



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	8 September 2022
Licensing Ref No:	22/05504/LIPN - New Premises Licence
Title of Report:	1 Warwick Regency House 1-4 Warwick Street London W1B 5LT
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	25 May 2022		
Applicant:	Mg Warwick Street Opco Ltd		
Premises:	1 Warwick		
Premises address:	Regency House 1-4 Warwick Street London W1B 5LT	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	<p>The premises intends to operate as a private members' club comprising of an office space, a restaurant and bar.</p> <p>The premises comprises of the following areas:</p> <ul style="list-style-type: none"> • Basement - Gym / Toilets / Back of House • Ground - Members' Entrance / Restaurant and Bar • First - Members' Lounge / Event Space • Second - Co-working Space • Third - Co-working and Office Space • Fourth - Co-working and Office Space • Fifth - Co-working and Office Space • Sixth - Members' Lounge and Roof Terrace 		
Premises licence history:	<p>The premises has had the benefit of two premises licences since 2005.</p> <ol style="list-style-type: none"> 1. The Warwick, 1-2 Warwick Street (22/04148/LIPT). 2. 3-4 Warwick Street (20/05824/LIPT) <p>The applicant is proposing to surrender the above licences subject to the grant of this application.</p> <p>A copy of the premises licences can be found at Appendix 4.</p>		
Applicant submissions:	<p>The applicant has provided the following supporting documents which can be found at Appendix 2.</p> <ul style="list-style-type: none"> • Brochure • Updated conditions • Witness statement • Draft operational management Strategy • Dispersal Policy • Sky Acoustics report • Andrew Bamber report • Menus • Mediation letters to the interested parties and the Licensing Authority • Pre-Application Advice report 		

Applicant amendments:	During consultation, the applicant reduced the hours for films from 09:00 to 01:00 Monday to Wednesday, 09:00 to 02:00 Thursday to Saturday and 09:00 to 00:00 Sunday and Late Night Refreshment from 23:00 to 05:00 to the timings stated at 1-B.
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1-B Proposed licensable activities and hours							
Films - First Floor members' lounge and event space:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	00:00	00:00	00:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:			None				

Live Music – Ground Floor Restaurant:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:			<ol style="list-style-type: none"> 1. From the end of permitted hours on new year's eve to the start of permitted hours on new year's day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward. 				

Live Music – Ground Floor bar				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	02:00	02:00	02:00	00:00
Seasonal variations/ Non-standard timings:			<ol style="list-style-type: none"> 1. From the end of permitted hours on new year's eve to the start of permitted hours on new year's day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward. 				

Live Music - First Floor members' lounge, First floor event space & Sixth floor members' restaurant/bar:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:00	00:00	00:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		<ol style="list-style-type: none"> 1. From the end of permitted hours on new year's eve to the start of permitted hours on new year's day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward. 					

Recorded Music – Ground Floor Restaurant:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		<ol style="list-style-type: none"> 1. From the end of permitted hours on new year's eve to the start of permitted hours on new year's day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward. 					

Recorded Music – Ground Floor bar				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	02:00	02:00	02:00	00:00
Seasonal variations/ Non-standard timings:		<ol style="list-style-type: none"> 1. From the end of permitted hours on new year's eve to the start of permitted hours on new year's day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward. 					

Recorded Music - First Floor members' lounge, First floor event space & Sixth floor members' restaurant/bar:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:00	00:00	00:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		<ol style="list-style-type: none"> 1. From the end of permitted hours on new year's eve to the start of permitted hours on new year's day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward. 					

Performance of Dance - First floor event space:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:00	00:00	00:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		None					

Anything of a similar description to that falling within Live Music, Recorded Music and Performance of Dance – Ground Floor bar				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	01:00	01:00	01:00	02:00	02:00	02:00	00:00
Seasonal variations/ Non-standard timings:		None					

Anything of a similar description to that falling within Live Music, Recorded Music and Performance of Dance – Ground Floor restaurant				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None					

Anything of a similar description to that falling within Live Music, Recorded Music and Performance of Dance – First floor members' lounge, First floor event space & Sixth floor members' restaurant/bar				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	00:00	00:00	00:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		None					

Late Night Refreshment – Ground Floor Restaurant:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		None					

Late Night Refreshment – Ground Floor bar				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	02:00	02:00	02:00	00:00
Seasonal variations/ Non-standard timings:		None					

Late Night Refreshment - First Floor members' lounge, First floor event space & Sixth floor members' restaurant/bar:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:00	00:00	00:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		None					

Sale by retail of alcohol – Ground Floor bar				On sales, Off sales or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	01:00	01:00	01:00	02:00	02:00	02:00	00:00
Seasonal variations/ Non-standard timings:		<ol style="list-style-type: none"> 1. From the end of permitted hours on new year's eve to the start of permitted hours on new year's day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward. 					

Sale by retail of alcohol – Ground Floor restaurant				On sales, Off sales or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		<ol style="list-style-type: none"> 1. From the end of permitted hours on new year's eve to the start of permitted hours on new year's day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward. 					

Sale by retail of alcohol – First floor members’ lounge, First floor event space & Sixth floor members’ restaurant/bar				On sales, Off sales or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	00:00	00:00	00:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:			1. From the end of permitted hours on new year’s eve to the start of permitted hours on new year’s day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward.				

Sale by retail of alcohol – Sixth floor external terrace				On sales, Off sales or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:			1. From the end of permitted hours on new year’s eve to the start of permitted hours on new year’s day. 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			For members of the public 1. From the end of permitted hours on new year’s eve to the start of permitted hours on new year’s day 2. On any Sunday immediately preceding a bank holiday – until 02:00. 3. An additional hour on the day on which the clocks go forward.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Karyn Abbott
Received:	21 June 2022

I write in relation to the application submitted for a new premises licence for 1-4 Warwick Street, London, W1B 5LT.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks the following:

Films
Monday to Wednesday 09:00 to 01:00
Thursday to Saturday 09:00 to 02:00
Sunday 09:00 to 00:00

Live, Recorded Music and Performance of Dance
Monday to Wednesday 23:00 to 01:00
Thursday to Saturday 23:00 to 02:00
Sunday 23:00 to 00:00

Anything of a similar description to that falling within (e), (f) or (g)
Monday to Wednesday 09:00 to 01:00
Thursday to Saturday 09:00 to 02:00
Sunday 09:00 to 00:00

Late Night Refreshment
Monday to Sunday 23:00 to 05:00

Supply of Alcohol On and Off Premises
Monday to Wednesday 07:00 to 01:00
Thursday to Saturday 07:00 to 02:00
Sunday 07:00 to 00:00

Opening Hours to Public
Monday to Sunday 00:00 to 00:00

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HSR1, COMB1, PB1 and RNT1.

Due to the description of the premises in the applicants operating schedule this application generally falls under COMB1 (b, c, d and e) policy which states; 'Applications inside the West End Cumulative Impact Zones for premises that propose to operate as a 'combined use

premises' will be considered on their merits and subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
 2. The hours for licensable activities for the relevant premises use being within the council's Core Hours Policy HRS1.
 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.
 4. The applicant demonstrating that they will not add to cumulative impact within the Cumulative Impact Zone.
- C. When considering what weight is to be given to the relevant uses and policies the Licensing Authority will take into account:
1. Whether it will undermine the licensing objectives.
 2. The current and proposed use of the premises.
 3. When those uses will take place.
 4. What the primary use of the premises is or the uses that will take place in different parts of that premises.
 5. Whether there would normally be a presumption to refuse an application for that use if it was operating as that premises type and not a combined use premises.
 6. Whether the hours sought for the all or parts of the premises are within or outside the Core Hours.
- D. The Licensing Authority will take into account, when considering the application, the relevant considerations from each of the appropriate premises uses policies within this statement
- E. For the purpose of this policy a Combined Use Premises means premises which require a premises licence and where there is more than one premises use, and where the uses are not dependent on/or part of the other uses i.e. are not ancillary to the other uses.'

The Licensing Authority note that as part of the application the applicant has submitted an operational management strategy which provides further details of this application. Some of which are below;

The operation of the proposed basement, ground and six upper floors of 1–4 Warwick Street (to be known as 1 Warwick) will comprise a public restaurant and bar on the ground floor, a members' lounge and event space on the first floor, office and co-working space on the second to fifth floors, and a members' restaurant and bar at roof level is set out in this Operational Management Strategy ("OMS").

Ground floor bar – 11:00 to 01:00 Monday to Wednesday, 11:00 to 02:00 Thursday to Saturday, and 11:00 to 00:00 Sunday.

Ground floor restaurant – 07:00 to 23:30 Monday to Thursday, 07:00 to 00:00 Friday and Saturday, and 07:00–22:30 Sunday

First floor members' lounge – 11:00–00:00 Sunday to Wednesday and 11:00 to 01:00 Thursday to Saturday

First floor event space – 11:00–00:00 Sunday to Wednesday and 11:00 to 01:00 Thursday to Saturday

Sixth floor members' restaurant/bar – 11:00–00:00 Sunday to Wednesday and 11:00 to 01:00 Thursday to Saturday

Sixth floor external terrace – 11:00–23:00 Monday to Sunday

Operation

The premises will be split as below:

Basement: Kitchen, store, WC's, plant, staff changing facilities (not licensed)

Ground Floor: Restaurant and Bar and Members' Reception

Level 1: Members' lounge and events space

Levels 2, 3, 4 & 5: Office work spaces

Level 6: Members' roof top restaurant and bar

At present, the operating hours applied for licensable activities currently fall outside of Westminster's core hours. For premises that have the Retail Sale of Alcohol for consumption on and off the premises, the Licensing Authority encourage that the applicant reduces the hours to be within Westminster's Core hours;

Floors with the Restaurants should be within the core hours below;

8. Restaurants

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

Floors with the with the Members' lounge, bars and event space should be within the core hours below

6. Pubs and bars, Fast Food and Music and Dance venues

Monday to Thursday: 10am to 11.30pm.

Friday and Saturday: 10am to Midnight.

Sunday: Midday to 10.30pm.

Sundays immediately prior to a bank holiday: Midday to Midnight.

The Licensing Authority note that the applicant has proposed the below hours for Late Night Refreshment. After looking through the attached submissions with the application the Licensing Authority would like further submissions as to why the terminal hour for Late Night Refreshment is 05:00 when the restaurants, bars, lounges and events spaces terminate no later than 02:00.

Late Night Refreshment

Monday to Sunday 23:00 to 05:00

As per paragraph F27 of Westminster's Licensing Policy below the Licensing Authority must also consider other relevant policy considerations for this application.

F27. When considering applications under this policy the Licensing Authority will take into account the specific considerations under other policies for the types of activities that may occur on the premises. Those activities or uses may occur at the same time or transition from one to another during the day or from day to day. If a premises has a number of bars, restaurants and provides a concert experience with dancing then the relevant policy considerations from PB1, RNT1 and MD1 may be relevant

The Licensing Authority note that the premises has several areas that fall within Westminster's PB1 (b, c and d) Policy as there is no ancillary nature to the Sale by Retail of Alcohol. These areas include the Ground Floor Bar, Members' Lounge and Event Space on Level 1 and Member's Bar on Level 6. Westminster's PB1 Policy states.

It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:

1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.

C. The applications referred to in Clause B1 and B2 will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,
2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.
3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.

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.

The Licensing Authority encourages the applicant to provide further submissions to the questions below;

1. How will the ground floor bar be operated and controlled ie will the proposed area operate by way of waiter/waitress service, be seated or as a bar with vertical drinking?
2. How many events per month/year with the Event Space on level hold?
3. When a private or pre-booked function is taking place in the event space will the sale by retail of alcohol be to seated guests, by waiter/waitress service or will there be vertical drinking?
4. In regard to the Membership for the Members Club, how many bona fide guest members have attend with them at any one time and will the guests' details be recorded?
5. Within the Members Lounge on level 1 and members bar on level 6 how will the alcohol be monitored and controlled and will it be by waiter/waitress service?
6. Can members of the public access the rooftop terrace? If not how will the applicant ensure that the general public wont access other areas of the premises?

The Licensing Authority has also noted within the operating schedule the applicant has proposed Westminster's model condition 66 for the restaurant area on the ground floor (shaded in pink) which brings this part of the application within Westminster's RNT1 (B) Policy which states 'Applications inside the West End Cumulative Impact Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.
4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.

C. For the purposes of this policy a restaurant is defined as:

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.
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.
3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.
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.
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.'

The applicant has also applied for the sale by retail of alcohol both on and off the premises. The Licensing Authority note that the applicant has proposed condition 6 of the operating schedule which goes in some way to ensure that 'Off Sales' has no adverse impact within the West End Cumulative Impact Area.

1. The sale of supply of alcohol for consumption off the premises shall either be:

- a. for consumption in office and co-working spaces between 11:00 and 20:00 daily*
- b. in sealed containers and shall not be consumed in or immediately outside the*

premises until 23:00 daily; or

- c. for consumption by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway in the external area (shown shaded orange and blue respectively on the licensing plans) in accordance with the terms of that permission.*

The premises also currently benefits from two licences (20/05824/LIPT and 22/04148/LIPT) and the applicant has proposed in the operating schedule these licences will be surrendered.

1. *Before the premises open to the public and subject to the grant of an acceptable premises licence the premises licence holder shall surrender and render incapable of resurrection the following premises licence(s):*

- a. 20/05824/LIPT (original licence number: 05/09529/LIPN); and*
- b. 19/04464/LIPDPS (original licence number: 05/01986/LIPCV)*

The Licensing Authority would like the applicant to provide further submissions to the questions above to be able to assess any further relevant policy considerations.

The Licensing Authority also encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	16 June 2022

With reference to the above applications, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives. The premises are situated within the West End Cumulative Impact Area.

There is insufficient detail contained within the operating schedule to promote the licensing objectives.

It is for these reasons that we object to this application.

Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	21 June 2022

I refer to the application for a New Premises Licence.

The premises are located within the West End Cumulative Impact Zone as stated in the City of Westminster's Statement of Licensing Policy.

The applicant has submitted floor plans of the premises.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Wednesday 07.00 to 01.00 hours, Thursday to Saturday between 07.00 and 02.00 hours and Sunday between 07.00 to 00.00 hours. NYE to NYD, Sunday prior to a Bank Holiday 02.00 hours. Additional hour for BST.
2. To provide Late Night Refreshment 'Indoors' Monday to Sunday between 23.00 to 05.00 hours.
3. To provide regulated entertainment 'Indoors' comprising
 - Live Music
 - Recorded Music
 - Performance of Dance
 Monday to Wednesday 23.00 to 01.00 hours, Thursday to Saturday between 23.00 and 02.00 hours and Sunday between 23.00 to 00.00 hours. NYE to NYD, Sunday prior to a Bank Holiday 02.00 hours. Additional hour for BST.
 - Films
 - Anything of a similar description to Live Music, Recorded Music and Performance of Dance
 Monday to Wednesday 09.00 to 01.00 hours, Thursday to Saturday between 09.00 and 02.00 hours and Sunday between 09.00 to 00.00 hours. NYE to NYD, Sunday prior to a Bank Holiday 02.00 hours. Additional hour for BST.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End CIZ.
2. The hours requested to permit the provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CIZ.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CIZ.

The applicant has provided additional information with the application which is being addressed.

Should you wish to discuss the matter further please do not hesitate to contact me.

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	18 June 2022		
<p>As a resident I am very concerned about the impact of a late night licence in the area. When the Warwick was opened previously late night the noise issues were horrendous. This licence will allow people to drink and dance until 2am then there will be a dispersal issue which will see the buildings customers being ejected onto the street where they will be noisy and cause an issue. There also used to be an issue with staff who had finished work at 2am would be smoking and drinking in the door way after hours. The noise is amplified at 2am as there is no traffic to soften it and therefore will be very difficult to live with causing issues for myself and my young family.</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	21 June 2022		
<p>We write to make a relevant representation to the above application on behalf of [REDACTED] [REDACTED]</p> <p>About [REDACTED]</p> <p>[REDACTED] is a charitable company limited by guarantee established in 1972. [REDACTED] is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.</p> <p>Application Summary New Premises Licence Private members' club, office space and ancillary functions, publicly accessible restaurant and bar.</p> <p>Basement : Gym / Toilets / Back of House GF : Members' Entrance / Restaurant and Bar 1st floor : Members' Lounge / Event Space 2nd/3rd/4th/5th/ : Co-working and Office Space 6th Floor : Members' Lounge and Roof Terrace</p> <p>Supply of Alcohol: Mon - Wed: 07:00 - 01:00. Thurs - Sat: 07:00 02:00. Sun: 07:00 - 00:00 Late Night Refreshment: Mon - Sun : 23:00 - 05:00.</p> <p>The provision of hot food and hot drinks as necessary to the whole of the premises (certain areas will be closed outside of trading hours)</p> <p>Films : Mon - Wed: 09:00 - 01:00. Thurs - Sat: 09:00 02:00. Sun: 09:00 - 00:00 May be shown in the event space (1st floor)/meeting or private dining rooms/members' lounge areas</p> <p>Live Music: Mon - Wed: 23:00 - 01:00. Thurs - Sat: 23:00 02:00. Sun: 23:00 - 00:00 May be provided in the public facing bar, members' lounges, event space. Rooted through a noise</p>			

limiting device.

Recorded Music: Mon - Wed: 23:00 - 01:00. Thurs - Sat: 23:00 02:00. Sun: 23:00 - 00:00

May be provided in the public facing bar, members' lounges, event space. Rooted through a noise limiting device.

Performance of Dance: Mon - Wed: 23:00 - 01:00. Thurs - Sat: 23:00 02:00. Sun: 23:00 - 00:00.

May take place in the event space.

Anything similar : Mon - Wed: 09:00 - 01:00. Thurs - Sat: 09:00 02:00. Sun: 09:00 - 00:00.

Opening Hours: Mon - Sun: 00:00 - 00:00.

Operational Management Strategy

Opening Hours: Building open 24 hours a day, 7 days a week

GF Bar: Mon-Weds: 11:00 to 01:00. Thurs - Sat: 11.00 - 02.00. Sun: 11.00-00.00.

Capacity : 80

GF Restaurant: Mon-Thurs: 07:00 to 23:30. Fri - Sat: 07.00 - 00.00. Sun: 07.00-22.30.

Capacity : 70

1st Floor Members' Lounge: Sun- Weds : 11:00-00:00. Thurs-Sat: 11:00-01:00.

Capacity : 60

1st Floor Event Space: Sun- Weds : 11:00-00:00. Thurs-Sat: 11:00-01:00.

Capacity 90 (booked by members and for private business events).

2nd to 5th Floors Co-working / office space. Off Sales

Capacity not recorded

6th Floor Members Restaurant/Bar: Sun-Weds: 11:00-00:00. Thurs-Sat: 11:00-01:00

Capacity: 40

6th Floor Members External Terrace Restaurant/Bar: Mon-Sun: 11:00-23:00

Capacity 80

Overall capacity : 420. (excluding office space)

██████████ Position

We object to the proposed bar use, all other uses beyond core hours, and to the use of the terrace until 23:00 on the grounds of the prevention of crime and disorder, prevention of public nuisance, public safety and cumulative impact in the West End Cumulative Impact Zone.

We acknowledge the redevelopment of this site and previous premises use however, since this time our position has been strengthened by the 2020 Cumulative Impact Assessment which highlighted the year on year rise in cumulative impact between 2017 - 2019 resulting in the West End being identified as the only area suffering from cumulative impact. The introduction of the Cumulative Impact Assessment 2020 states,

'After consideration of the cumulative impact assessment it is the Licensing Authority's view that the number of premises licences in the West End, are such that it is likely granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. The granting of licences for certain types of operation that are likely to add to Cumulative Impact within these areas would not be consistent with the Licensing Authority's duty under the Licensing Act 2003.'
(p. 19)

Importantly this evidence also supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater

restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels (D1). Soho is fully open for business and thriving, there are more people on the streets in the evening now than at pre-COVID times, in our view we have already reached pre-March 2020 levels and this is further supported by recent crimes statistics which show an increase in serious crime (see Prevention of Crime and Disorder). It is within this context we set out our case below.

The evidence presented in the Cumulative Impact Assessment is unsurprising considering Soho has a large concentration of licensed premises, **466** with a large proportion (25%) being late night licences, with **118** licensed between the hours of 1am - 6am, with a capacity of over **22,480**. There are over 200 restaurants, 39 bars, 46 pubs, 31 clubs (including members clubs) and entertainment premises. The area is densely populated at night with people creating loud levels of noise causing disturbance, alongside an increase in crime, disorder and anti-social behaviour.

This is a complicated application comprising of five distinct uses; a members' club, event space, restaurant and bar open to the public and co-working / office space, with varying licensable hours and a building open 24 hours a day 7 days a week. Reviewing the documentation we are unclear on a number of points, we ask for further information in relation to the following:

- From the plans the number of outdoor tables and chairs for the ground floor restaurant and bar is unclear, we ask for clarification on the numbers.
- We note the proposal for late night refreshment from Mon- Sun : 23:00-05:00 is that, '*The provision of hot food and drinks as necessary to the whole premises (certain areas will be closed outside of the trading hours identified in the Operational Management Strategy).*' We ask for clarification on the areas that will benefit from this 5am licence.
- We note the Operational Management Strategy refers to '*other detailed technical reports*' and ask for copy of these and for more details on the type and nature of events.
- We note the building will be open 24 hours and 7 days a week and ask for confirmation on the areas which will be open 24 hours a day?

