - 22:00
06/06474/WCCMAP	Sergio's	84-84A Great Titchfield Street London W1W 7QY	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/08757/LIPDPS	Mac And Wild	Ground Floor 65 Great Titchfield Street London W1W 7PS	Restaurant	Sunday; 09:00 - 23:30   Monday to Thursday; 09:00 - 00:00   Friday to Saturday; 09:00 - 00:30   Sundays before Bank Holidays; 09:00 - 00:30
19/06582/LIPDPS	Foleys Restaurant	23 Foley Street London W1W 6DU	Restaurant	Monday to Sunday; 12:00 - 23:00
19/03209/LIPDPS	Yorkshire Grey Public House	46 Langham Street London W1W 7AX	Public house or pub restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
16/09925/LIPCH	Scandinavian Kitchen	Basement And Ground Floor 61 Great Titchfield Street London W1W 7PP	Restaurant	Monday to Sunday; 08:00 - 23:00
18/01364/LIPV	Bonnie Gull	Basement And Ground Floor 21A Foley Street London W1W 6DR	Restaurant	Sunday; 10:00 - 00:00   Monday to Saturday; 10:00 - 00:30

18/13407/LIPVM	Meraki	80 - 82 Great Titchfield Street London W1W 7QT	Restaurant	Monday; 10:00 - 01:30   Tuesday; 10:00 - 01:30   Wednesday; 10:00 - 01:30   Thursday; 10:00 - 01:30   Friday; 10:00 - 01:30   Saturday; 10:00 - 01:30   Sunday; 10:00 - 00:30
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