Reviewing the set of conditions we propose the following amendments in order to protect residential amenity:

- The proposed terrace use until 11pm, to protect residential amenity this should be reduced to 9pm.
- We propose a condition that there are no externally promoted events.
- We propose Conditions 26 and 27; no deliveries / waste collections shall take place between 23:00 and **08:00**.
- Condition 24 to include a limit on the number of people smoking outside to 5 at any one time.

Overall the applicant has failed within the documentation to demonstrate how these premises with its extended hours, bars and capacity of 420 (excluding office space) will not add to cumulative impact.

Statement of Licensing Policy 2021

This application is contrary to the following policies; Core Hours Policy HRS1, Restaurant Policy RTS1, Pubs and Bars Policy PB1 and the Cumulative Impact Policy CIP1.

Restaurant RNT1

The policy states applications within the West End Cumulative Impact Zone will generally be

granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours of licensable activities are within the council's Core Hours Policy HRS1.
4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.

The application falls outside the core hours policy, for the restaurant on the ground floor the proposed start time of 7am is outside the policy of 9am.

The proposed hours for the Members' Club are also outside core hours with the proposed midnight and 1am.

In relation to the supply of late night refreshment, the policy states,

F124. 'Should a restaurant apply for permission to supply late night refreshment, that is the supply of hot food or hot drink at any time between the hours of 11pm and 5am, then, in the event of relevant representations being received, the Licensing Authority will have regard, amongst other matters, to the desirability of encouraging the rapid dispersal of people from the West End Cumulative Impact Zone, and the times of other premises in the vicinity.'

The retention of people in the Cumulative Impact Zone is an important factor alongside the number of existing late night premises in the vicinity, we have already provided evidence of the large number of licensed premises in the area.

Public Houses and Bars Policy PB1

There is a presumption to refuse applications for bars within the West End Cumulative Impact Zone other than to vary within core hours or reduce the overall capacity of the premises.

Under the reasons for this Policy, F90 states,

'... Premises that primarily serve alcohol, with or without the provision of any ancillary playing of music, can give rise to public nuisance for residents and other businesses, particularly when there is a concentration of such premises. This is principally due to noise from the premises and from patrons when they leave. Pubs and bars present opportunities for crime and they can also give rise to disorder.'

*F92. Among specific premises types assessed within the 2020 Cumulative Impact Assessment, pubs and bars were one of the top licensed premises operation **types that were most significantly aligned with incidents in their proximity (our emphasis).***

It also, 'identified that pubs and bars were significantly associated with a greater likelihood of reported crime, disorder and nuisance.'

In relation to the public bar on the ground floor, the Members' Club bars and the event space the applicant has not demonstrated genuinely exceptional circumstances in this case.

Cumulative Impact Policy CIP1

This area has been identified by the Westminster City Council as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019, the subsequent Statement of Licensing Policy 2021 Cumulative Impact Policy CIP1 states,

'The West End Cumulative Impact Zone has been identified because the cumulative effect of the concentration of late night and drink led premises and/or night cafés has led to serious

problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The extent of crime and disorder and public nuisance in the West End Cumulative Impact Zone arises from the number of people there late at night; a considerable number of them being intoxicated (our emphasis). Public services, including police, health and emergency, transport, environmental services (cleansing and refuse services) are placed under chronic strain by existing levels of activity, as are civic amenities and the quality of residential life. The urban infrastructure cannot sustain any further growth in licensed premises that provide a significant risk of a variety of harmful outcomes. Over a period of three years (2017 - 2019) 45% of violent crimes, as well as over half of all robberies, thefts and drug offences in the city were recorded within West End Cumulative Impact Zone. Additionally, 43% of ambulance callouts between that same period to the locations of licensed premises fell within this zone.' (D4)

The policy provides a presumption to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises and music and dancing, other than applications to vary within core hours or reduce overall capacity.

The policy also states,

C. 'Applications for other premises types within the the West End Cumulative Impact Zone will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.'

The policy is intended to be strict and only overridden in exceptional circumstances, D12. states.

'Applicants for premises that have a presumption to refuse will be expected to demonstrate an exception as to why their licence application should be permitted'.

Residents and residential accommodation are also important factors,

D23. *'Proximity to residential accommodation is the general consideration with regard to the prevention of public nuisance.'* Also,

'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but a wider area; thus the number of people visiting the premises, the nature of licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.'

The applicant has failed to demonstrate how these premises will not add to cumulative impact.

The Licensing Objectives

The Statement of Licensing Policy 2021 or Section 182 Guidance does not provide for any circumstance, including exceptional or otherwise, which would permit an application to be granted if the licensing objectives were harmed. We now consider the impact of this application on these objectives.

Prevention of Crime and Disorder - CD1

Under this Policy the criteria applied is, *'whether the premises make or will make a significant contribution to levels of crime and disorder, and whether the operating schedule is based on an adequate risk assessment, undertaken by the applicant, which takes account of all the relevant considerations below to reduce the likelihood of crime and disorder occurring as a result of the grant of the application.'*

The Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, **it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.** It goes on to detail the number and types of crimes in the West End,

- **Public realm crimes:** (serious violence, robberies, theft and drug offences), alcohol-related

callouts incidents, anti-social behaviour and demands on services were prevalent in Westminster between 2017 and 2019, among the highest in London and the country. All incidents observed concentrated in the West End many occurring in the evening and at night as well as weekends.

Total incident type 2017-2019:

- Drug Offences Night: **1529** (proportion of Borough's incidents **40%**)
- Robberies Night: **2237** (**33%**)
- Theft and Handling Night: **24,407** (**33%**)
- Serious violent crimes Night: **795** (**31%**)
- Ambulance call outs to locations of licensed premises: **5353** (**22%**)
- Noise Complaints Night: **1389** (**16%**)
- Anti-Social behaviour MPS: **9662** (**16%**)
- Anti-Social behaviour on transport Night: **592** (**13%**)
- Reactive Waste Management: **6630** (**10%**)

Total = 52,594

- **Data description of incidents in 2017-2019** found all incident categories observed varied both in space and time. Many occurred in the evening and at night and on weekends when alcohol related activities typically peak. Incidents were primarily concentrated in the West End where licensed premises are disproportionately concentrated.
- **Robberies:** clustered within the West End, Charing Cross, Oxford Street in the evening and night.
- **Serious violent crimes:** recorded between **6pm and 6am** concentrated overwhelmingly in the West End.
- **Drug related crimes:** Westminster recorded the highest volume of drug offences of any borough between 2017-2019. Half of crimes were reported (48%) in the evening and night time. Drug related crimes between **6pm - 6am** were significantly clustered in and around the West End to varying degrees.
- **Theft and Handling:** the most common crime type in the borough and in the evening and night this is particularly concentrated in the West End and along Oxford Street.

These premises are situated in the heart of the food and beverage / entertainment area, the area is a known hotspot for crime and disorder, the current statistics for the *top crime streets in Soho

Top Streets all crime –1st Nov 21 – 28th Feb 22

GREEK STREET	239	GOLDEN SQUARE	14
OLD COMPTON STREET	231	ARCHER STREET	14
WARDOUR STREET	138	GREAT PULTENEY STREET	14
SHAFTESBURY AVENUE	117	GLASSHOUSE STREET	13
DEAN STREET	105	SOHO STREET	13
CARNABY STREET	99	LEKINGTON STREET	13
GREAT MARLBOROUGH STREET	75	GOSLETT YARD	12
FRITH STREET	70	SOHO PLACE	12
SOHO SQUARE	60	NEWBURGH STREET	11
BREWER STREET	58	PETER STREET	11
BATEMAN STREET	44	CARLISLE STREET	10
GREAT WINDMILL STREET	45	ROMILLY STREET	9
KINGLY STREET	41	KINGLY COURT	9
BROADWICK STREET	37	CAMBRIDGE CIRCUS	9
CHARING CROSS ROAD	36	D'ARBLAY STREET	8
BERWICK STREET	35	MARSHALL STREET	8
GANTON STREET	32	HAM YARD	7
BEAK STREET	29	RAMILLES STREET	7
POLAND STREET	24	DUPOND'S PLACE	6
MANETTE STREET	24	WALKER'S COURT	6
MOOR STREET	23	MEARD STREET	6
RUPERT STREET	18	WARWICK STREET	5
LITTLE MARLBOROUGH STREET	17	FOUBERT'S PLACE	5
INGESTRE PLACE	15	NOEL STREET	5

shows a total of 1,827 crimes.

Comparing the top reported crimes from *November 2021 - February 2022 to pre- COVID times highlights the number of serious and violent crimes are on the increase;

Violence against the person serious wounding: 32 up 78% (18 pre - COVID)

Violence against the person assault with injury: 59 up 31% (45 pre-COVID)

Violence against the person common assault: 70 up 18% (59 pre-COVID)

Drugs possession: 115 up 79% (64 pre-COVID)

Sexual offences: 34 up 70% (20 pre-COVID)

* Data provided by the Metropolitan Police

Soho transforms in the evening and night-time into an area which feels very unsafe and where levels of crime and disorder are high. As evidenced above, criminal activity associated with the large number of venues and the numbers of people on the streets at night results in high levels of serious crime.

The over-intensification of late night licences provides the opportunity for criminal gangs to operate throughout the night committing robberies (the majority being at night) the rates are high and it remains the top priority of the Safer Neighbourhood Police Team, alongside this the assaults and pick pocketing, another prevalent crime where groups arrive in vans and disperse into Soho to prey on intoxicated and vulnerable people who are targeted as they leave venues. Drug dealing at night is a huge problem, with groups of dealers congregating to sell drugs outside venues, there are more dealers in the area at night than during the day. The creation of this thriving market is directly linked to the large number of venues and people out on the streets.

Intoxicated people become victims of crime, SIAs cannot prevent this, people are 'picked up' and befriended when they leave premises late at night, the chances of them becoming victims of crime are high.

Prevention of Public Nuisance Policy PN1

Under this Policy the criteria applied states, 'the potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of a nuisance occurring. This will particularly apply in areas of residential accommodation and where there is residential accommodation in the proximity of the premises.'

The growth in the number of licensed premises in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, and antisocial behaviour in the form of urinating and defecating on the streets and in their doorways.

Noise nuisance is a real and ongoing issue for residents. Residents living nearby are already subject to noise and general nuisance every night of the week as people leave premises in high spirits, with the noise from taxi's waiting to pick up customers as well as Pedicabs as they congregate outside late night venues waiting for customers.

In summary

The proposed hours, capacity and intended use of this building will in our view fail to promote the licensing objectives and increase cumulative impact in the West End Cumulative Impact Zone.

Name:	[REDACTED] (Withdrawn 15 August 2022)		
Address and/or Residents Association	[REDACTED]		
Status:	Valid	In support of opposed:	Opposed
Received:	16 June 2022		

I would like to register a objection to the late night licensing application for Regency House , 1 - 4 Warwick Street , London.

[REDACTED]

Our concerns are :

The noise that will be created in the early hours of the morning , after midnight , when people would be leaving the premises in cars , taxis and on foot that will disturb [REDACTED] residents and guests sleep.

The noise of late night waste collection , and collection lorries having to pass [REDACTED] disturbing [REDACTED] residents and guests.

Following a meeting with the applicant, the interested party withdrew their 15 August 2022.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
Policy HRS1 applies	<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.</p> <p>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"> 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. 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. 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. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 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. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 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.

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.

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.

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.

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 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.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

1. **Casinos:** Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

2. **Cinemas, Cultural Venues and Live Sporting Premises:**
Monday to Sunday: 9am to 12am

3. **Hotels:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

4. **Off licences:** Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

5. **Outdoor Spaces:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

6. **Pubs and bars, Fast Food and Music and Dance venues:**
Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.

7. **Qualifying Clubs:** Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

8. **Restaurants:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

9. **Sexual Entertainment Venues and Sex Cinemas:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.

	<p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy COMB1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant use being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zone policy SCZ1 if the premises are located within a designated zone. <p>B. Applications inside the West End Cumulative Impact Zones for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant premises use being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant demonstrating that they will not add to cumulative impact within the Cumulative Impact Zone. <p>C. When considering what weight is to be given to the relevant uses and policies the Licensing Authority will take into account:</p> <ol style="list-style-type: none"> 1. Whether it will undermine the licensing objectives. 2. The current and proposed use of the premises. 3. When those uses will take place. 4. What the primary use of the premises is or the uses that will take place in different parts of that premises. 5. Whether there would normally be a presumption to refuse an application for that use if it was operating as that premises type and not a combined use premises. 6. Whether the hours sought for the all or parts of the premises are within or outside the Core Hours. <p>D. The Licensing Authority will take into account, when considering the application, the relevant considerations from each of the appropriate premises uses policies within this statement</p> <p>E. For the purpose of this policy a Combined Use Premises means premises which require a premises licence and where there is more than one premises use, and where the uses are not dependent on/ or part of the other uses i.e. are not ancillary to the other uses.</p>

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.

5. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	██████████ response to mediation letter
Appendix 4	Existing premises licences and premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity
Report author:	Miss Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

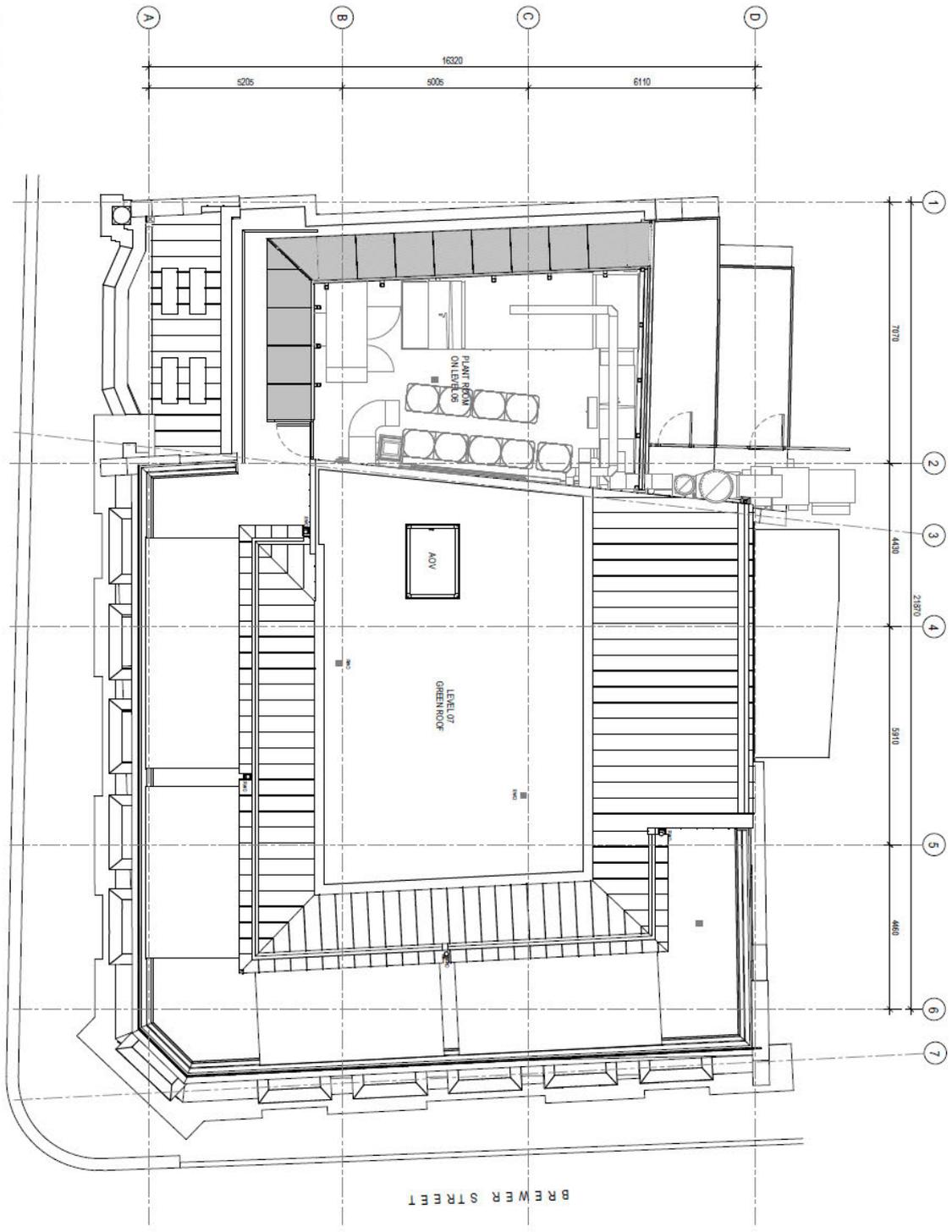
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	The Licensing Authority representation	21 June 2022
5	Metropolitan Police Service representation	16 June 2022
6	Environmental Health Service representation	21 June 2022
7	Interested party 1 representation	18 June 2022
8	Interested party 2 representation	21 June 2022
9	Interested party 3 representation (<i>Withdrawn 15 August 2022</i>)	16 June 2022

1 LEVEL 07 GA PLAN

WARWICK STREET



NOTES:
1. Unshaded areas show the proposed premises within the building.
2. The location of the proposed premises is indicated by the shaded area.
3. This location of the proposed premises is indicated on the plan of the building.

DATE: 12/01/2023
PROJECT: MASLOWS SOHO
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1:100

MASLOWS
DENTON
CORKER
MARSHALL

MASLOWS SOHO

LEVEL 07 PLAN

MS-DCM-07-0M-PL-PL007 B
PREMISES LICENCE APPLICATION

100%
0% 50% 100% 1:100

100%
0% 50% 100% 1:100

1 LEVEL 01 GA PLAN



- 1. Fire Protection
- 2. Fire Alarm
- 3. Fire Escape
- 4. Fire Exit
- 5. Fire Staircase
- 6. Fire Lift
- 7. Fire Alarm Control Panel
- 8. Fire Alarm Sounder
- 9. Fire Alarm Bell
- 10. Fire Alarm Bell
- 11. Fire Alarm Bell
- 12. Fire Alarm Bell
- 13. Fire Alarm Bell
- 14. Fire Alarm Bell
- 15. Fire Alarm Bell
- 16. Fire Alarm Bell
- 17. Fire Alarm Bell
- 18. Fire Alarm Bell
- 19. Fire Alarm Bell
- 20. Fire Alarm Bell

NOTES

1. Details shall be in accordance with the relevant standards.
2. All work shall be in accordance with the relevant standards.
3. The contractor shall be responsible for obtaining all necessary permits and approvals.
4. The contractor shall be responsible for ensuring that all work is completed in accordance with the relevant standards.
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- 1. Fire Protection
- 2. Fire Alarm
- 3. Fire Escape
- 4. Fire Exit
- 5. Fire Staircase
- 6. Fire Lift
- 7. Fire Alarm Control Panel
- 8. Fire Alarm Sounder
- 9. Fire Alarm Bell
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MASLOW'S

DENTON
CORNER
MARSHALL

MASLOW'S SOHO

LEVEL 01 PLAN

MS-DCM-01-DW-P1-P-001 D

PREMISES LICENCE APPLICATION

1 LEVEL 02 GA PLAN



FLOOR IS NOT PART OF LICENSED PREMISES
ALCOHOL MAY BE CONSUMED IN THESE AREAS.

First floor to be covered by certificate for
 1. 1st Floor
 2. 2nd Floor
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- NOTES
1. All areas shown on this plan are to be covered by the certificate.
 2. All areas shown on this plan are to be covered by the certificate.
 3. The certificate holder must ensure that the certificate is valid for the entire duration of the event.
 4. The certificate holder must ensure that the certificate is valid for the entire duration of the event.
 5. The certificate holder must ensure that the certificate is valid for the entire duration of the event.

THE K&N SIGN

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MASLOWS

DENTON CORNER MARSHALL

MASLOWS SOHO

LEVEL 02 PLAN

MS-DCM-02-DW-PL-PL002 B

PREMISES LICENCE APPLICATION

1 LEVEL 04 GAP PLAN



FLOOR IS NOT PART OF LICENSED PREMISES.
ALCOHOL MAY BE CONSUMED IN THESE AREAS.

From the list in context of possible fire
 1. 1st Floor Common Corridor Type
 2. 2nd Floor Common Corridor Type
 3. 3rd Floor Common Corridor Type
 4. 4th Floor Common Corridor Type
 5. 5th Floor Common Corridor Type
 6. 6th Floor Common Corridor Type
 7. 7th Floor Common Corridor Type

NOTES

1. Symbols with the same background color indicate the same fire risk level.
2. Fire risk levels are indicated by the background color of the symbols.
3. The fire risk level is determined by the fire risk assessment.
4. The fire risk level is determined by the fire risk assessment.

LEGEND

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MASLOWS

DENTON
CORKRER
MARSHALL

MASLOWS SOHO

LEVEL 04 PLAN

MS-DCM-04-DW-PL-0104 B
PREMISES LICENCE APPLICATION

Applicant Supporting Documents

Appendix 2

Please see next page

MG WARWICK STREET OPCO LTD

1 WARWICK

1-4 WARWICK STREET

LONDON W1B 5LT

**APPLICATION FOR A PREMISES
LICENCE**

**APPLICANT'S PAPERS FOR
HEARING ON 08/09/22**

CONTENTS

TAB	DOCUMENT
1	BROCHURE
2	UPDATED CONDITIONS
3	WITNESS STATEMENT OF GUY IVESHA, CEO MASLOW'S
4	DRAFT OPERATIONAL MANAGEMENT STRATEGY
5	DISPERSAL POLICY
6	BIG SKY ACOUSTICS REPORT
7	ANDREW BAMBER REPORT
8	MENU
9	ENGAGEMENT WITH OBJECTORS

1

1.

Warwick

WELCOME TO 1. WARWICK



DEDICATED MEMBERS' ENTRANCE



SPACE TO WORK COLLABORATIVELY...



OR IN PRIVATE...



WITH LOUNGE SPACE FOR MEMBERS



AS WELL AS AN EVENT SPACE



AND A MEMBERS' ROOFTOP RESTAURANT AND BAR



**OUR MEMBERS REALLY ARE AT THE
VERY HEART OF WHAT WE DO**

BUT FOR THE PUBLIC...

A RESTAURANT





AND A FINELY APPOINTED BAR



**A NEW LIFESTYLE WORKSPACE.
JUST OFF REGENT STREET.**



1.

Warwick

2

1 Warwick

1-4 Warwick Street

London W1B 5LT

Suggested Conditions

For Hearing on 08/09/22

1. Save for the ground floor restaurant and ground floor bar and their external areas (as shown shaded pink/orange and green/blue respectively on the licensing plans), licensable activities may only be provided to:
 - a. Members of a private club and their bona fide guests;
 - b. Bona fide guests of management; and
 - c. Persons attending a private, pre-booked event.
2. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 24 hours between their nomination or application and their admission to the private club.
3. A legible list of the names and addresses of members of the private club (which may be electronic) shall be kept at the premises at all times together with a record (which may be electronic) legibly recording the names and dates of attendance of any guests introduced by members which shall be retained for a period of 31 days. Both the list and the record shall be produced on demand for inspection by Responsible Authority officers.
4. The name and address of any person hosting a private, pre-booked event shall be kept at the premises at all times together with a record (which may be electronic) legibly recording the names of any guests attending that event which shall be retained for a period of 31 days. Both the name and address of the person hosting the event and the list of guests attending shall be produced on demand for inspection by Responsible Authority officers.
5. The restaurant area of the ground floor (shown shaded pink on the licensing plans) shall only operate as a restaurant:
 - a. in which customers are shown to their table or the customer will select a table themselves

- b. where the supply of alcohol is by waiter or waitress service only
- c. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table
- d. which do not provide any takeaway service of food or drink for immediate consumption off the premises
- e. 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 tables meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'substantial table meal' means a meal such as might be expected to be served as either breakfast, lunch, or dinner, or as a main course at any such meal and that is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purposes of a table.

6. The use of the second to fifth floors shall only be by:
- a. office tenants i.e., those persons or companies with a minimum one-month contract to occupy office space at the premises
 - b. co-working members
 - c. office members
 - d. virtual office or digital members
 - e. persons attending a private pre-booked event or function, a list of functions and persons attending to be kept at reception for inspection by Responsible Authority officers
 - f. Directors and employees of the licence holder and its affiliated companies
 - g. Day-pass visitors
 - h. Any guests of the above, a list of whom shall be kept at the premises at all times together with a record (which may be electronic) showing the names and dates of attendance of any guests introduced by members. All records shall be produced on demand for inspection by Responsible Authority officers.
7. The sale of supply of alcohol for consumption off the premises shall only be:
- a. for consumption in office and co-working spaces between 11:00 and 20:00 daily

- b. for removal from the site in sealed containers from 11:00 until 23:00 daily: such sales shall not be for consumption in or immediately outside the premises; or
 - c. for consumption by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway in the external area (shown shaded orange and blue respectively on the licensing plans) in accordance with the terms of that permission.
- 8. No Regulated Entertainment shall be provided on the roof terrace.
- 9. Loudspeakers shall not be located in the entrance lobbies.
- 10. A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:
 - (a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,
 - (b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,
 - (c) The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team,
 - (d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and
 - (e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
- 11. The roof terrace shall not be used (save in emergencies and by members of staff) between 23:00 and 07:00 daily.
- 12. 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 and will include the external area immediately outside the premises entrance. 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.

13. 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.
14. Subject to a permitted wind-down substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
15. A Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS Hologram.
16. 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 regarding crime disorder
 - d. any incidents of disorder
 - e. any faults in the CCTV system
 - f. any refusal of the sale of alcohol
 - g. any visit by a relevant authority or emergency service.
17. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment
18. From 9pm on a Thursday, Friday, and Saturday evening, the Premises Licence Holder shall engage a minimum of 2 SIA licensed door supervisor(s) who shall be on duty at the premises. The SIA licensed door supervisor(s) must correctly display their SIA licence(s) when on duty so as to be visible. At all other times, the requirement for SIA licensed door supervisors shall be risk-assessed. Such risk assessments shall be produced to the Police or Licensing Authority immediately upon request.
19. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be

transmitted through the structure of the premises which gives rise to a nuisance.

20. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
21. There shall be no sales of alcohol for consumption 'Off' the premises after 23:00 hours each day.
22. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00 hours each day.
23. All windows and external doors shall be kept closed after 23:00 hours each day, except for the immediate access and egress of persons.
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of the local residents and businesses and leave the area quietly.
25. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the need of local residents and use the area quietly.
26. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
27. No collection of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 07:00 hours on the following day.
28. No deliveries related to licensable activities at the premises shall take place between 23:00 and 07:00 hours on the following day.
29. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. With the exception of customers seating themselves at external tables patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

31. The premises licence holder shall ensure that any patrons smoking, eating, or drinking 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.
32. From 22:00 daily customers smoking outside the ground floor restaurant and bar shall be restricted to no more than 12 persons at any one time and shall be located within a designated smoking area located on Warwick Street. The said area shall be agreed with the Licensing Authority.
33. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
34. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
35. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
36. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
37. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
38. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
39. The premises will implement a comprehensive dispersal policy and all relevant staff will be trained in its implementation. The Policy will be reviewed regularly and whenever the Licensee becomes aware of issues associated with dispersal. The Policy shall be produced to the Police or the Licensing Authority immediately upon request.
40. No licensable activities shall take place until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
41. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this

condition on the licence with a condition detailing the capacity so determined.

42. The number of persons accommodated at any one time in the licensed part of the premises shall not exceed 420 persons (excluding staff) with the following local restrictions for each floor:

- a. Ground floor restaurant and bar – 150
- b. First floor - 150
- c. Sixth floor - 120

43. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

44. Before the premises open to the public and subject to the grant of an acceptable premises licence the premises licence holder shall surrender and render incapable of resurrection the following premises licence(s):

- a. 20/05824/LIPT (original licence number: 05/09529/LIPN); and
- b. 19/04464/LIPDPS (original licence number: 05/01986/LIPCV)

Condition suggested to deal with [REDACTED] concern over promoted events (but as yet not agreed):

- There shall be no externally promoted DJ-led events at the premises at any time

Condition suggested to deal with [REDACTED] concern over early deliveries (but as yet not agreed – if agreed, this condition would need to replace condition 28 ante)

- With the exception of non-intrusive deliveries (e.g. post, milk, pastries, newspapers etc.) there shall be no deliveries to the premises between the hours of 23:00 and 08:00 the following morning.

3

Guy Ivesha Witness Statement

1. My name is Guy Ivesha. I am the founder and Chief Executive of Maslow's.
2. Maslow's is the parent company to MG Warwick Street Opco Ltd.
3. Prior to forming Maslow's, I was the Head of Acquisitions and Development for PPHE Hotel Group, the largest owner, developer, and operator of hotels in London. I was instrumental in the growth and success of the company, enabling it to exceed its expansion plans and financial objectives. I was also responsible for establishing PPHE's entire restaurant and bar operation.
4. Before joining PPHE, I was the Director of Hotel Development for El-Ad Properties in New York from 2005 until 2009. El-Ad Properties are a major real estate development firm and whilst I was there, I oversaw the re-development of the iconic Plaza Hotel.
5. Maslow's was inspired by Abraham Maslow's hierarchy of needs – a philosophy of human motivation and happiness. As a business we are currently expanding with projects in New York, Miami, Los Angeles, and of course, London.
6. We opened our first space in London, Mortimer House, in 2017, but I came up with the concept back in 2015/2016. I saw the shift of how people lived and how people worked, and I felt that things were changing. I know it is somewhat of a moot point, but I think the changes to the way people work, which are now so evident, were happening before covid but have been accelerated by the pandemic.
7. When developing the Mortimer House concept, I looked at various workspaces that were already within the market, but I felt that the market was not providing spaces that were top quality in meeting both work, lifestyle and hospitality needs
8. In creating Mortimer House, I set out to create a place that satisfied both personal and professional needs; appeals to both the head and the heart. Mortimer House is a hospitality-led workspace, or, if you will, a Members' House with multiple amenities serving social and work-related needs.
9. I have been aware of the site at 1-4 Warwick Street for a long time. The site wasn't originally available, so I did a lot of work convincing the former

ownership to sell it to Maslow's. We completed on the property in 2019 purchasing the freehold.

10. When taking the site at 1-4 Warwick Street I was aware of the two licensed venues at street level – So Japanese and The Warwick. It was always my intention to replace those two venues with something better, using the same philosophy of superior design and heartfelt hospitality as we did at Mortimer House Kitchen at Mortimer House in Fitzrovia.
11. The difference between what was here, and what will be here, will be stark. The entire visitor demographic is going to change. The Warwick was a wet-led pub and nightclub that stayed open until 3 or 4 in the morning. We are doing away with the nightclub space, which was in the basement, completely and replacing the ground floor pub, which wasn't attracting the type of clientele we are after, with a sophisticated lounge and bar.
12. So Japanese we are replacing with a beautiful new restaurant with the acclaimed chef Tom Cenci at its helm. The restaurant takes inspiration from modern British concepts like [Brat] and the [Quality Chop House] and contains an open kitchen to showcase our chefs' cooking skills.
13. Work to refurbish 1-4 Warwick Street has been ongoing for over a year and we are spending approximately 20 million pounds on the property, not including the purchase of the freehold. I hope this shows that we are here for the long-haul and not just a quick profit. My company is not going to do anything at this site that will negatively impact upon the value of our investment and that includes undermining the licensing objectives by making noise or allowing poor behaviour. We aim to make a positive impact on the local community and make our neighbours proud of how we operate our venues.
14. 1 Warwick, as the venue will be known, is going to be the sister site to Mortimer House, but it is also the next edition, or an evolution, of that venue. We learned a lot when creating and opening Mortimer House and I would say that the quality, environment, comfort, and facilities at 1 Warwick will all be superior to Mortimer House. What we have learned from our experience is that if you create the right facilities and the right management, you attract people who respect the environment and collectively behave in a civilized manner. The protection of the licensing objectives is therefore self-reinforcing.
15. As highlighted above, I have a background in hotels. 1 Warwick is going to operate very much like a luxury hotel, but without the bedroom accommodation.

16. Membership of 1 Warwick will be by application only. To become a member you will have to complete a full application form with all of your details. We meet every single person that applies to become a member before we approve them as we like to assess people and get a feeling for what they can bring to the community as a whole. You could say that we curate our membership and at Mortimer House we have turned down numerous applicants because we didn't feel that they would be right for us or the rest of the House. We don't wish to come across as exclusive or snobby, but we do want the right quality of people to enhance, not detract from, our offer. With that said we are inclusive rather than exclusive but still ensure there is a shared mindset among our members.
17. In addition, our membership includes sole traders, companies and individuals who might not have been able to locate themselves in this area due to the high rents in the area and who, through their businesses, will bring further opportunities and employment to the area.
18. We try to ensure that there is a nice mix and a nice cross-section of people, companies or sectors. At Mortimer House for example, we have members from the world of fashion, interior design, hospitality and tech, both public and private companies. Some of our member companies are hugely valuable, some are very small. This creates cross pollination which is something we very much aim to achieve. In addition, our membership includes sole traders, companies and individuals who may not have located themselves in this area of Soho and through their networking will generate new business opportunities and employment opportunities in the area.
19. In the same way that we carefully curate our membership, I have carefully curated my management team for 1 Warwick. Daniel Thompson is our director of operations and oversees its entire operation together with a dedicated General Manager that comes from high quality hospitality/hotel establishments. He is supported by a team of experienced individuals. Most have experience in the hotel or private members' sector and understand how to deal with members and the general public.
20. I have read the representations sent in by the objectors. I cannot really comment on the council's licensing policy, but what I can say is that my premises, 1 Warwick, is going to be significantly less impactful than what existed here previously. Above ground level, except for the first floor and the roof, all the space is office or workspace. These areas are accessed via a members' lobby located on Warwick Street. To access these areas,

people need to be either a member, and I have explained above the great care we take in curating our membership, a guest of a member and their details will be taken, a guest of the management (same), or a person attending a pre-booked event.

21. Regarding events, can I say this – I think we all know the type of events that one would wish to avoid taking place – loud music led events where control of the premises is effectively “handed over” to a third party for them to do as they please. Those are, and I cannot be any clearer about this, not the kinds of events that will be taking place at 1 Warwick. If you consider the event space at Mortimer House an analogous space then the kinds of events that we have held there include book launches, product launches, member celebrations e.g. wedding receptions, charity functions and corporate functions. All our events are risk assessed. We look at what the event is and whether there is anything we need to do, as a business, to mitigate against it. For example, when we held a book launch, we hired extra security, not to deal with unruly book launch attendees, but to ensure they were not hassled by photographers upon leaving.
22. In summary, I hope that I have been able to explain to you a bit more about what 1 Warwick will be, my reasons for believing in the concept and my motivations for choosing this site.
23. Thank you for taking the time to read this statement.

GUY IVESHA

CEO, MASLOW'S

30 AUGUST 2022

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1 . W a r w i c k

(DRAFT) OPERATIONAL MANAGEMENT STRATEGY

Introduction

The operation of the proposed basement, ground and six upper floors of 1 - 4 Warwick Street (to be known as 1 Warwick) will comprise a public restaurant and bar on the ground floor, a members' lounge and event space on the first floor, office and co-working space on the second to fifth floors, and a members' restaurant and bar at roof level is set out in this Operational Management Strategy ("OMS").

The OMS sets out the guiding principles for the operation of the business. It highlights the management principles that will be adopted by the operator which, where appropriate, can also be controlled via planning or licensing conditions thus ensuring that the business does not have any negative impact in the vicinity of the site or elsewhere.

The OMS also aligns directly to the Licensing Objectives (below) which are of paramount importance to the management strategy of 1 Warwick

- Prevention of crime and disorder.
- Public safety.
- Prevention of public nuisance.
- Protection of children from harm.

The OMS should be read alongside other detailed technical reports submitted in support of the application. The OMS will be updated as necessary.

Opening Hours

The building will be open 24 hours a day, 7 days a week with localised opening and closing times for the licensed spaces as follows. These times also reflect when those areas will be open for licensable activities.

Ground floor bar - 11:00 to 01:00 Monday to Wednesday, 11:00 to 02:00 Thursday to Saturday, and 11:00 to 00:00 Sunday

Ground floor restaurant - 07:00 to 23:30 Monday to Thursday, 07:00 to 00:00 Friday and Saturday, and 07:00 - 22:30 Sunday

First floor members' lounge - 11:00 - 00:00 Sunday to Wednesday and 11:00 to 01:00 Thursday to Saturday

First floor event space - 11:00 - 00:00 Sunday to Wednesday and 11:00 to 01:00 Thursday to Saturday

Sixth floor members' restaurant/bar - 11:00 - 00:00 Sunday to Wednesday and 11:00 to 01:00 Thursday to Saturday

Sixth floor external terrace - 11:00 - 23:00 Monday to Sunday

Operation

The premises will be split as below:

Basement: Kitchen, store, WC's, plant, staff changing facilities (not licensed)

Ground Floor: Restaurant and Bar and Members' Reception

Level 1: Members' lounge and events space

Levels 2, 3, 4 & 5: Office workspaces

Level 6: Members' roof top restaurant and bar

The restaurant/bar will provide a total of up to 150 covers. The split currently is up to 70 in the restaurant and up to 80 in the bar.

The bar is located at the front of the building on the ground floor adjacent to Brewer and Warwick Streets. Access is via a door on the junction of Brewer and Warwick Streets. The back half of the premises is the restaurant space.

The 1st floor is also split in two comprising a members' lounge (currently up to 60 capacity) and event space (currently to 90 capacity). The first floor is accessed via a manned reception at ground floor level. There is no access to the members' lounge/event space from the public facing areas of the premises without passing through reception.

The event space can be booked by Members and for private business events. Our standard terms and conditions will apply, and risk assessments will be conducted on an event-by-event basis. We will retain a guest list for all events taking place at the premises and this will be kept for period of 31 days in line with our suggested condition.

Floors 2-5 will provide specialist work areas consisting of dedicated team offices, flexible working environments, co-working and communal spaces. Occupiers will have access to a variety of meeting rooms and amenity spaces.

The 6th floor roof top members' restaurant and bar will (currently) provide a total of up to 120 covers. The split between inside and outside is 40 and 80 respectively.

Table bookings for the ground floor and roof top restaurant and bars will be taken on a staggered basis throughout the day to ensure that the load on the kitchen remains balanced and that orders do not get delayed or backed up. This avoids creating concentrations of activity and large groups of people exiting the premises at the same time. Using a staggered bookings approach will naturally result in patrons leaving at different times.

As eating and drinking conclude on a staggered basis there is no single large exodus of people at the same time areas of the venue close. A senior manager will be on site at all times during licensed hours to ensure compliance with licensing and other requirements, and to ensure good practice. This provides a single point of contact on-site, who can quickly address any issues arising in the operation of the premises. They will also be a personal licence holder.

External areas, for example the outside tables and chairs on Warwick Street, will be monitored at all times by staff and covered by CCTV.

During the hours of operation, the management and staff will ensure there is sufficient measures in place to remove and prevent litter for waste arising or accumulating from customers areas and immediately outside the premises and these areas will be swept and washed down when needed.

Management will also monitor outside nuisance and noise to ensure there is no disruption to nearby residents and to ensure the prevention of public nuisance.

The management will ensure all furniture is removed to inside in accordance with our premises and any pavement licence.

Membership

(see Members House rules and Terms and Conditions)

Aside from the ground floor restaurant and bar licensable activities may only be provided to members 1 Warwick and their guests, guests of management and persons attending a private, pre-booked event.

Memberships are administered through our membership team. Once approved, no person shall be admitted to any of the privileges of membership without an

interval of at least 24hrs between nomination or application and their membership being granted.

Members will have access to all floors within 1 Warwick

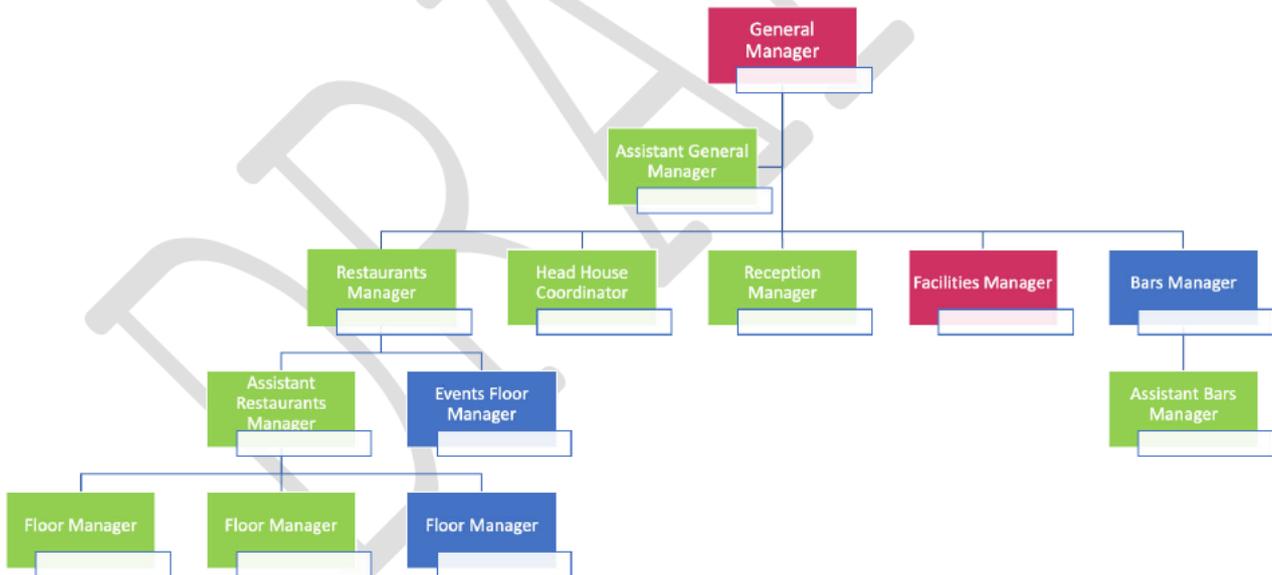
A list of names and addresses of all the members of 1 Warwick will be kept at all times and guest details will be kept at the premises at and be retained for a period of 31 days or such other period as may be specified.

A list of Members Terms and Conditions and house rules accompanies the OMS.

Management

The owner of the Site ("Maslow's") will be the sole occupier of the building, and will oversee the operation and management of the entire premises. The owner will put in place a robust management structure to ensure compliance with statutory regulations and to ensure public safety and ensure there is no negative impact to residents, tenants and the character of the area.

Management structure:



Access

The ground floor restaurant and bar will cover most of the ground floor and part of the basement floor (back of house/toilets). There is a separate staff entrance on Brewer Street, allowing access for both staff and deliveries to go directly to the basement kitchen and back of house facilities.

Back of house areas will be in the basement for the storage of personal possessions and staff toilets and a first aid facility.

Staff will leave the building in an orderly fashion and would generally be travelling by public transport, on foot or by bicycle (bike storage is provided on site). Staff will receive training commensurate with their job function in relation to licensing and our staff code of conduct will deal with expectations around staff behavior on arrival/departure from the premises.

Public access

Public access to the restaurant and bar is from an entrance on the corner of Warwick and Brewer Street. Pre-booking of tables will be actively encouraged but walk-ins will be permitted subject to availability. There will be no on-street queuing permitted. Patrons waiting for a table would be accommodated within the premises.

No Smoking Policy

There will be a strict no smoking policy inside the premises. Staff will be instructed not to smoke outside the premises on Brewer Street and will be directed to smoke away from the premises, and this will be contained in our staff code of conduct and will be enforced by the management.

Waste Area

A designated waste storage area is provided within the basement of the premises, away from the open kitchen and restaurant on the ground floor. The waste will then be disposed of via Westminster Council and/or a private company, as is often adopted by operators to supplement collections.

Waste collection will also take place through this entrance. A platform lift will be available for supplies going from ground floor to basement.

The owner will vigorously make sure that waste removal is managed in the best possible, environmentally friendly way in accordance with Westminster City Council obligations.

Waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Goods in Area

It is anticipated that most deliveries would be made by small/medium sized vans and that these would be limited to short waiting times to allow for loading/unloading only on the single yellow lines on Brewer Street which has restricted loading times. Suppliers would be instructed to switch off engines where possible to reduce disturbance.

Health & Safety

All Health & Safety and Fire Risk Assessments will be carried out frequently and retained on site with service history records for inspection as required

Noise

Sound insulation enhancements and acoustic measures have been adopted to ensure noise levels within and outside the premises are managed accordingly. Noise limiters will be installed to ensure residents are not affected by the noise emitting from the premises. A noise report from Big Sky Acoustics is has been prepared to support the application. The noise report also contains a suggested dispersal policy for the premises which will be adapted and adopted as necessary.

Noise mitigation measures will be required to be provided by the owner to ensure that the noise resulting from the operation of their plant, including the kitchen extract fan, does not adversely affect any neighboring buildings and complies with the requirements of Westminster City Council.

The kitchen extract fans shall be required to be provided with proprietary attenuators and enclosed as necessary to meet the plant noise limits. All plant, including the kitchen extract fan, will be required to have anti-vibration measures to control the transmission of structure-borne noise and vibration to acceptable levels within adjacent residential premises.

Noise limiters will be fitted to speakers throughout the building to contain music to acceptable levels within adjacent residential premises.

All windows and external doors will be kept closed after 11pm with the exception of immediate access/egress and when patrons arrive or leave.

Noise notices will be prominently displayed at all exits requesting patrons to respect the needs of the residents and businesses and leave quietly.

There will be no waste collection or deliveries between the hours of 23.00 and 07.00.

The premises and its management team will implement a robust dispersal policy and all the team shall be aware and trained to implement the policy at all times

Security

To enforce the prevention of crime and disorder and in the interests of public safety, from 9pm on a Thursday, Friday and Saturday evening there will be a minimum of 2 SIA licensed door supervisors on duty at the premises. The need for additional door security at those times, or door security at other times will be risk assessed and where security needs are identified then security will be engaged at such times and in such numbers as necessary.

The premises will have a CCTV system as per the minimum requirements of the Westminster Police licensing team. A staff member from the premises who is capable of operating the system will be at the premises at all times when the premises are open.

A challenge 25 scheme will be operated at all times at the premises in respect of the public, members, guests and any persons attend an event.

An Incident log facilitated by 1 Warwick's compliance software 'Food Alert' will be kept at the premises and made available on request. It will contain all of the items suggested in our incident reporting condition.

Terrorism

All staff to be trained on 1 Warwick's counter terrorism policy, this is to be reviewed regularly. Staff will also complete the necessary ACT training.

Drug Policy

The premises will operate a zero tolerance drugs policy. A copy of the drugs policy will be kept at the premises and can be made available as necessary. All staff will be trained on 1 Warwick's zero tolerance drugs policy commensurate with their job function. Externally contracted staff, for example SIA, will be trained also.

Search Policy

All staff and security company to be aware and trained on 1 Warwick's search policy.

Plant

The tenant's external heating and cooling equipment and kitchen extract fan will be located on the roof plant area (accessed from within the building)

and will be contained within an existing enclosure. All other systems will be located in the basement level. These will be assessed in terms of noise emissions and will comply with WCC policies.

Kitchen Odour Equipment

The owner shall ensure that an appropriately low level of odour and particulate control is included within the design of the kitchen extract system. The owner will also undertake an odour impact risk assessment based on the restaurant catering type in accordance with DEFRA guidance and will be required to install appropriate grease and odour mitigation equipment.

In addition to the odour mitigation equipment the kitchen extract system will run up externally through the building onto the roof. No extract ducting will be placed on the exterior walls of the building.

The design and installation of the system shall be fully compliant with all Environmental Health, Building Control requirements and HVCA guidance document DW172.

Kitchen Extraction System Maintenance

The restaurant will have access to a dedicated kitchen extract duct throughout the building for effective access and cleaning.

Frequent maintenance of the kitchen extract system will be carried out by the owner in order to ensure the odor abatement systems remain effective and to ensure that the ventilation plant remains in good working condition. The extract duct shall be inspected and cleaned every three months. The plant and filters shall be cleaned and replaced in accordance with manufacturer's recommendations.

The owner shall keep filtration maintenance records detailing the date of all filter changes and maintenance visits and shall also carry out quarterly air quality checks on the kitchen discharge. These records shall be made available for review by the City of Westminster.

The owner would reserve the right to arrange their own independent checks on the kitchen exhaust air quality at any time.

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1 . W a r w i c k

DISPERSAL POLICY

Objective:

The purpose of this Policy is to promote the Licensing Objectives, particularly The Prevention of Public Nuisance Licensing Objective. To do that, the Premises Licence Holder, Management, and Staff will utilise this Policy to ensure that Dispersal from the Premises and immediate vicinity takes place in an orderly fashion.

Why do we do this:

1 Warwick is a considerate business and aims to be a good neighbour to other businesses and residents alike. Failing to manage Dispersal in the correct way can lead to the Licensing Objectives being undermined, complaints from our neighbours, and a diminishment of our relationship with the Responsible Authorities. In extreme cases, it can lead to enforcement action being taken against the Premises.

Key Definitions:

- **Customers** - those who have visited the ground floor bar and/or ground floor restaurant for the purpose of Licensable Activities
- **Dispersal** - the manner in which Customers, Members, and Staff leave the Premises and the immediate vicinity
- **Licensable Activities** - as per the Licensing Act 2003
- **Licensing Authority** - means Westminster City Council
- **Licensing Objectives** - as per the Licensing Act 2003
- **Members** - those people who have visited any part of the Licensed Premises who are members or their guests. For the purpose of this policy only this also includes persons attending a private, pre-booked event at the Premises
- **Permitted Hours** - the hours for Licensable Activities as per the Premises Licence
- **Policy** - this Dispersal Policy
- **Premises** - 1 Warwick, 1-4 Warwick Street, London W1B 5LR

- **Premises Licence** - means [insert premises licence reference number]
- **Premises Licence Holder** - means MG Warwick Street Opco Ltd
- **Quiet Marshals** - members of Staff employed by the Premises Licence Holder specifically to assist with the Dispersal of Customers
- **Responsible Authority** - as per the Licensing Act 2003
- **Responsible Authority Officer** - an officer of a Responsible Authority
- **SIA** - door supervisors licensed by the Security Industry Authority
- **Staff** - those who are employed by the Premises Licence Holder for the purpose of providing Licensable Activities

The Premises Licence Holder will do this by:

1. Utilising a wind-down period at the end of Permitted Hours to assist with Dispersal. The wind-down period may include, for example, stopping or slowing sales of alcohol, increasing the lighting, stopping, or slowing any music being played at the Premises
2. Making sure that Staff are suitably briefed and trained in this Policy
3. Making sure that any externally contracted SIA are suitably briefed and trained in this Policy
4. Making sure that Staff are aware of the relevant transport links and can deal with queries from Customers and Members
5. Making sure that any externally contracted SIA are aware of the relevant transport links and can deal with queries from Customers and Members
6. Maintaining contact details for taxi firms
7. Endeavouring to direct Customers and Members away from the Premises down towards Piccadilly Circus (via Glasshouse and Air Streets) or out towards Regent Street (via Glasshouse Street)
8. Asking Customers and Members not to disperse up Warwick Street towards the Karma Sanctum Hotel
9. Asking Customers and Members who appear to be waiting for a taxi to wait inside the Premises.

10. Asking taxis called by the Premises to collect on Brewer Street and not on Warwick Street
11. Suggesting to Customers and Members booking taxis that the optimum pick-up point is on Brewer Street
12. Displaying appropriate and proportionate signage at exits from the Premises asking Customers and Members to respect the needs of residents and leave the Premises and the immediate vicinity quickly and quietly
13. Utilising Staff to reinforce the message conveyed by the above-mentioned signage
14. Not permitting Customers or Members to take drinks with them when leaving the Premises
15. Utilising Quiet Marshals as and when required to assist with Dispersal
16. Requesting that SIA remain outside the premises for an appropriate and proportionate period after the last customer has left the Premises to ensure complete Dispersal
17. Recording any issues with Dispersal (whether caused by the Premises or not) as per the Premises' incident recording procedures
18. Reminding Staff and SIA leaving the Premises after their shifts that they too need to respect the needs of local residents and leave the Premises and the immediate vicinity quickly and quietly
19. Ensuring that a copy of this Policy is kept at the Premises and made available for inspection by Responsible Authority Officers
20. Keeping this policy under review and updating it as necessary

Local Transport Links:

- The nearest Taxi ranks are located as follows:
 - Regent Street (Hamley's) (Rank 5809) – 24 hours
 - Regent Street (Swallow Street) (Rank 5975) – 20:00 – 06:00
 - Brewer Street (Madame Jojo's) (Rank 5017) – 24 hours
 - Regent Street (Heddon Street) (Rank 5779) – 00:00 – 04:00

- Regent Street (Lillywhite's) (Rank 4978) - 24 hours
- The designated local Taxi companies are Addison Lee and Uber
- The nearest London Underground station is Piccadilly Circus, which is served by the following lines Piccadilly Line and Bakerloo Line. The Piccadilly Line is part of London Underground's Night Tube with services running throughout the night at weekends.
- The nearest National Rail station is Charing Cross.
- The nearest Bus Stops are V, E, L, and F (towards Baker Street, Great Portland Street, Marble Arch, or Aldwych/Parliament Square) which are served by the following routes:
 - 12
 - 88
 - 94
 - 139
 - 159
 - 453
 - N3 (night bus)
 - N15 (night bus)
 - N18 (night bus)
 - N109 (night bus)
 - N113 (night bus)
 - N136 (night bus)
- Public transport information can be obtained from the following websites and social media accounts:
www.tfl.gov.uk - @TfL
www.nationalrail.co.uk - @nationalraileng
www.thetrainline.com - @thetrainline
- Customers may also wish to use ride hailing or ride sharing apps such as Uber, Gett etc.

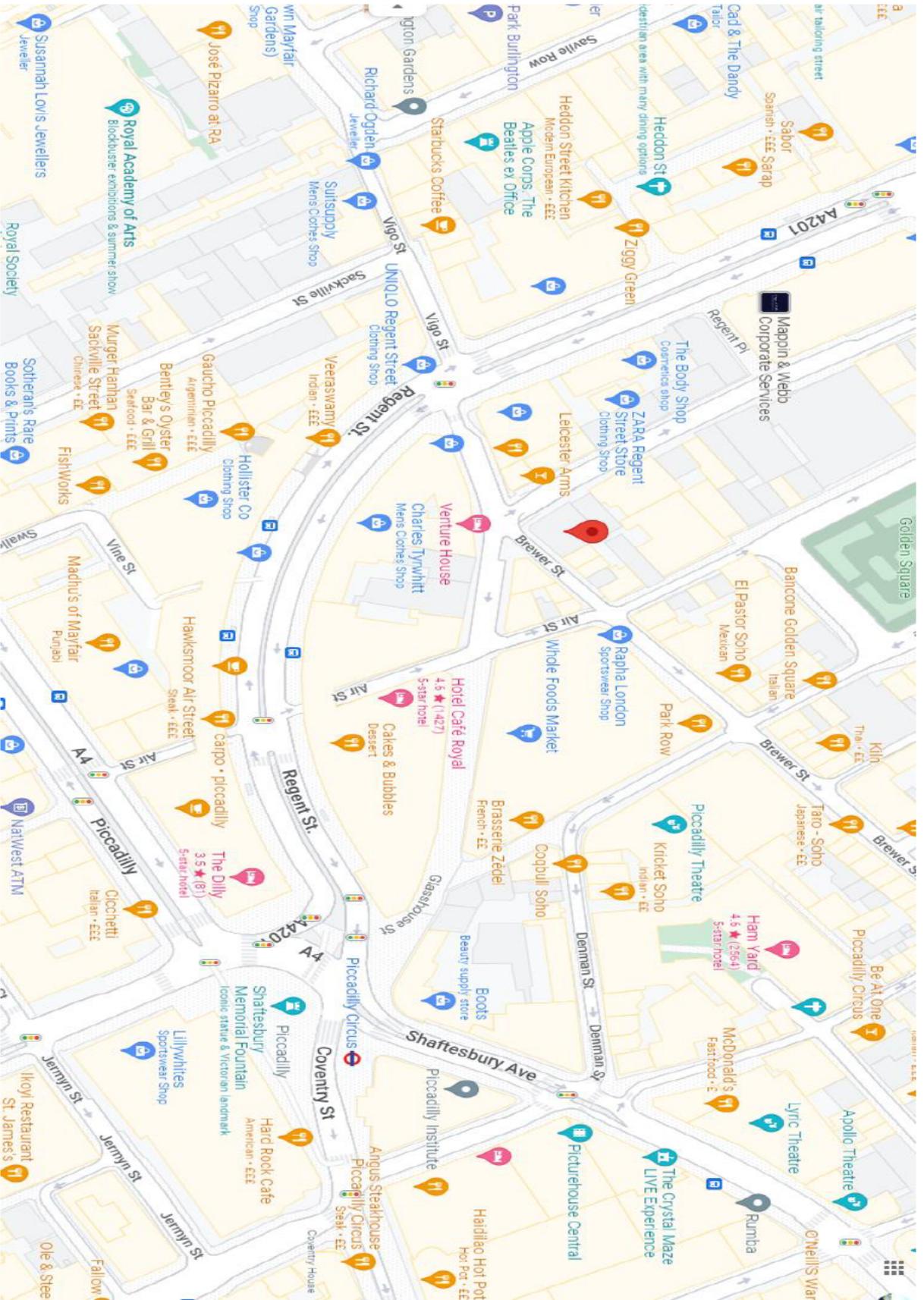
This Policy is the property of the Premises Licence Holder and may be updated from time to time to reflect changes in current operating practices.

For any queries regarding this Policy please contact Daniel
Thompson (Director of Operations)

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Appendix One
Local Area Map

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Appendix Two

Travel Information

- Standard Tube Map
- Standard Night Tube Map
- Night Tube taxi rank guide
- Tube Map with walking distances
- Tube Map with toilet facilities
- Central London Bus Map

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6



MG Warwick Street Propco Ltd
1-4 Warwick Street, London, W1B 5LR
Noise Impact Assessment

Prepared by: Richard Vivian, Big Sky Acoustics Ltd
On behalf of: MG Warwick Street Propco Ltd
Document Ref: 22051050
Date: 29th August 2022

Big Sky Acoustics document control sheet

Project title:	MG Warwick Street Propco Ltd 1-4 Warwick Street, London, W1B 5LR Noise Impact Assessment & Mitigation Strategy
Technical report number:	22051050
Site survey date:	4 th May 2022
Submitted to:	Luke Elford John Gaunt & Partners Kings Cross Business Centre 180 – 186 King Cross Road London WC1X 9DE acting on behalf of MG Warwick Street Propco Ltd
Submitted by:	Richard Vivian Big Sky Acoustics Ltd 60 Frenze Road Diss IP22 4PB 020 7617 7069 info@bigskyacoustics.co.uk
Prepared by:	Richard Vivian BEng(Hons) MIET MIOA MIOL Principal Acoustic Consultant

Document status and approval schedule

Revision	Description	Date	Approved
0	Approved for issue	29/08/2022	RV
1	Updated with latest (25.08.22) Dispersal policy	30/08/2022	RV

DISCLAIMER

This report was completed by Big Sky Acoustics Ltd on the basis of a defined programme of work and terms and conditions agreed with the Client. The report has been prepared with all reasonable skill, care and diligence within the terms of the contract with the Client and taking into account the project objectives, the agreed scope of works, prevailing site conditions and the degree of manpower and resources allocated to the project. Big Sky Acoustics Ltd accepts no responsibility whatsoever, following the issue of the report, for any matters arising outside the agreed scope of the works. This report is issued in confidence to the Client and Big Sky Acoustics Ltd has no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk. Unless specifically assigned or transferred within the terms of the agreement, Big Sky Acoustics Ltd retains all copyright and other intellectual property rights, on and over the report and its contents.

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1.0 Qualifications and experience

- 1.1 My name is Richard Vivian. I am the founder and director of Big Sky Acoustics Ltd. Big Sky Acoustics is an independent acoustic consultancy that is engaged by local authorities, private companies, public companies, residents' groups and individuals to provide advice on the assessment and control of noise.
- 1.2 I have a Bachelor of Engineering Degree with Honours from Kingston University, I am a Member of the Institution of Engineering & Technology, the Institute of Acoustics and the Institute of Licensing.
- 1.3 I have over thirty years of experience in the acoustics industry and have been involved in acoustic measurement and assessment throughout my career. My professional experience has included the assessment of noise in connection with planning, licensing and environmental protection relating to sites throughout the UK. I have given expert evidence in the courts, in licensing hearings, in planning hearings and inquiries on many occasions.

2.0 Introduction

- 2.1 Big Sky Acoustics Ltd was instructed by MG Warwick Street Propco Ltd to carry out an assessment of the impact of noise from the proposed licensable activities at 1-4 Warwick Street, London, W1B 5LR.
- 2.2 This report was prepared following detailed discussions with the applicant's team, a site inspection, examination of the existing planning consent and historic premises licence for the site, inspection of drawings and other documents.
- 2.3 A glossary of acoustical terms used in this report is provided in Appendix A.
- 2.4 All sound pressure levels in this report are given in dB re: 20µPa.

3.0 Site and surrounding area

- 3.1 The application site comprises the seven floors and a basement at 1-4 Warwick Street on the corner with Brewer Street. I am familiar with the area and have carried out noise assessments in the West End for many years.
- 3.2 The proposal is for a public restaurant/bar on the ground floor, a members' lounge and event space on the first floor, office and co-working space on the second to fifth floors, and a members' restaurant/bar on the roof.
- 3.3 Piccadilly Circus tube station is 170m south-east of the site, and (when the service is fully operational) the station will be at the centre of the night tube service which operates at weekends on the Victoria, Jubilee, and most of the Central, Northern and Piccadilly lines. In the week the first train is at 05:45hrs. London Buses routes 3, 6, 12, 13, 14, 19, 22, 38, 88, 94, 139, 159 and 453 and night routes N3, N15, N18, N19, N22, N29, N38, N97, N109 and N136 stop at Piccadilly Circus.
- 3.4 The noise climate is characterised by road noise including private cars, buses and taxis, pedicabs, some plant noise, and general pedestrian activity. Commercial

- aircraft are usually noticeable up until around 23:30hrs and then again from around 05:00hrs.
- 3.5 There are short duration noise peaks that occur at this location all through the night including emergency service sirens, police helicopters, refuse and recycling collections.
- 3.6 Beyond the dispersal of the majority of patrons from licensed premises (post-04:00hrs) pedestrian activity reduces and significant noise incidents are due to servicing of the area with street-sweepers, hand-carts and mechanical machinery, as well as general waste and recycling collections. Multiple refuse and recycling operators working in this area resulting in many vehicles servicing the same streets. Subjectively the period of least activity in the area is between 04:00 to 05:00hrs as most premises have closed and patrons departed, but this does not reflect significantly in the average noise data measured near roads as vehicles continue to operate, including deliveries and other servicing for commercial premises. By 05:00hrs there are deliveries occurring, predominantly to restaurants. Cleaners, including window cleaners, operate through the night but their activity increases around 05:00hrs with cleaners entering retail premises and offices. By 06:00hrs there is a noticeable increase in traffic and increased pedestrian activity.
- 3.7 There are 24-hour restaurants, stores and casinos in the area as well as early opening cafés.
- 3.8 The site of the premises, which has undergone significant refurbishment, was previously operated as The Warwick in the basement and ground floors, with offices above. The Warwick was a well known lively bar operated by Stonegate Group and featured a large bar, with high levels of amplified music, that traded until 03:00hrs.
- 3.9 It is important when assessing the impact of noise from an individual premises in an area that the concept of *additional* noise associated with the specific activity of that premises is taken into account. The incremental change to noise levels caused by the normal operation of a licensed premises in an area where there is already established noise and activity could be so small as to be undetectable when it is masked by the existing noise in the area.
- 3.10 It is of note that the private member elements of this application offer greater controls on patron behaviour (through club rules) than a more conventional pub, and therefore has a considerably lower impact than the previous licensed premises on this site.
- 3.11 It is also a consideration that a bona-fide commercial premises in the area can reduce street drinkers, rough sleeping, litter, street urination and other crime as the commercial operation seeks to eliminate this type of activity from the immediate surroundings for the benefit and safety of their own patrons and employees. This is achieved through good lighting, CCTV coverage, litter removal and a presence of professional personnel at the entrance who will be able to observe and record all activity in the immediate area.



Figure 1: Application site at the corner of Warwick Street and Brewer Street



Figure 2: View of Brewer Street façade

4.0 Criteria

- 4.1 Planning Application 20/02247/FULL was granted on 18th December 2020 for *"Use of the building as a private members' club (sui generis) comprising office space and bedroom accommodation with ancillary functions and a publicly accessible restaurant / bar (sui generis) at part ground and basement levels. Erection of a new sixth floor and creation of terraces at rear first, fourth, fifth and new sixth floor level. Installation of plant with associated screening at sixth floor level and alterations to the elevations to include the installation of new shopfronts on the Brewer Street and Warwick Street elevations"*.
- 4.2 The application was accompanied by a noise assessment prepared by Scotch Partners LLP dated 25th March 2020 which also referenced an earlier report by Hoare Lea ref: REP-1010990-5A-RI-20190130.

Licensing Act 2003

- 4.3 The Licensing Act 2003 requires Westminster City Council, in its role as Licensing Authority, to carry out its various licensing functions so as to promote the following four licensing objectives:
- The prevention of crime and disorder
 - Public safety
 - The prevent of public nuisance
 - The protection of children from harm
- 4.4 Each objective is of equal importance. It is important to note that there are no other licensing objectives, therefore these four are of paramount importance at all times. The Licensing Authority must base its decisions, in relation to determining applications and attaching any conditions to licences, on the promotion of these licensing objectives.
- 4.5 The Licensing Act 2003 further requires this Licensing Authority to publish a Statement of Licensing Policy (SLP) that sets out the policies the Licensing Authority will apply to promote the licensing objectives when making decisions on applications made under the Act. The current Statement of Licensing Policy (revision 7) has been operative since 1st October 2021.
- 4.6 The SLP seeks to balance the interests of business and residents to make sure that Westminster continues to offer a wide choice of high quality and well managed entertainment and cultural venues within an environment that is safe and attractive to residents, business and visitors.
- 4.7 Policy PN1 addresses the prevention of public nuisance identifying the potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of nuisance occurring. Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to restrict the generation of noise within the premises and from activities associated with the premises in the vicinity, limit the escape of noise from the premises, restricting

noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping, minimise and control noise from customers arriving at the premises and departing from it, minimise and control noise from staff, contractors and suppliers and their activities, minimise and control noise from vehicles associated with and providing services to the premises and their customers.

- 4.8 Appendix 11 of the Statement of Licensing Policy provides guidance on noise.
- 4.9 When it comes to the evaluation of noise under the Licensing Act an understanding of the concept of *public nuisance* is essential. Public nuisance is not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include, in appropriate circumstances, the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.
- 4.10 Once those involved in making licensing decisions are satisfied of the existence of a public nuisance, or its potential to exist, the question is how to address it. Home Office Guidance¹ is useful in this regard and explains that in the context of noise nuisance conditions might be a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time, noting that conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable.
- 4.11 The guidance is clear that any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community.
- 4.12 The guidance also states that any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. (This is why there is still a need for a licence for performances of live music between 11pm and 8am even though it is deregulated at other times).
- 4.13 As with all conditions, those relating to noise nuisance may not be appropriate in circumstances where provisions in other legislation adequately protects those living in the area of the premises.

Other relevant legislation

- 4.14 In addition to the protection afforded under the planning controls for this use, and the Licensing Act 2003, members of the public are protected from noise that is a nuisance.

¹ Revised Guidance issued under section 182 of the Licensing Act 2003, April 2018

- 4.15 The Environmental Protection Act 1990 part III deals with statutory nuisance which includes noise. This Act allows steps to be taken to investigate any complaints which may then result in the issuing of an abatement notice and a subsequent prosecution of any breach of the notice. A statutory nuisance is a material interference that is prejudicial to health or a nuisance.
- 4.16 The Clean Neighbourhoods and Environment Act 2005 deals with many of the problems affecting the quality of the local environment and provides local authorities with powers to tackle poor environmental quality and anti-social behaviour in relation to litter, graffiti, waste and noise. A fixed penalty notice can be issued when noise exceeds the permitted level at night as prescribed under the Noise Act 1996 as amended by the Clean Neighbourhoods and Environment Act 2005. The permitted noise level using A-weighted decibels (the unit environmental noise is usually measured in) is 34dBA if the underlying level of noise is no more than 24dBA, or 10dBA above the underlying level of noise if this is more than 24dBA.
- 4.17 The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as "*conduct that has caused, or is likely to cause, harassment, alarm or distress to any person*"; "*conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises*"; or "*conduct capable of causing housing-related nuisance or annoyance to a person*". The Act contains a range of powers intended to support Local Authority and partner bodies deal with anti-social behaviour. These include powers of premises closure in cases of nuisance or disorder which may support primary legislation.

British Standard 8233

- 4.18 BS8233:2014 states that for steady external noise sources, it is desirable that the internal ambient noise level in dwellings does not exceed the guideline values in the table shown below.

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB $L_{Aeq,16hour}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16hour}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16hour}$	30dB $L_{Aeq,8hour}$

Figure 3: Indoor ambient noise levels for dwellings (from BS8233 Table 4)

- 4.19 Annex G of BS8233 informs that windows, and any trickle ventilators, are normally the weakest part of a brick and block façade. Insulating glass units have a sound insulation of approximately 33 dB R_w and, assuming suitable sound attenuating trickle ventilators are used, the resulting internal noise level ought to be determined by the windows. If partially open windows are relied upon for background ventilation, the insulation would be reduced to approximately 15 dB.

Operational objectives

- 4.20 The applicant is keen to promote good relationships with all commercial and residential neighbours. Therefore, in addition to all statutory obligations, it is a primary operational objective that noise from the normal commercial operation of One Warwick does not have a detrimental impact on the neighbourhood.
- 4.21 Operational procedures have been discussed with the applicant and will evolve as required based on experience of operating the site. A draft Noise Management Policy can be found at Appendix E, and a draft Dispersal Policy at Appendix F of this report.
- 4.22 All noise management procedures which will be regularly reviewed and updated.

5.0 Balancing planning and licensing noise conditions

- 5.1 The guidance issued under Section 182 of the Licensing Act 2003 is clear in its general principles (Para 1.16) that *"[licencing conditions] should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation"*. Therefore if the objective of the prevention of public nuisance is satisfactorily upheld because there already exist tests of nuisance through The Environmental Protection Act 1990; The Noise Act 1996; and The Clean Neighbourhoods and Environment Act 2005, then additional conditions on a premises licence that merely duplicates these statutory requirements should not be necessary according to Home Office guidance.
- 5.2 Similarly planning guidance has, for a long time, stated that additional planning conditions which duplicate the effect of other legislation should not be imposed, and current planning practice guidance is clear that conditions requiring compliance with other regulatory requirements will not meet the test of necessity and may not be relevant to planning.
- 5.3 The House of Lords Select Committee in its 2017 post-legislative scrutiny of the Licensing Act² found that *"it is not only permissible but logical to look at licencing as an extension of the planning process"*. In its most recent follow-up report³ of 2022 the Committee concluded that it *"is disappointed that no practical progress has been made to address the lack of coordination between the licencing and planning systems. It is clear that issues between the two systems remain and we regret that there has been no initiative from Government to take forward the work undertaken to explore solutions"* (Paragraph 31) and adds *"The Government must consider the coordination between the licencing and planning systems in its ongoing planning reforms in the Levelling-up and Regeneration Bill to ensure new proposals do not further exacerbate tensions between the two systems"* (Paragraph 34).

² Select Committee on the Licensing Act 2003, The Licensing Act 2003: post-legislative scrutiny (Report of Session 2016–17, HL Paper 146)

³ Liaison Committee on the Licensing Act 2003, The Licensing Act 2003: post-legislative scrutiny follow-up report (2nd Report of Session 2022–23, HL Paper 39)

- 5.4 The Local Government Association Licensing Act 2003 Councillor's handbook⁴ states that *"Whilst there is a clear distinction and separation between licensing and planning in terms of their remit, councillors have a key role in ensuring that these two different services are fully joined-up and aligned. Where this doesn't happen councils can struggle to shape their areas as they would like them to be."*
- 5.5 The pragmatic approach to specifying noise control conditions would be that the more general criteria relating to the principle of the design and use of the site are applied under the planning regime and more specific requirements relating to the operational control of licensable activities such as hours of operation, the requirement for controls on regulated entertainment, or the need for a noise limiter on a sound system, are more effectively implemented and enforced through the licensing process.

6.0 Predicted noise of patrons leaving the site

- 6.1 We hold a library of noise data for the immediate area and various noise surveys were carried out for this site during the planning application. The lowest reported background noise level for the night period (23:00-07:00) for the site was measured⁵ as 49dB $L_{A90,15min}$. These data correlate with other planning application noise surveys for the street and are typical for the area.
- 6.2 It is helpful to compare this existing noise with the predicted noise of a group of patrons in an area outside the premises.
- 6.3 In order to assist in the understanding of actual noise levels produced by people outdoors it is important to understand the effects of the noise source (i.e. people talking) and how that noise level increases as the number of people talking increases. Referring to relevant international standards⁶ for human speech sound level, and also data held in our own library, normal conversation is typically in the range of 54-60dBA when measured at 1 metre.
- 6.4 In assessing for a worst-case condition then I have considered a larger than expected group of 20 people are talking outside the premises as they leave at the end of the evening.
- 6.5 In normal conversation no more than 50% of them would be talking (there will be at least one listener for each talker). If we now consider people to be talking at the upper end of the normal speaking range, and look at a worst case scenario of half of the people talking concurrently at 60dBA, then in order to calculate the total noise level we logarithmically sum 10 sources of 60dB as follows:

⁴ Local Government Association, Licensing Act 2003 – Councillor's handbook (England and Wales) (July 2021)

⁵ Long term, unattended noise level measurements captured between Thursday 13th December 2018 and Saturday 22nd December 2018, and between Friday 4th January 2019 and Thursday 10th January 2019. The microphone was at roof level and had a generally unobstructed view of the Brewer Street / Warwick Street intersection below. Hoare Lea REP-1010990-5A-RI-20190130-Planning Noise Assessment Report-Rev01

⁶ ISO 9921:2003 Ergonomics - Assessment of speech communication, Annex A, Table A1 shows the vocal effort of a male speaker and related A-weighted speech level (dB re 20 μ Pa) at 1 m in front of the mouth. The table indicates that relaxed vocal effort is 54dB, and normal vocal effort is 60dB.

$$\Sigma = 10 \log \left(n \times 10^{\left(\frac{60}{10}\right)} \right)$$

where n is the number of people talking

- 6.6 The formula above gives a value for total sound pressure level for a group of 20 people to be 70dBA⁷.
- 6.7 It is important to remember that this is a worst-case value, when 50% of the people are talking simultaneously and loudly. In reality general lulls in the conversation, smoking, or conversations where there are more than one listener to each talker mean that less than 50% of an average group will be talking simultaneously. I have also observed that groups walking in close proximity to each other will splinter into smaller groups of two, and talk with more hushed voices than static groups of people spread out, for example, in a pub beer garden seated around a large table and surrounded by other talkers.
- 6.8 Sound is attenuated in air and this effect is noticeable as the listener moves away from the source. In a free field for every doubling of distance from a noise source the sound pressure level L_p will be reduced by 6 decibels.

$$\begin{aligned} L_{p2} - L_{p1} &= 10 \log (R_2 / R_1)^2 \\ &= 20 \log (R_2 / R_1) \end{aligned}$$

where

L_{p1} = sound pressure level at location 1 (dB)

L_{p2} = sound pressure level at location 2 (dB)

R_1 = distance from source to location 1

R_2 = distance from source to location 2

A "free field" is defined as a flat surface without obstructions.

- 6.9 In calculating distance attenuation, the noise of people talking is assumed to be a number of discrete point sources so if the noise source is 70dBA at 1 metre, then at 2 metres it is attenuated to 64dBA, at 4 metres 58dBA, and so on.
- 6.10 Attenuation due to distance means that a separation distance of 12 metres renders the sound of 20 people talking in normal conversation to be below the lowest background noise level of 49dB L_{A90} and this typically equates to being subjectively inaudible. A further attenuation of the noise source is achieved by the insertion of any physical barrier that obscures direct line-of-sight from the receptor position to the source position.
- 6.11 Another consideration for patrons leaving premises late at night is the use of cars or taxis. Only a significant increase to traffic flow (i.e. doubling the rate of vehicle

⁷ Alternative calculation method according to Growcott, D (Consideration of Patron Noise from Entertainment Venues, Australian Association of Acoustical Consultants Guideline, Australia, 2009) using $L_{Aeq} = 21 * \log(N) + 43$ gives 70.3dBA and therefore shows very close correlation

passes per hour) would give rise to a significant increase in noise level above that already established.

- 6.12 When assessing noise from cars or taxis collecting people maximum noise levels may arise from a car door being closed. Data from similar sites (measured by ourselves and held at our office) indicates that values from 65dB L_{Amax} (Mercedes C-Class, normal close) to 70dB L_{Amax} (slam) as measured at 5 metres are typical.
- 6.13 The predicted internal noise level from a car door being closed when extrapolated to a first floor window immediately above would be approximately 59dB L_{Amax} . This value is below the highly stringent WHO guidance value⁸ of 60dB L_{Amax} outside a bedroom window.
- 6.14 To summarise, the noise arising from car doors are not likely to generate any loss of amenity even at a first floor flat window directly above the car door being slammed with clear line of sight and with a window open. The reality is also that this noise source is subsumed by the existing noise levels in the area.
- 6.15 Any new residential developments in the area will be required to take into account the existing noise climate due to road traffic and other noisy activity and will therefore have to provide suitable internal noise levels for normal living. This is typically achieved with modern glazing and ventilation systems.
- 6.16 The average person wishing to rest or sleep in an urban location would protect themselves from the sounds of traffic, emergency service sirens, delivery lorries, refuse collections, street cleaning, noise from commercial businesses and other activity. This may be achieved by sleeping in rooms away from roads, avoiding sleeping near open windows or closing windows and using alternative means of ventilation.
- 6.17 Inside a residential property all external noise sources are attenuated by the glazing, by the distance from the noise source to the window, and by any physical obstruction of clear line of sight to the noise source.

7.0 Mitigation strategy - remedial works to building

- 7.1 Substantial works to the building have been carried out under the requirements of planning permission (20/02247/FULL) including upgrades to the acoustic specification of glazing systems and doors at street level.
- 7.2 The planning process considered that noise from the proposed activities could be reasonably contained by the building envelope and layout of the roof terraces so as to protect residential amenity and so it is reasonable to consider that noise breakout from the premises would be controlled to such an extent as to uphold the licensing objective of the prevention of public nuisance.

⁸ World Health Organisation. Guidelines for Community Noise, 2000.

8.0 Mitigation strategy - sound system configuration

- 8.1 A high quality sound system that is optimally configured will sound dynamic and more involving to customers than a low quality system that is poorly set up. Low grade music systems tend to be operated at a higher level in an attempt by operators to make the system sound more involving. The result is poor quality sound and a higher risk of music noise breakout.
- 8.2 Consideration will be given to directivity of loudspeakers. Location and directivity characteristics of loudspeakers will be selected to achieve even dispersion in customer areas only without overlapping from multiple sources.
- 8.3 Crossover points to wall mounted mid-high loudspeakers should be >100Hz.
- 8.4 Multiple locations of bass speakers should be avoided, ideally placing bass loudspeakers in one central location in smaller rooms. Bass loudspeakers should be fed with a mono signal.
- 8.5 All signal processing equipment will be secured in a locked room/rack to restrict unauthorised adjustment of controls. It is good practice when setting up a system that amplifier gains should either be set to maximum, with the gain controlled upstream in system processing equipment, or if signal quality issues dictate using the maximum dynamic range of the signal processing equipment (a common design approach when using DSP controllers) then amplifier gain controls will be reduced and so should be secured behind tamper-proof panels. All other positive gain controls will be behind tamper-proof covers or, in the case of dsp-based system controller, protected by a security password.
- 8.6 The sound system must be configured so that a defined maximum operating level cannot be exceeded regardless of the input level.
- 8.7 Once installed the sound system should be periodically checked to ensure that the maximum operating level does not cause a nuisance at the nearest noise sensitive property. Assessment should be carried out, wherever possible, from the nearest noise sensitive property itself at a time when ambient noise is at its lowest (but within normal operating hours of the premises).
- 8.8 In summary, the sound system must be installed and operated to efficiently reproduce sound in the internal customer areas without causing excessive noise elsewhere. Correct speaker locations, fixing methods and system configuration (crossover points, limiter settings, and system equalisation) can achieve high-quality sound without causing noise breakout to other properties. A dedicated limiter device may not be required if a suitable digital system controller is programmed with compression/limiting/gain functions to accurately control maximum sound level and then locked so that it cannot be adjusted.
- 8.9 Consideration should also be given to the design of the room acoustics. When a room has flat walls, flat hard surfaced floors, and may contain flat glass and mirrors, with parallel walls and parallel floor/ceiling the acoustic space can be problematic for high quality sound reproduction and also for the comfort of patrons. Interior designs that favour a luxurious scheme of soft furnishings, upholstered seating and carpeted areas will increase the acoustic absorption in the space and

enhance quality of sound reproduction. This will also create a more comfortable environment for conversation.

- 8.10 As a general rule of thumb soft furnishings, irregularity of room shape, and clutter will improve the acoustics of any space. Tables, chairs and other furniture will help to break-up the space and the room acoustics will improve as the space fills up with patrons. However discreet use of acoustic absorption (hidden in wall and ceiling linings or three-dimensional artworks) should be used for minimalist design schemes in order to improve the acoustic environment.
- 8.11 In summary the desirable acoustic objectives in an interior design scheme for good sound reproduction and comfortable conversation are:
- ✓ To increase absorption by using soft wall coverings, soft furnishings and carpets, or where this is not appropriate to introduce discreet dedicated acoustic absorption panels.
 - ✓ To break up large expanses of flat hard surfaces by the introduction of furniture and decorative features.
- 8.12 Improving the acoustic qualities of the room gives an improvement, not just in the quality of the sound system, but also in the perceived loudness as amplified music will be subjectively assessed as more dynamic and more exciting.
- 8.13 Reducing reverberation also reduces noise in staff work areas and therefore assists with controlling staff noise exposure levels.

9.0 Mitigation strategy - operational controls

- 9.1 A draft Noise Management Policy can be found at Appendix E, and a draft Dispersal Policy at Appendix F of this report.
- 9.2 These procedures will be regularly reviewed and updated. Noise management procedures will be an integral part of all employee training.
- 9.3 Additional controls are proposed for the roof terrace. Westminster City Council in its SLP recognises that eating and drinking outdoors is increasingly popular, and the smoking ban inside premises has increased the number of people outside premises smoking or accompanying smokers. In order to prevent public nuisance, it is necessary to consider the extent of eating and drinking that will take place outdoors and the measures that may be appropriate to ensure that nuisance is not created.
- 9.4 Core Hours Policy HRS1 defines core hours for outdoor spaces for licensable activities as Monday to Thursday: 9am to 11.30pm, Friday and Saturday: 9am to Midnight, Sunday: 9am to 10.30pm and Sundays immediately prior to a bank holiday: 9am to Midnight. Although this element of the SLP is directed more towards events, outdoor concerts, Christmas Markets etc., it does provide an indication of acceptable cut-off times for activities outside.
- 9.5 The proposal is that the roof terrace will be for members and guests only. There will be no regulated entertainment on the roof terrace and the area will close no

later than 23:00hrs. The maximum capacity is calculated at 80 persons although it is envisaged the area will rarely be at capacity later in the evening.

- 9.6 The nature of the British climate will dictate that sitting outside, regardless of the creature comforts provided, will not be a desirable activity during cold and wet weather.
- 9.7 There are many premises with outside spaces at roof level and, subject to appropriate controls, they operate without any negative impact on the licensing objectives. A significant benefit of these spaces is that a safe and secure smoking area can be provided within the confines of the building and so eliminate patrons having to exit the building and stand in the street to smoke.

10.0 Appendix 11 Risk Assessment

- 10.1 A risk assessment has been prepared to assist the Environmental Health Consultation Team make an assessment of the risk of any increase in public nuisance in the area due to the use of these premises.
- 10.2 The building is located 170m north-west of Piccadilly Circus at the junction of two well-known roads and in an area well-served by public transport. There is existing activity from other late night licensed premises in the area, and of course there was substantial and arguably quite boisterous activity on the site during its previous operation as The Warwick.
- 10.3 Lower level noises from the normal commercial activity of the premises such as patrons and staff entering and leaving the building will be below the existing ambient noise level in the street.
- 10.4 This is a high end operation with a private members element and will not operate as a discounted drinks operation attracting crowds of vertical drinkers.
- 10.5 Amplified music is contained by the building envelope and high quality sound systems are proposed with tamperproof limiters. Recommendations have been made to check the sound system limiter operation periodically.
- 10.6 The main entrance is supervised. The style of operation of multiple smaller elements, rather than one single larger venue, mean that queueing will not be a feature and patrons will quickly enter the building.
- 10.7 Signage at the exits will request that all patrons respect the neighbours and be quiet as they leave.
- 10.8 Patrons requiring public transport are well served by the many night bus and night tube options at this location.
- 10.9 Employee training includes emphasis of the importance to minimise noise from patrons as they depart from the venue.
- 10.10 This site has multiple elements with a public restaurant/bar, a members' lounge and event space, a members' restaurant/bar as well as office and co-working space

on the second to fifth floors. The use is diverse and so arrivals and departures are not concurrent across all the uses. Therefore activity at the site will have a lower impact than one large premises open to the public.

- 10.11 The outdoor areas will be closely supervised and limited in occupancy and hours of operation. No regulated entertainment will occur on the roof terrace.
- 10.12 The team behind One Warwick are committed to work in partnership with the relevant authorities and to maintain good relations with the local community, and accordingly will be receptive to any reasonable suggestions proposed.

11.0 Conclusions

- 11.1 Big Sky Acoustics Ltd was instructed by MG Warwick Street Propco Ltd to carry out an assessment of the impact of noise from the proposed licensable activities at 1-4 Warwick Street, London, W1B 5LR.
- 11.2 This assessment makes reference to the Licensing Act 2003, City Of Westminster Statement of Licensing Policy, the Environmental Protection Act 1990, the Clean Neighbourhoods and Environment Act 2005, the Noise Act 1996, the Anti-Social Behaviour, Crime and Policing Act 2014, British Standard 8233, relevant industry guidance, and the operational objectives of the applicant.
- 11.3 All noise from licensable activity inside the premises will be contained within the building. Calculations indicate that noise from patrons as they leave will be below the existing background noise level for the area and therefore comfortably in compliance with the licensing objective of the prevention of public nuisance.
- 11.4 Given this location, the style of operation, proposed controls and willingness to take on board further controls if necessary, it is my professional opinion that the normal operation of the premises would not result in an increase in noise levels in the area around the application site.



Richard Vivian BEng(Hons) MIET MIOA MIOL
Principal Acoustic Consultant, Big Sky Acoustics Ltd

Appendix A - Terminology

Sound Pressure Level and the decibel (dB)

A sound wave is a small fluctuation of atmospheric pressure. The human ear responds to these variations in pressure, producing the sensation of hearing. The ear can detect a very wide range of pressure variations. In order to cope with this wide range of pressure variations, a logarithmic scale is used to convert the values into manageable numbers. Although it might seem unusual to use a logarithmic scale to measure a physical phenomenon, it has been found that human hearing also responds to sound in an approximately logarithmic fashion. The dB (decibel) is the logarithmic unit used to describe sound (or noise) levels. The usual range of sound pressure levels is from 0 dB (threshold of hearing) to 140 dB (threshold of pain).

Frequency and Hertz (Hz)

As well as the loudness of a sound, the frequency content of a sound is also very important. Frequency is a measure of the rate of fluctuation of a sound wave. The unit used is cycles per second, or hertz (Hz). Sometimes large frequency values are written as kilohertz (kHz), where 1 kHz = 1000 Hz. Young people with normal hearing can hear frequencies in the range 20 Hz to 20,000 Hz. However, the upper frequency limit gradually reduces as a person gets older.

A-weighting

The ear does not respond equally to sound at all frequencies. It is less sensitive to sound at low and very high frequencies, compared with the frequencies in between. Therefore, when measuring a sound made up of different frequencies, it is often useful to 'weight' each frequency appropriately, so that the measurement correlates better with what a person would actually hear. This is usually achieved by using an electronic filter called the 'A' weighting, which is built into sound level meters. Noise levels measured using the 'A' weighting are denoted dBA. A change of 3dBA is the minimum perceptible under normal everyday conditions, and a change of 10dBA corresponds roughly to doubling or halving the loudness of sound.

C-weighting

The C-weighting curve has a broader spectrum than the A-weighting curve and includes low frequencies (bass) so it can be a more useful indicator of changes to bass levels in amplified music systems.

Noise Indices

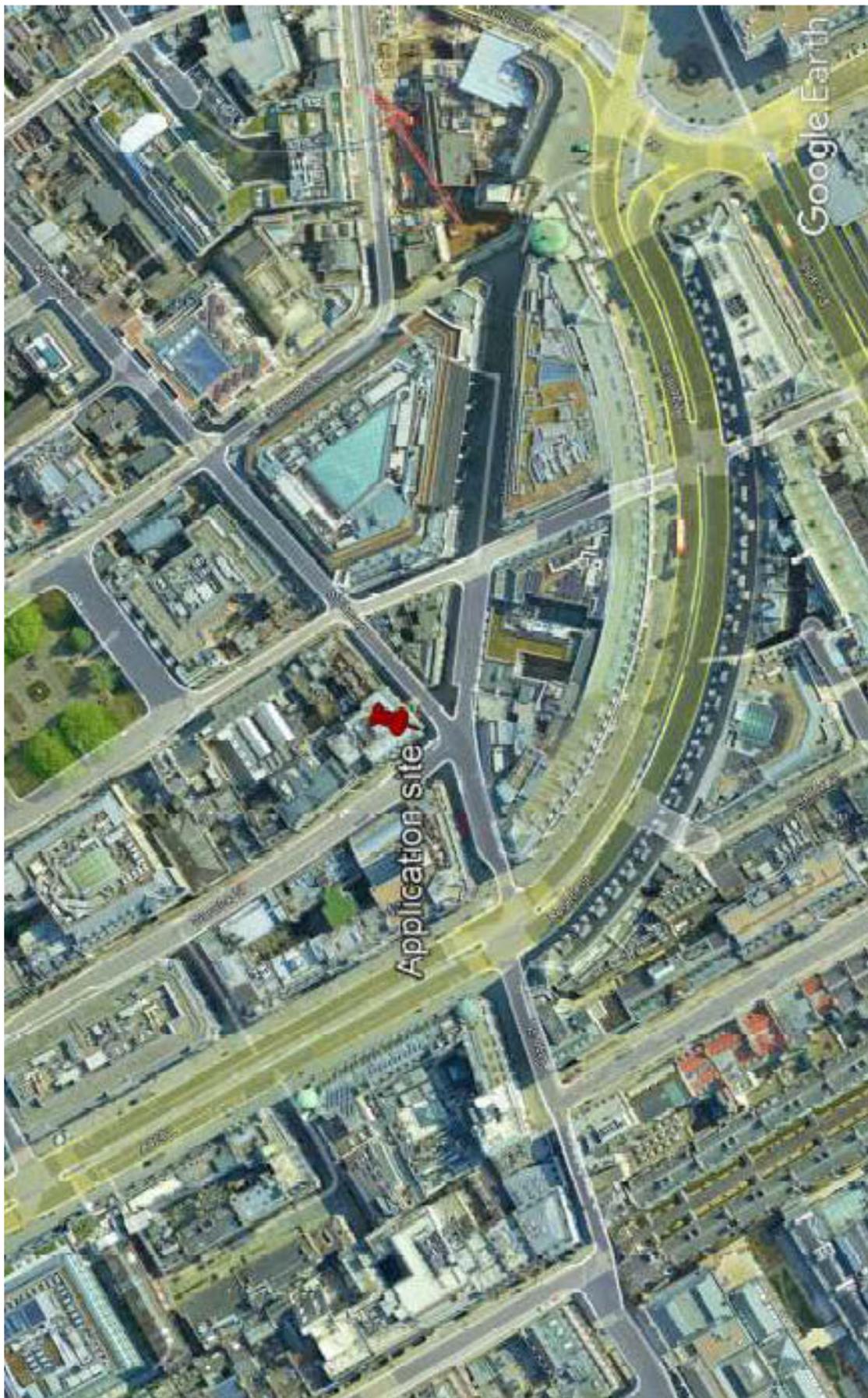
When a noise level is constant and does not fluctuate over time, it can be described adequately by measuring the dB level. However, when the noise level varies with time, the measured dB level will vary as well. In this case it is therefore not possible to represent the noise level with a simple dB value. In order to describe noise where the level is continuously varying, a number of other indices are used. The indices used in this report are described below.

- L_{eq}** The equivalent continuous sound pressure level which is normally used to measure intermittent noise. It is defined as the equivalent steady noise level that would contain the same acoustic energy as the varying noise. Because the averaging process used is logarithmic the L_{eq} is dominated by the higher noise levels measured.
- L_{Aeq}** The A-weighted equivalent continuous sound pressure level. This is increasingly being used as the preferred parameter for all forms of environmental noise.
- L_{Ceq}** The C-weighted equivalent continuous sound pressure level includes low frequencies and is used for assessment of amplified music systems.
- L_{Amax}** is the maximum A-weighted sound pressure level during the monitoring period. If fast-weighted it is averaged over 125 ms, and if slow-weighted it is averaged over 1 second. Fast weighted measurements are therefore higher for typical time-varying sources than slow-weighted measurements.
- L_{A90}** is the A-weighted sound pressure level exceeded for 90% of the time period. The L_{A90} is used as a measure of background noise.

Example noise levels:

Source/Activity	Indicative noise level dBA
Threshold of pain	140
Police siren at 1m	130
Chainsaw at 1m	110
Live music	96-108
Symphony orchestra, 3m	102
Nightclub	94-104
Lawnmower	90
Heavy traffic	82
Vacuum cleaner	75
Ordinary conversation	60
Car at 40 mph at 100m	55
Rural ambient	35
Quiet bedroom	30
Watch ticking	20

Appendix B - Application site location



Appendix C - Instrumentation

All attended measurements were carried out using a Cirrus type CR:171B integrating-averaging sound level meter with real-time 1:1 & 1:3 Octave band filters and audio recording conforming to the following standards: IEC 61672-1:2002 Class 1, IEC 60651:2001 Type 1 I, IEC 60804:2000 Type 1, IEC 61252:1993 Personal Sound Exposure Meters, ANSI S1.4-1983 (R2006), ANSI S1.43-1997 (R2007), ANSI S1.25:1991. 1:1 & 1:3 Octave Band Filters to IEC 61260 & ANSI S1.11-2004.

Description

Cirrus sound level meter	type CR:171B
Cirrus pre-polarized free-field microphone	type MK:224
Cirrus microphone pre-amplifier	type MV:200E
Cirrus class 1 acoustic calibrator	type CR:515

Appendix D - Meteorology

4 th May 2022	Temperature	Wind speed	Precipitation
At start	18°C	0ms ⁻¹	None
During assessment	18°C	0-1ms ⁻¹	None
At finish	18°C	0ms ⁻¹	Heavy shower
Additional comments: Warm late spring day with some rain at the end of the site visit.			

Appendix E - Noise Management Policy

We operate a considerate business. The premises is located in a busy city centre location surrounded by other late night uses however, there are residential properties in the area and we will aim to manage all noise from our premises so we do not disturb people resting and sleeping in their homes. We have a comprehensive approach to managing noise from our premises. The following points are critical to our Noise Management Policy and are used in conjunction with our end of night Dispersal Policy:

- We will ensure that noise emanating from our premises will not cause a nuisance at any residential property.
- Arrangements are in place to ensure that deliveries will only take place between the hours of 07:00 - 23:00hrs, Monday-Friday except where access at other times is unavoidable and specific procedures are in place to limit disturbance.
- Glass recycling can make noise. No empty bottles are to be tipped or thrown into outside storage receptacles between 23:00 - 07:00hrs.
- Refuse collections are made at the times allocated for the area. We will ensure that waste is correctly packaged and that refuse can be removed quickly and efficiently. We do not leave waste on the pavement.
- Our sound systems include a limiter which is set and locked so that the sound system cannot operate beyond a preset maximum level. This will be periodically checked for effective operation.
- Any glass or bottles in the immediate vicinity of the premises will be cleared from street furniture, walls, pavements and gutters then safely disposed of. Bottles and glasses will not originate from our premises because we do not allow them outside the premises, but we still make an effort to keep the public areas tidy and safe.
- We are proud of the area we work in. We will endeavour to keep the area clean and attractive for our customers and our neighbours. This means dealing with debris outside that may have nothing to do with us but in the interests of making this a better area we will still clear it up.
- We will constantly review our Noise Management Policy and respond quickly to the needs of our neighbours.

Appendix F - Dispersal Policy (last revision: 25.08.22)

1 . W a r w i c k

DISPERSAL POLICY

Objective:

The purpose of this Policy is to promote the Licensing Objectives, particularly The Prevention of Public Nuisance Licensing Objective. To do that, the Premises Licence Holder, Management, and Staff will utilise this Policy to ensure that Dispersal from the Premises and immediate vicinity takes place in an orderly fashion.

Why do we do this:

1 Warwick is a considerate business and aims to be a good neighbour to other businesses and residents alike. Failing to manage Dispersal in the correct way can lead to the Licensing Objectives being undermined, complaints from our neighbours, and a diminishment of our relationship with the Responsible Authorities. In extreme cases, it can lead to enforcement action being taken against the Premises.

Key Definitions:

- **Customers** - those who have visited the ground floor bar and/or ground floor restaurant for the purpose of Licensable Activities
- **Dispersal** - the manner in which Customers, Members, and Staff leave the Premises and the immediate vicinity
- **Licensable Activities** - as per the Licensing Act 2003
- **Licensing Authority** - means Westminster City Council
- **Licensing Objectives** - as per the Licensing Act 2003
- **Members** - those people who have visited any part of the Licensed Premises who are members or their guests. For the purpose of this policy only this also includes persons attending a private, pre-booked event at the Premises
- **Permitted Hours** - the hours for Licensable Activities as per the Premises Licence
- **Policy** - this Dispersal Policy
- **Premises** - 1 Warwick, 1-4 Warwick Street, London W1B 5LR
- **Premises Licence** - means [insert premises licence reference number]
- **Premises Licence Holder** - means MG Warwick Street Opco Ltd

- **Quiet Marshals** - members of Staff employed by the Premises Licence Holder specifically to assist with the Dispersal of Customers
- **Responsible Authority** - as per the Licensing Act 2003
- **Responsible Authority Officer** - an officer of a Responsible Authority
- **SIA** - door supervisors licensed by the Security Industry Authority
- **Staff** - those who are employed by the Premises Licence Holder for the purpose of providing Licensable Activities

The Premises Licence Holder will do this by:

1. Utilising a wind-down period at the end of Permitted Hours to assist with Dispersal. The wind-down period may include, for example, stopping or slowing sales of alcohol, increasing the lighting, stopping, or slowing any music being played at the Premises
2. Making sure that Staff are suitably briefed and trained in this Policy
3. Making sure that any externally contracted SIA are suitably briefed and trained in this Policy
4. Making sure that Staff are aware of the relevant transport links and can deal with queries from Customers and Members
5. Making sure that any externally contracted SIA are aware of the relevant transport links and can deal with queries from Customers and Members
6. Maintaining contact details for taxi firms
7. Endeavouring to direct Customers and Members away from the Premises down towards Piccadilly Circus (via Glassblower and Air Streets) or out towards Regent Street (via Glassblower Street)
8. Politely asking Customers and Members not to disperse up Brewer Street or Warwick Street
9. Politely asking Customers and Members who appear to be waiting outside the Premises for a taxi to wait inside the Premises.
10. Asking taxis called by the Premises to collect on Brewer Street and not on Warwick Street
11. Suggesting to Customers and Members booking taxis that

the optimum pick-up point is on Brewer Street

12. Displaying appropriate and proportionate signage at exits from the Premises asking Customers and Members to respect the needs of residents and leave the Premises and the immediate vicinity quickly and quietly
13. Utilising Staff to reinforce the message conveyed by the above-mentioned signage
14. Not permitting Customers or Members to take drinks with them when leaving the Premises
15. Utilising staff members as Quiet Marshals as and when required to assist with Dispersal
16. Requesting that SIA remain outside the premises for an appropriate and proportionate period after the last customer has left the Premises to ensure complete Dispersal
17. Recording any issues with Dispersal (whether caused by the Premises or not) as per the Premises' incident recording procedures
18. Reminding Staff and SIA leaving the Premises after their shifts that they too need to respect the needs of local residents and leave the Premises and the immediate vicinity quickly and quietly
19. Ensuring that a copy of this Policy is kept at the Premises and made available for inspection by Responsible Authority Officers
20. Keeping this policy under review and updating it as necessary

Local Transport Links:

- The nearest Taxi ranks are located as follows:
 - Regent Street (Hamley's) (Rank 5809) - 24 hours
 - Regent Street (Swallow Street) (Rank 5975) - 20:00 - 06:00
 - Brewer Street (Madame Jojo's) (Rank 5017) - 24 hours
 - Regent Street (Heddon Street) (Rank 5779) - 00:00 - 04:00
 - Regent Street (Lillywhite's) (Rank 4978) - 24 hours
- The designated local Taxi companies are Addison Lee and Uber

- The nearest London Underground station is Piccadilly Circus, which is served by the following lines Piccadilly Line and Bakerloo Line. The Piccadilly Line is part of London Underground's Night Tube with services running throughout the night at weekends.
- The nearest National Rail station is Charing Cross.
- The nearest Bus Stops are V, E, L, and F (towards Baker Street, Great Portland Street, Marble Arch, or Aldwych/Parliament Square) which are served by the following routes:
 - 12
 - 88
 - 94
 - 139
 - 159
 - 453
 - N3 (night bus)
 - N15 (night bus)
 - N18 (night bus)
 - N109 (night bus)
 - N113 (night bus)
 - N136 (night bus)
- Public transport information can be obtained from the following websites and social media accounts:

www.tfl.gov.uk - @TfL

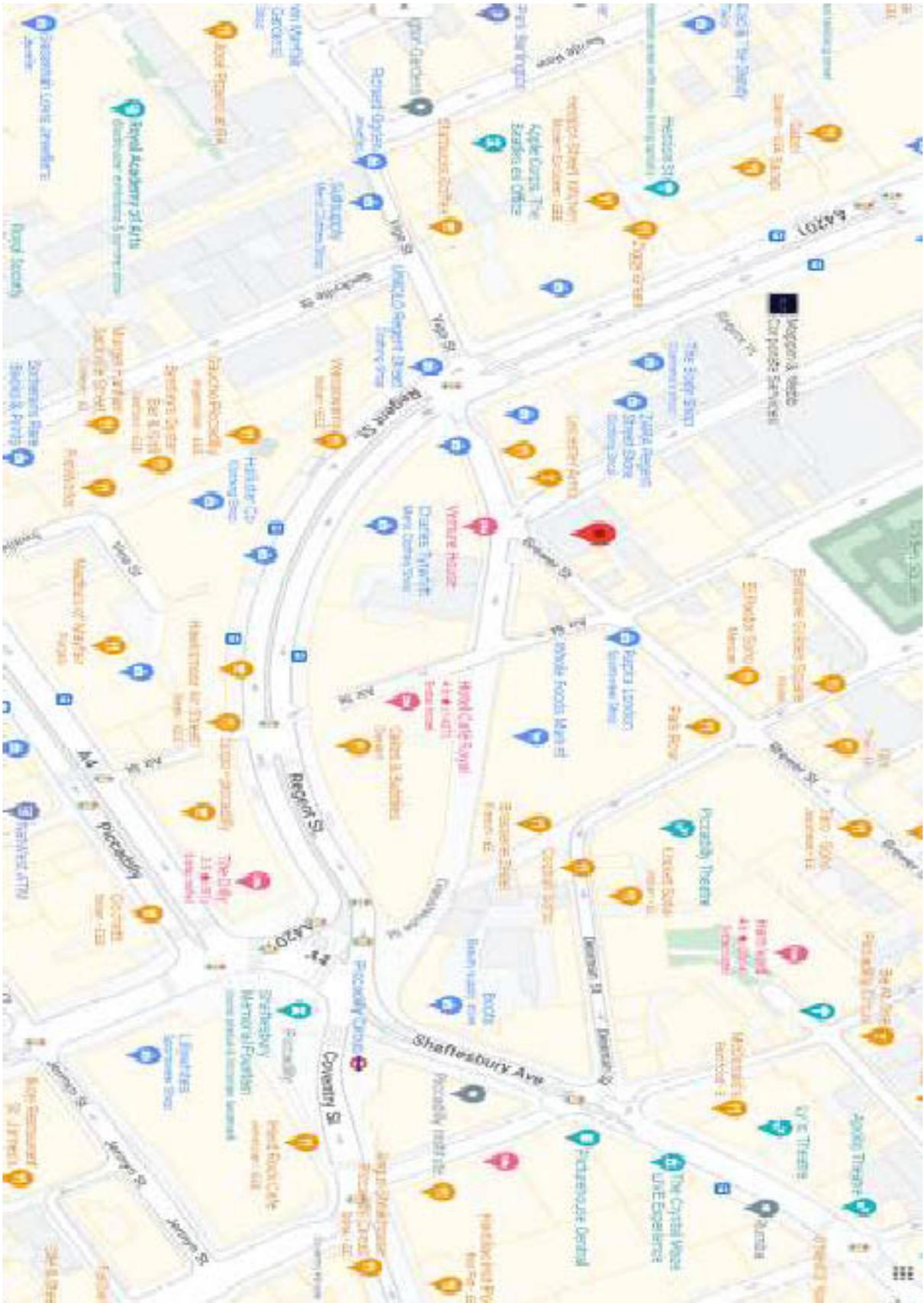
www.nationalrail.co.uk - @nationalraileng

www.thetrainline.com - @thetrainline
- Customers may also wish to use ride hailing or ride sharing apps such as Uber, Gett etc.

This Policy is the property of the Premises Licence Holder and may be updated from time to time to reflect changes in current operating practices.

For any queries regarding this Policy please contact Daniel Thompson (Director of Operations)

Appendix One Local Area Map

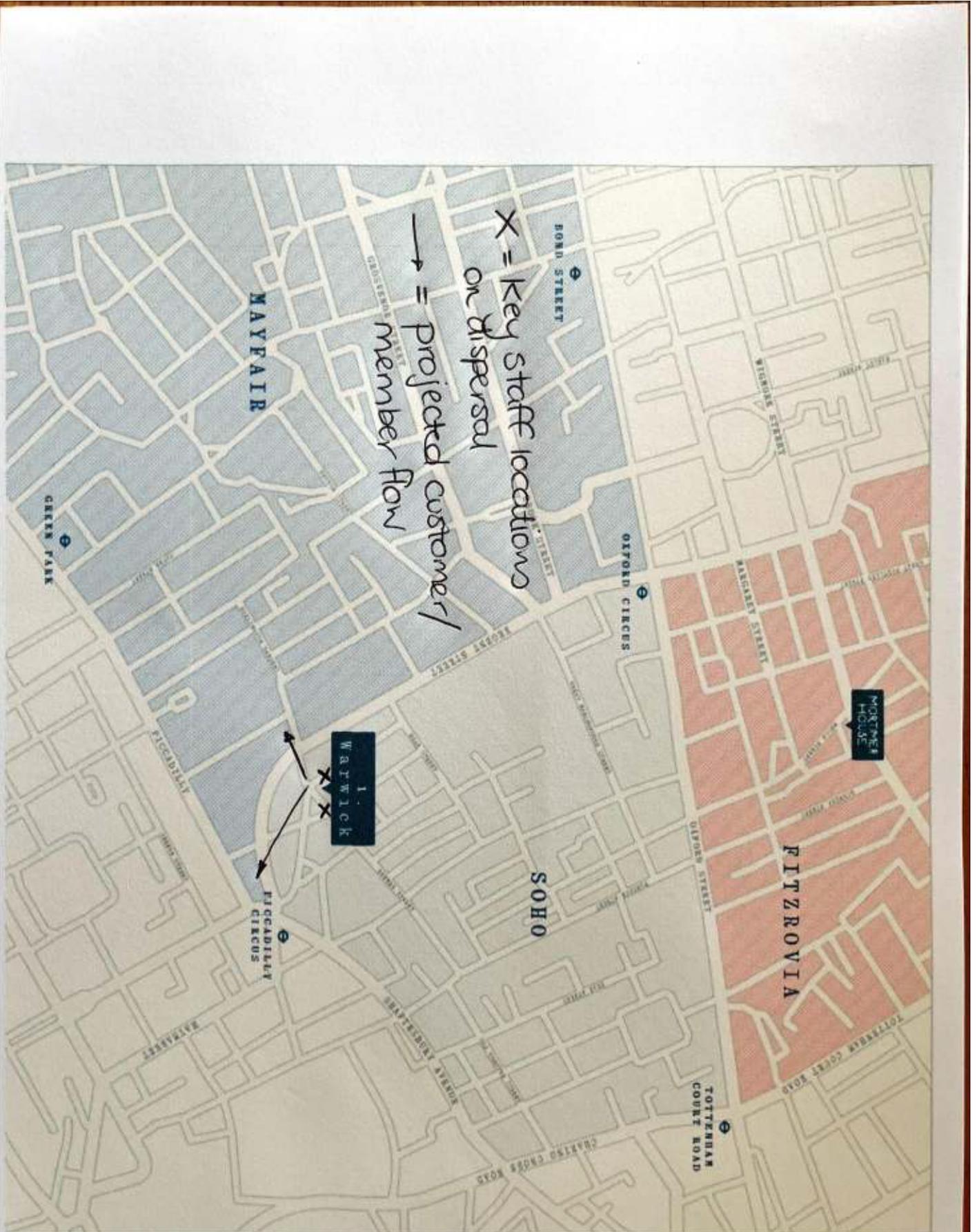


Appendix Two Travel Information

- **Standard Tube Map**
- **Standard Night Tube Map**
- **Night Tube taxi rank guide**
- **Tube Map with walking distances**
- **Tube Map with toilet facilities**
- **Central London Bus Map**

Appendix Three

Dispersal Staff Location Plan & Projected Customer/Member Flow



7

**INDEPENDENT REPORT FOR
WESTMINSTER CITY COUNCIL'S
LICENSING SUB-COMMITTEE
8 SEPTEMBER 2022**

1 WARWICK

**1-4 WARWICK STREET
LONDON W1B 5LT**

By Andrew Bamber

INTRODUCTION

1. I have been asked by Luke Elford of John Gaunt and Partners to prepare a report in relation to the application for a premises licence at 1 Warwick, 1-4 Warwick Street, London W1B 5LT. As part of that report, I have been asked to review the operation of Mortimer House at 37-41 Mortimer Street, London W1T 3JH, which is a premises operated by the same owners and which, if this application is granted, operates in a similar manner to the proposed premises.
2. Mortimer House is a seven-story building in Fitzrovia that is within the West End Buffer Special Consideration Zone. It is located at the corner of Mortimer Street and Wells Street.
3. The venue provides workspaces to suit a variety of business requirements. There are private offices, communal workspaces, team rooms, relaxation areas, and event spaces on secured levels above the ground floor.
4. In addition to the workspace areas there is a members' gymnasium in the basement, a members' lounge on the fifth floor and a members' roof bar/terrace at roof level.
5. The ground floor houses a restaurant and bar that members of the public have unrestricted access to.
6. There are 2 separate entrances to the building. One on Mortimer Street, that is used by people working in the office accommodation and workstation facilities, and another entrance on the corner of the building at the junction with Mortimer Street and Wells Street that is for the use of people using the restaurant and outside tables.
7. My assessment is completely independent of my instructing solicitor and the owner and the managers of the venues. I have no personal involvement with the applicant or any business or resident in the area.

8. I am able to evaluate the application and the representations made based upon my extensive experience and qualifications.

9. In brief I have been.
 - A Divisional Licensing Inspector for a busy and challenging London Borough.
 - The Operations Manager for the Central London Clubs & Vice unit.
 - A Detective Chief Inspector managing divisional crime data, statistics, and investigations.
 - A senior detective (Investigating Officer).
 - A Borough Commander for 2 London Boroughs, including the London Borough of Brent, responsible for developing and delivering local policing plans that include the night-time economy challenges; and
 - As an Assistant Director in Local Government for 10 years. I was responsible for the Safer Communities portfolio that included the development and delivery of the Partnership Community Safety Strategy. I was directly responsible for the Licensing function and the night-time economy, problem solving local crime and ASB hotspots and the Anti-social behaviour enforcement teams. I was also responsible for the Drug and Alcohol Treatment programmes for the borough.

10. I acknowledge that as an expert witness my primary duty is to the Licensing Sub-Committee, and if necessary, to the Court. All facts identified in this report are true to the best of my knowledge and experience. They were either witnessed or experienced by me personally or relayed to me in good faith and appear to be credible and reliable.

11. The opinions I have expressed within in this report are honestly held and correct to the best of my judgement and belief based on my extensive experienced in the field.

My fee for preparing this report is not conditional on the opinions I have stated within or the eventual outcome of the case.

12. I have been supplied with documents that relate to a proposed venue in Warwick Street.
 - The application for a premises licence.
 - A document setting out proposed conditions.
 - Plans for the venue.
 - The operational management plans.
 - Representations

13. In addition to the documents that I was provided with, I:
 - Read Westminster City Council's Statement of Licensing Policy;
 - Conducted a site visit to 1-4 Warwick Street and the surrounding area; and
 - Visited Mortimer House at 37-41 Mortimer Street, London, W1T 3JH on 4 separate occasions.

14. I am aware that the proposed venue at 1-4 Warwick Street will operate in a similar fashion to Mortimer House, which sits in the West End Buffer Special Consideration Zone. 1-4 Warwick Street is in the Westminster City Council's West End Cumulative Impact Area.

15. The purpose of the 4 visits to Mortimer House was to provide an objective assessment of the type of operation that is proposed at 1-4 Warwick Street, to assess the management controls operating in a similar environment (Mortimer Street) and the impact of the operation on the licensing objectives.

MY VISITS

First Visit (Thursday 28th April 2022)

16. The first visit to the venue was pre-arranged so that I could access the whole building, view the members areas, and orientate myself to understand the different levels and how club members and members of the public accessed the building.
17. I arrived outside the building at 20.00 and watched the venue for approximately 30 minutes.
18. Mortimer House sits on the southeast corner of the junction of Mortimer Street and Wells Street W1. It is a well-appointed building covering 7 levels. (See photograph in appendix 2).
19. Tables and chairs were set out along the building line of Mortimer Street and Wells Street with awnings above. It had the appearance of a well-maintained external area that was being supervised by a member of staff. A number of people were sitting at the tables with drinks and they were in conversation at a normal level.
20. The building has 2 entrances. One at the end of the building in Mortimer Street and one on the corner of the building facing the junction of Mortimer Street and Wells Street.
21. My impression was that the entrance at the end of the building in Mortimer Street was a private entrance and the one on the corner of the building was a public entrance.
22. I entered the venue by the corner entrance and was immediately greeted by a member of staff standing beside a reception table. After explaining the purpose of my visit, I was invited to sit at the end of the bar while the manager was called to escort me around the venue.

23. The ground floor was set out as a restaurant and bar. It was particularly well appointed and laid out to tables and chairs with adequate staff working the area. There was background music and all of the customers in the restaurant were seated. Nobody was standing at the bar. Adjacent to the restaurant and bar, close to the entrance, is a lounge area set out with lounge chairs and low tables. A number of people were sitting, drinking and talking. It was apparent that the area was set aside for people to sit and wait for their tables or to sit after their meal.
24. The restaurant appeared to be operating to capacity and the customer base was a mixture of all ages, including family groups.
25. I was greeted by the manager of Mortimer House and taken on a tour of the building starting with the basement.
26. The basement area contains a well-equipped gymnasium with shower and changing facilities.
27. On the ground floor, the other entrance to the venue that is in Mortimer Street was supervised by a member of the door security team. The entrance is solely for members, and it is secure. People entering through this secure entrance are vetted before being able to access other levels of the building. Access to other floors is either via the stairs or by lift.
28. Customers in the restaurant area, who are not members, are unable to move between the restaurant and the private part of the building and the doorway between the two spaces is access-controlled.
29. Above the ground floor, levels 1-4, were clearly set out as office space, meeting rooms, individual workspaces, and breakout areas. During my visit a number of individual workspaces were in use, and the members area was hosting a business

event. These levels clearly offered high-quality meeting, working, and entertainment facilities for members.

30. At rooftop level there is a very small bar area with an outside terrace. The bar area and terrace were set out with seating and tables. Members were sitting in the bar and out on the terrace in conversation while drinking. The bar and terrace were well supervised with a number of staff, the conversational noise levels were exceptionally low, and there was subtle background music.
31. The conversation and music levels on the terrace were not causing a public nuisance at street level and, even with virtually no traffic noise, no noise emanated from the building or roof terrace even when I strained to listen for it.
32. During this visit I gained a clear impression that the primary purpose of the upper floors of Mortimer House is to provide a high-quality working environment for businesses and individuals. Ancillary to this is the provision of a members' lounge, members' bar, and the gym. The ground floor provides a restaurant that is accessible to both the members of Mortimer House and members of the public.

Second Visit (Thursday 4th August 2022)

33. This visit was unannounced, and I did not identify myself to any member of Mortimer House.
34. I arrived outside the venue at 11.30. Tables and chairs were set out under awnings along the building line in Wells Street and Mortimer Street..
35. There were a number of people sitting at the street tables on both sides of the building. People were either talking or using mobile devices and they had cups and glasses on the tables.

36. I spent over an hour walking in and around the junction of Wells Street and Mortimer Street watching the building.
37. It was clear that people were using 2 entrances to access the building.
38. The entrance set in the corner of the building at the junction of Mortimer Street and Wells Street had the doors open. This is the entrance to the advertised Mortimer House Kitchen.
39. Throughout my observation the people sitting at the tables, under the awnings, were being served by staff using the restaurant entrance. These customers also accessed the building by this entrance and returned to their tables.
40. People who appeared to be customers for the main restaurant were also using this entrance.
41. The entrance door at the end of the building in Mortimer Street was closed. People using this entrance arrived or left carrying either rucksacks or bags. Some people arrived by bicycle I walked past the entrance a number of times and as I looked in through the curtained window into the reception area I could make out a member of staff sat at the reception desk.
42. After an hour and a half (13.00) I entered the restaurant as a customer. I was met just inside the door by a member of staff who was standing beside a small reception station.
43. The restaurant has a casual seating area set to the left as you enter. The bar is set along the left side of the restaurant with an open kitchen at the far end. Adjacent to the open kitchen on the left is additional restaurant seating in what is called the conservatory. It is a glass covered area at the bottom of a courtyard situated between Mortimer House and other buildings.

44. Customers were sitting at tables in both the main restaurant and the conservatory. The clientele appeared to be mainly 30+ years of age. I gained the impression that some tables were business meetings, some were celebratory, and others were social catchups.
45. The casual seated area was used by people arriving and waiting for their dining partners or to sit for a short while after their meal to continue a discussion over a coffee etc.
46. I selected a table where I had an excellent view of the entire restaurant.
47. Throughout my visit nobody stood or sat at the bar to drink. All beverages were served by waiters at the dining tables, the casual seated area, or the tables outside.
48. From my previous visit I was aware of a service/members doorway at the end of the bar that allowed staff and members to move between the main office block and the restaurant area. Staff were easily identifiable, and it was clear that this route was only used by members of staff during my visit. Each time a member of staff used the connecting door to leave the restaurant and enter the business environment they appeared to use something to electronically swipe entry.
49. I remained in the restaurant for 2 hours. Throughout that time the restaurant was busy with diners in both the main restaurant and the conservatory. There were no issues or incidents of concern. There was no movement of people, other than staff, between the restaurant and the business areas.
50. My opinion of the afternoon activities was that it was a very well managed local restaurant that managed itself in line with the licensing objectives and did not negatively impact upon the licensing objectives or the Special Consideration zone.

Third Visit (Friday 5th August 2022)

51. I conducted a further visit the following day to cover the evening operation. This visit was unannounced, and I did not identify myself to anybody in the venue.
52. I arrived at the junction of Wells Street and Mortimer Street just after 18.00. The street scene was as it was the previous day for the afternoon period.
53. Tables and chairs were set out along the building line under the awnings and customers were sitting at tables on both sides of the building. Some were talking and drinking, and others appeared to be having a light meal.
54. During a 2-hour period I monitored both entrances to the building and the seating area outside the restaurant.
55. The activity around the venue was very similar to the lunch time period the previous day.
56. Customers seated outside were served at their tables by waiting staff. Restaurant customers were using the entrance on the corner of the building, the door was open and no noise emanated from the restaurant.
57. People were leaving the building via the business entrance/exit, all carried bags and a number left the building with a bicycle and rode away. As I walked past the entrance/exit it was clear that the business reception was covered by a member of staff.
58. The environment around the venue was quiet and calm.
59. Just before 20.00 I entered the restaurant and was immediately met by a member of staff who was standing just inside the entrance.
60. I selected the same table as the previous day and again had an excellent view of the entire restaurant area.

61. The environment was very similar to the previous day. Couples and groups were enjoying a meal and in conversation. The bar area did not have customers and all drinks were being served by waiting staff.
62. The door at the end of the bar that connects the restaurant, and the business area of the building was being used occasionally by members of staff who swiped a security device to open the door to gain access to the business reception area.
63. I remained in the restaurant for just over 2 hours, and nothing changed. It was a calm and comfortable environment. Nothing about the setting, during any of my visits, gave me any cause for concern and it was evident that the venue was not a vertical drinking establishment.
64. On leaving the restaurant I remained close to the junction watching the venue. All of the seating outside the venue was now clear of customers.
65. As I moved west along the north side of Mortimer Street I looked back at the building. Other than the ground floor and the 6th floor, all of the office lights were switched off. As I moved further along the road, I could make out lights that appeared to be the roof terrace. No noise emanated from any part of the building.
66. Just after 22.30 I noticed that the lights on the roof had been turned off and a member of staff was outside the venue and had started to stack the outside seating.
67. At 23.00 the tables and chairs were stacked on the pavement ready to be taken inside and the last customers were leaving the restaurant.
68. As with the visit the previous day I found no areas of concern with the behaviour and conduct of the staff or any of the customers or members. The integrity of the separation between the business environment and the public restaurant and bar was well maintained.

69. Again, the licensing objectives were promoted to a high level, giving no cause for concern whatsoever. There was absolutely nothing that would negatively impact upon the licensing objectives or the Special Consideration zone.

Fourth Visit (Wednesday 17th August)

70. My fourth visit to the venue was to look at the members area of the venue, specifically the members' lounge on the 5th floor, the Loft and Gallery (event space) on the 6th floor, and the roof terrace on the 7th Floor.
71. The visit had to be sanctioned by Daniel Thompson the Operations Director who supplied me with an email to present at reception to gain entry. Mr Thompson had no knowledge when I would visit Mortimer House.
72. I arrived outside Mortimer House at about 20.00. The venue was operating exactly as it had done on my previous visits.
73. During the hour that I spent outside I saw a number of people exit the building by the office entrance/exit. The individuals were well dressed, they carried smart carrier bags, and I gained the impression that they had been at some type of event.
74. At 21.00 I walked to the business entrance, opened the door and I was immediately greeted by a member of the security staff who was sitting behind a reception counter.
75. I explained the purpose of the visit and produced my email of introduction. The member of staff then called the restaurant manager to the reception. I then met Asti Razaei. She was clearly unaware of my intended visit, and I explained that I would like to visit all of the floors in the building. She read the email and then agreed to show me around.

76. Floors 1 through 4 were office accommodation and it was clear from the office signage that companies had rented large spaces on each of the 4 floors. Although the lights were on there were no workers in the offices.
77. The 5th floor was set out to a well-appointed members' lounge. There were 2 people sitting in easy chairs working on laptop computers. There was a bar situated midway in the lounge that was appeared closed. The manager explained that the members bar had closed at 21.00 that evening, but that it can stay open until 01:30 depending on demand. She explained that if a member wanted a drink and the bar was closed they could use the members app on a smart device to order a drink.
78. On the 6th floor was an entertainment area called the Loft and Gallery, which I took to be an event space. As I stepped into the room it was clear that there was an event there that was drawing to a close. The event was a cosmetic sales event and people were leaving carrying smart carrier bags. There was no excessive noise, alcohol had clearly been supplied and there was no evidence of any intoxication. It appeared to be a well-managed sales event.
79. On the 7th floor I was shown the roof terrace that was closed for the evening. Asti Razaei explained that the terrace had been closed because of bad weather.
80. We returned to the ground floor where the manager explained the access door between the office complex and the restaurant. Members can walk freely from the office environment into the restaurant and bar. However, when they leave the bar/restaurant to return to the office accommodation they have to use their office security card to electronically open the door. Members of the public and guests are unable to walk between the two environments without a security card.

CONCLUSION

81. I did not find any concerns in relation to the licensing objectives on any of my visits. Both the public restaurant and the office environment were very well managed. On

all four visits to the venue the environment was calm, and there was no vertical drinking, or poor or anti-social behaviour.

82. Having read the online literature about Mortimer House and the Mortimer House Kitchen the description was exactly what I found when visiting the venue.
83. I have seen artists' impressions of the various spaces being constructed at 1 Warwick. All look very similar to Mortimer House in terms of layout and décor.
84. Whilst 1 Warwick is yet to open, having assessed the Mortimer House operation I am of the opinion that a similar operation in Warwick Street will not negatively impact upon the licensing objectives or the Cumulative Impact Zone.



Andrew Bamber

26th August 2022

8

FOOD DESIGN

SEASONAL

Utilizing the best of British produce at its peak throughout the seasons

ORIGINAL

Having originality in the food but still offering something relatable

SIMPLE

Simple execution using open flamed cooking adding depth of flavour

BALANCE

The menu has to have balance and be able to offer something for everyone taking into account things like dietary requirements and ethical choices. Rather than offering substitutes on dishes, it can focus on celebrating the dish creativity



KITCHEN

SNACKS & SMALL PLATES

RAREBIT CROQUETTES, GRAPE HUSK MUSTARD
BBQ SPICED WHITEBAIT, TARTARE SAUCE
OX-CHEEK & GRUYERE TOASTIE, HOT SAUCE
BRAWN TERRINE, PICKLES, TARRAGON MAYO
PARSNIP HUMMUS, TRUFFLE, CHARRED FLAT BREAD
DUCK EGG SALAD, GENTLEMAN'S RELISH
RABBIT SAUSAGE ROLL, PRUNE KETCHUP

RAW & CURED

WHITSTABLE BAY OYSTERS, LONDON PORTER
ISLE OF HARRIS SALMON TARTAR, RADISH SALAD
MORECAMBE BAY BROWN SHRIMP COCKTAIL
DRESSED BRIXHAM CRAB, OYSTER MAYONNAISE
CURED TRUFFLE SALAMI, RAPESEED AIOLI
RAW SCALLOP, APPLE AND PINE NUT, HIMALAYAN SALT

VEGETABLES, GRAINS & SALAD

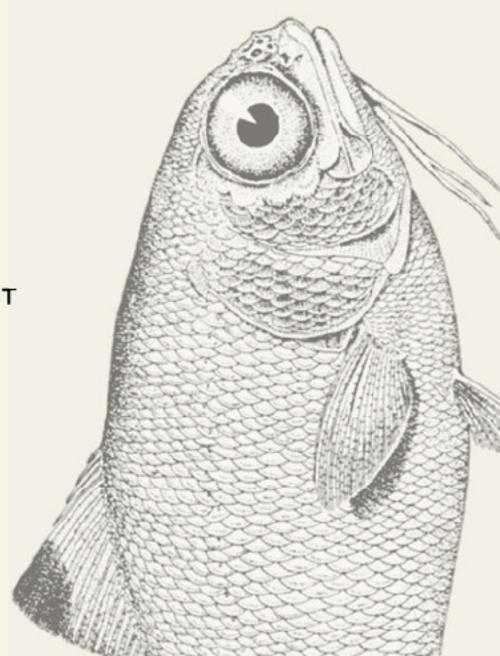
FENNEL, KALE, APPLE & PICKLED WALNUT SALAD, RANCH DRESSING
SMOKED BEETROOT & HONEY TART, RADISH SALAD
BLACKENED CAULIFLOWER, TAHINI YOGHURT & CHILLI, GREEN SAUCE
POTATO DUMPLINGS, CONFIT DUCK YOLK & TRUFFLE
CELERIAC GRATIN, SOURDOUGH BREADCRUMBS, PECORINO
CHARRED LITTLE GEM, PINE NUT, FENNEL & ROASTED CARROT DRESSING

FISH, SHELLFISH & MEAT

SKATE WING, SUMMER GREENS AND BROWN SHRIMP
SLOW-COOKED PIGS' CHEEK, PEPPERCORN SAUCE
STEAMED OX-TAIL SUET PIE, HOMEMADE MUSHY PEAS
BUTTERMILK POACHED COD, 'NDUJA WHITE BEAN STEW
ROAST TURBOT, PINK FIR POTATOES, CAPER AND PARSLEY SALAD
CORNISH CLAMS & MUSSELS, CIDER, PARSLEY & FARMHOUSE LOAF
RIB OF GALLOWAY BEEF, REBLOCHON POTATOES, BEEF DRIPPING TOAST

SIDES

BEEF DRIPPING CHIPS
HERITAGE CARROTS, TOASTED HAZELNUTS, HERB PESTO
HASSELBACK POTATOES, PARMESAN, CREME FRAICHE & TRUFFLE
PARSLEY, LOVAGE & CAPER SALAD



KITCHEN

STRAWBERRY CHEESECAKE

Kentish strawberries, Vacherin cheese

DOUBLE CHOCOLATE BROWNIE

Peanut butter, marshmallow

CHERRY PIE

Almond ice cream

JAM ROLLY POLLY

Plum jam custard

CUSTARD TART

spiced creme fraiche

WELSH RAREBIT

Farmhouse loaf, truffle

CHEESE

Daily cheese, black pepper biscuit

TEA & COFFEE

Espresso, Americano, Macchiato, Cappuccino Café
Latte, Flat white, Mocha, Hot chocolate

English breakfast, Earl Grey, Darjeeling, Green tea,
Chamomile,

KITCHEN

EGGS

EGGS ANY STYLE

Cotswolds hens eggs, cooked any style, toasted farmhouse loaf

EGGY BREAD

Banana eggy bread, caramelized banana, maple pecans

OMELETTE

Omelette Arnold bennett, herb salad

CRAB BENEDICT

Brixham crab claws, poached eggs, English muffin, Béarnaise sauce

GREEN HAM AND EGGS

Bacon chop, fried eggs, green sauce

EGG & CRUMPET

Beef dripping crumpet, black pudding, confit duck yolk

BRUNCH

PORRIDGE

5 grain porridge, toasted seeds, fruit compote

HOT BREAKFAST

Oxford sausage, bacon chop, fried hen's egg

PANCAKES

Buttermilk pancakes, English strawberries, clotted cream ice cream

WARRICK BOWL

Spiced quinoa, buckwheat & avocado with poached eggs and toasted seeds

HASH

Black pudding & potato hash, homemade brown sauce

BREAKFAST BAP

Fried 'Arlington white' hen's egg, smoked bacon, avocado, hot sauce, brioche bun

SUNDAY ROAST

RIB OF GALLOWAY BEEF

Reblochon potatoes, beef dripping toast, bone marrow

WHOLE DAY BOAT FISH

Peas, onions, butter lettuce, green sauce

LAMB RUMP

Olive, fennel and caper salad, mint sauce

BLACKENED CAULIFLOWER

Soured cream, Parmesan, truffle

SIDES

BACON	3.00	FARMHOUSE LOAF	2.50
HASH BROWN	3.75	BLACK PUDDING	3.75
SPINACH	3.50	SAUSAGE	3.50
MUSHROOM	2.00	CRUMPET	2.00
AVOCADO	2.75	BEANS	2.75

KITCHEN

TOASTIES

HAM & CHEESE

Honey roast ham with Emmental cheese

CRAB MAYO

Crab mayonnaise, mixed herbs on rye

OX-CHEEK & GRUYERE

Braised ox-cheek with gruyere on sourdough

TUNA MELT

Tuna mayo with jalapeno and cheese

REUBEN

Corned beef, Swiss cheese, sauerkraut & Russian dressing on rye bread.

CHEESE & MUSHROOM

mature cheddar with slow cooked portobello mushroom

SANDWICHES

BRISKET BAP

Slow cooked brisket with fried egg and pickled chilli

CHIP BUTTY

Triple cooked chips with mushroom ketchup in a brioche bun

ALL DAY BAP

Brioche bun, fried egg, dry cured bacon

FISH FINGER SARNI

Homemade fish finger sandwich, tartar sauce

WELSH RAREBIT

Toasted sourdough with a mustard cheese sauce

VEGGIE NEW YORKER RYE

Emmental cheese, pickled red cabbage, gherkins on rye

CHILLI CHEESE NAAN

Grilled naan bread with cheese & chives

ICE CREAM SANDWICH

Strawberry shortcake / mint choc chip / vanilla & honey

SALAD, GRAINS & PASTA

KALE & FENNEL SALAD

Fennel, kale, apple and pickled walnut salad, ranch dressing

BLACKENED CAULIFLOWER

Blackened cauliflower, tahini yoghurt & chilli, green sauce

BUTTERHEAD LETTUCE

Butterhead lettuce, pine nut, fennel & roasted carrot dressing

WARRICK BOWL

Spiced quinoa, buckwheat, avocado & toasted seeds

CELERIAC CARBONARA

Celeriac, pancetta, truffle, confit duck yolk

LAMB PAPPARDELLE

Handmade pappardelle with slow cooked lamb ragu

One Warwick

FARMS AND
SUPPLIERS

KITCHEN

WHERE OUR FOOD COMES FROM IS AS IMPORTANT TO US AS HOW WE COOK IT, SO WE MAKE SURE TO TAKE AS MUCH PRIDE IN SOURCING IT AS WE DO PREPARING IT.

FRUITS & VEGETABLES HARVESTED FROM THE FOLLOWING
MORGHEW, KENT
REMFRESH, SUFFOLK
WYE VALLEY, HEREFORDSHIRE
NUTBOURNE, SUSSEX
GEES, CAMBRIDGESHIRE
TIP TREE, ESSEX

DUCK EGGS "WADDLING FREE" FREE RANGE DUCK EGGS FROM BLACKACRE FARM IN SOMERSET

CHICKEN EGGS ARLINGTON WHITE FROM CACKLEBERRY FARM IN THE COTSWOLDS.

FISH SUSTAINABLY SOURCED FROM BRITISH DAY BOATS

DUCK A CROSSBREED OF MALLARD AND PEKIN, FROM CREEDY CARVER IN DEVON

GOAT CABRITO GOAT MEAT IN THE PEAK DISTRICT & THE BLACKDOWN HILLS

BLACK PUDDING THE FRUIT PIG COMPANY IN WISBECH

HONEY BERMONDSEY STREET BEES IN LONDON

BRITISH CHARCUTERIE CANNON & CANNON IN BOROUGH MARKET, LONDON

SMOKED SALMON FROM ATELIER IN DAYLESFORD FARM, GLOUCESTERSHIRE

CHEESE FROM ANDROUET IN SPITALFIELDS MARKET, LONDON

SPICES & BLENDS SOURCED FROM INDIA & SRI LANKA BY REN'S PANTRY OF LONDON

COTSWOLD RAPESEED OIL FROM EAST LODGE FARM IN STANTON, WORCESTERSHIRE

BEEF REARED IN IRELAND, FROM O'SHEA'S BUTCHERS IN LONDON

PULSES & GRAINS BRITISH GROWN FROM HODMEDOD'S, SUFFOLK

CHOCOLATE FROM PUMP STREET CHOCOLATE, SUSSEX

HERITAGE TOMATOES ISLE OF WHITE, UK

9

Our Ref: LE/MGW1/ONE62/2
Contact: Luke Elford

09 August 2022

Dear Karyn,

**MG Warwick Street Opco Ltd – 1 Warwick – Application for a Premises Licence
(Your Ref: 22/05504/LIPN)**

I write further to your representation dated 21 June 2022 (timed 19:45).

I hope you do not mind if I answer your last question first, namely why we submit that the application, if granted, would not add to cumulative impact.

There are two existing premises licences. The first, the Warwick, is for a 340 capacity drinking establishment with a terminal hour for the sale of alcohol of 03:00 on six nights per week and 00:30 on Sundays, and containing practically no conditions for the purposes of promoting the licensing objectives or materially controlling impact on the area. The second, So Japanese, is for an 84 capacity restaurant.

The proposal is to replace these arrangements with a high grade working and lifestyle environment, in keeping with developing trends, comprising office accommodation on floors 2-5, members' facilities including a lounge, gym, 6th

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Michelle Hazlewood ⁽⁵⁶⁹⁷¹⁴⁾
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floor bar and restaurant, a small private events facility on the first floor, and small public facing restaurant and bar facilities on the ground floor.

The key characteristics are:

- 1) The overall capacity is less than the existing licensed capacity. It comprises: ground floor restaurant (70), ground floor bar (80), first floor members' lounge (60), first floor events space (90), sixth floor bar and restaurant (120).
- 2) The hours for the sale of alcohol represent a significant reduction on the Warwick, being 01:00 Monday to Wednesday, 02:00 Thursday to Saturday and 00:00 on Sundays.
- 3) Within those overall hours, as set out in the operational management strategy, different parts of the premises will have different terminal hours for licensable activities, ensuring no mass exodus.
- 4) The proposed licence is heavily conditioned to promote the licensing objectives and to control local impact.
- 5) The character of the proposed uses is considerably less impactful than under the current licence, because of the nature of the uses themselves, the layout and fit-out of the premises (which will be lounge-style with a high degree of comfort), and the fact that a large proportion of the clientele will have been approved by the management and will be identified, and because (as stated above) the break-up of uses means that there will never be a mass exodus.

As you are aware, our client operates a similar development successfully and without impact in Mortimer Street. Any use or event which diminishes the safety and amenity of the environment is inimical to the overall objective of the concept. Our client intends to bring the same ethos to Warwick Street. It has no doubt at all that the impact will be far less than under the existing licences for the premises.

With that, we turn to the specific questions you have asked.

1. How will the ground floor bar be operated and controlled i.e. will the proposed area operate by way of waiter/waitress service, be seated or as a bar with vertical drinking?

We are attaching a photograph showing the style of the bar. As you can see it is a comfortable, lounge-style environment. Service will be principally by waiter/waitress to seated customers. Given the club-style of the environment in which many of the customers will know each other, our client does not wish to forbid standing or picking up a drink at the bar before joining one's friends.

2. How many events per month/year with [sic] the Event Space on level hold?

Our client will seek to operate the space on a commercial basis. It is part of the overall viability of the building. It is a small space, with a proposed capacity of 90 persons. The proposed hours for licensable activities there are: 11:00 00:00 Sunday to Wednesday and 11:00 to 01:00 Thursday to Saturday.

The space is likely to be used for small corporate functions, private dinners and charitable events and will be subject to the conditions on the premises licence.

We note that the [REDACTED] have asked whether our client would accept a condition restricting “externally promoted” events. Presuming this to mean externally promoted music and dance events, our client is more than happy to accept such a condition. However, some care would be needed over phrasing because, for example, it is commonplace for a charity to take an events space and promote it for a fund-raising event, which is something our client would like to encourage, not forbid.

3. When a private or pre-booked function is taking place in the event space will the sale by retail of alcohol be to seated guests, by waiter/waitress service or will there be vertical drinking?

This will be governed by the nature of the event. For example, if there is a sit-down dinner, there may be some pre-dinner drinks while standing. If there is an early evening cocktail and canapes event, it will all be vertical drinking. However, our client will be content with a condition that states that waiter/waitress service will always be available in the event space.

4. In regard to the Membership for the Members Club, how many bona fide guest members have attend [sic] with them at any one time and will the guests details be recorded?

Guest details will always be recorded. Condition 5(h) deals with that in respect of floors 2 – 5, but we are happy to agree similar for floors 1 and 6.

We have not, thus far, proposed a cap on the number of bona fide guests of members able to attend the members' lounge (first floor) or members' restaurant/bar/terrace (sixth floor). Some members will bring several guests and others one or two. Some thought would need to be given to the appropriate number as we would not want to rule out, for example, a business meeting taking place where those attending would be guests.

5. Within the Members Lounge on level 1 and members bar on level 6 how will the alcohol be monitored and controlled and will it be by waiter/waitress service?

The style of operation at levels 1 and 6 will be the same as for the ground floor bar, namely a comfortable, lounge-style environment with waiter and waitress service. However, only members and guests will be admitted.

Our client's experience from Mortimer Street is that there is no misbehaviour. However, the space is supervised by staff and management. In the extremely unlikely event of misbehaviour, our client has the ability to cancel a person's membership.

6. Can members of the public access the rooftop terrace? If not how will the applicant ensure that the general public won't access other areas of the premises?

No, members of the public cannot access the roof terrace. The only areas of the premises accessible by the public are the ground floor restaurant and ground floor bar.

Access to floors 1 through 6 and the roof terrace are via the members' entrance on Warwick Street where there is a staffed reception for members and their guests to sign-in.

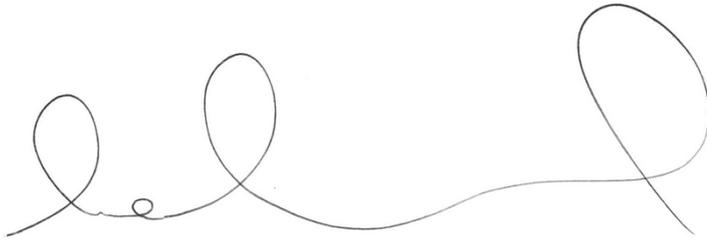
You also asked why the hours for Late Night Refreshment are 23:00 – 05:00 daily when the various spaces close earlier. That is a good point. When drafting the application, we took the view that we would like to, much like in a hotel, be able to provide hot food and hot drinks to our members throughout the night. For example, if a team were working through the night in a meeting room on the 4th floor, then we could provide them with hot food and hot drinks throughout the night without breaking the law. We also felt that it was better that our members didn't venture out onto the street to find a cup of tea/sandwich in the middle of the night.

Having reflected on whether it is necessary to the operation of the building to be able to do that, we have come to the conclusion that it is not. With that in mind we will be amending our application so that Late Night Refreshment ends in the various spaces as and when they close. We hope that is useful.

We hope that the above is helpful.

If you have any further questions about the application, please do contact me.

Yours sincerely,

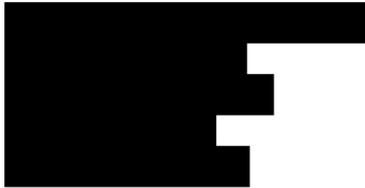
A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

Luke Elford

Partner

John Gaunt & Partners

Our Ref: LE/MGW1/ONE62/2
Contact: Luke Elford



By email only

15 August 2022

Dear Sir/Madam,

Reference: 22/05504/LIPN: Regency House, 1-4 Warwick Street, London W1B 5LT

I write further to your representation dated 21 June 2022.

I am pleased to enclose a copy of my letter to Senior Licensing Officer Karyn Abbott in response to her representation. I hope having sight of that response will be of assistance.

Dealing with the bullet points at page 3 of your letter:

- **From the plans the number of outdoor tables and chairs for the ground floor restaurant and bar is unclear, we ask for clarification on the numbers.**

I enclose a .pdf copy of the plan submitted with the application, which should hopefully show the area more clearly.

The plan shows:

- 2 x 2 person tables located outside the restaurant (orange area on plan)
- 5 x 2 person tables located outside the bar area (blue on the plan)

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That makes a total of 7 tables and 14 seats. Naturally, we will need to apply to Westminster City Council for a Pavement Licence for those tables and chairs.

- **We note the proposal for late night refreshment from Mon-Sun : 23:00 – 05:00 is that ‘The provision of hot food and drinks as necessary to the whole premises (certain areas will be closed outside of the trading hours identified in the Operational Management Strategy).’ We ask for clarification on the areas that will benefit from this 5am licence.**

We are no longer pursuing this request. Late Night Refreshment will now cease as the various areas of the premises close.

- **We note the Operational Management Strategy refers to ‘other detailed technical reports’ and we ask for copy of these and more details on the type and nature of events.**

Our reports are being finalised and copies will be served on all parties prior to the Licensing Sub-Committee Hearing, in sufficient time for you to consider them. The reports will comprise an acoustic report from Big Sky Acoustics and a report from a Senior Ex-Police Officer on the type and style of this premises.

Turning to your point about events and dealing also with your latter bullet point about “externally promoted events” you will see in our response to the Senior Licensing Officer that we intend to use the space commercially, but not in a way that will undermine the Licensing Objectives. The space is likely to be used for small corporate functions and will be subject to the conditions of the premises licence.

You will see that our letter refers to externally promoted events. For the avoidance of doubt, we have no intention of holding externally promoted music events and are happy to agree a form of wording that works for both parties. We do feel, however, that some care needs to be given to that wording so that we don’t inadvertently prohibit something that would otherwise be inoffensive. For example, a charity might wish to hold a small fund-raising event there and would need to promote it to its members. For obvious reasons, our client does not wish such benign events to be excluded by condition.

- **We note the building will be open 24 hours and 7 days a week and ask for confirmation on the areas which will be open 24 hours a day?**

On the ground floor, the members' reception (shown in between the restaurant space (pink) and the bar space (green)) will be open 24 hours a day as it is the means of access to the upper floors.

Floors 2 through 5 are offices and they will also be open 24 hours a day.

The other areas e.g. ground floor bar, ground floor restaurant, first floor members' lounge, first floor event space, sixth floor restaurant and bar, and sixth floor terrace will close in-line with the times set out in the Operational Management Strategy.

- **The proposed terrace use until 11pm, to protect residential amenity this should be reduced to 9pm.**

We would like for the sixth-floor terrace to be available to members and guests until 11pm. We are confident that we have measures in place to ensure that residents are not disturbed.

- **We propose a condition that there are no externally promoted events**

As highlighted above, we have no problem with the principle of there being no externally promoted events of the type we think you envisage, but it would be good to discuss and come to an agreement on a form of wording that doesn't inadvertently prohibit legitimate events or causes.

- **We propose that conditions 26 and 27; no deliveries / waste collections shall take place between 23:00 and 08:00**

Our client will need the facility to take deliveries of items such as pastries and milk from 7 a.m. and we would be pleased therefore to accept a restriction on deliveries between 11 p.m. and 7 a.m. However, any noisy deliveries or collections will be scheduled between 8 a.m. and 8 p.m.

- **Condition 24 to include a limit on the number of people smoking outside to 5 at any one time.**

We are happy to agree a condition regarding smokers during sensitive hours. The capacity of the ground floor of the premises (restaurant and bar) is 120, which is a significant reduction from the 424 that could have occupied The Warwick and So Japanese.

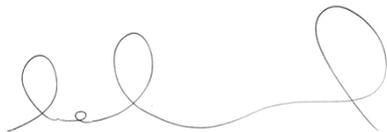
We are prepared to agree that we will restrict the number of smokers to 12 persons after 22:00 hours and that they will be confined to a designated smoking area (location to be agreed). Would that be acceptable? We have already offered at Conditions 29 and 30 that customers smoking will not be able to take drinks with them and that our staff will manage external smokers so as not to cause a nuisance.

Finally, we are pleased to attach a brochure showing the style of the - premises. We hope that you can see that this is going to be a splendid premises and a far cry both from what was there before and the kind of premises which amount to a thorn in the side of local residents.

Our clients are genuinely committed to being good neighbours and establishing lasting working relationships with organisations such as yourselves and the Soho Business Alliance. If you feel that it would help to meet and discuss our application, then we would be delighted to host you at Mortimer House so that you can see the type of premises that is proposed for the former Regency House site.

Best wishes.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Luke Elford', with a long horizontal flourish extending to the right.

Luke Elford
Partner
John Gaunt & Partners

Our Ref: LE/MGW1/ONE62/2
Contact: Luke Elford



By email only.

09 August 2022

Dear 

MG Warwick Street Opco Ltd – 1 Warwick – Application for a Premises Licence

I write further to your representation dated 16 June 2022.

Thank you for meeting with me on 21 July and I apologise for the delay in following up in writing.

We spoke about the concerns that you expressed in your representation. Dealing with those concerns in turn:

Customer noise

1 Warwick is a very different kind of premises to The Warwick and will undoubtedly attract a different clientele.

In this letter, I am going to focus on persons attending the ground floor who may be members of the public because persons attending the

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first floor upwards will be members, their guests, or persons attending a private, pre-booked event.

You will appreciate that, yourself operating a membership scheme at [REDACTED], that one can exert a far greater amount of influence over members than the public. Members who *might* misbehave or cause a nuisance, and this has never been an issue at my client's other premises in Fitzrovia, can have their memberships suspended or cancelled, or the numbers of guests that they are able to bring restricted. Guests can be banned etc. Put simply, membership and the payment of a fee keeps people in line.

I enclose, for information, a photograph of what the ground floor bar is going to look like. I hope that you would agree that it is a significant step up on what was there previously.

The Warwick (as was) had a capacity on its premises licence of 340 people. The ground floor bar at 1 Warwick has a capacity of 80 people. Even when the restaurant area is included the capacity of the two areas combined comes nowhere near to what existed previously (424 old vs. 150 new).

The ground floor bar will also not be operating as late as The Warwick and will be subject to far more conditions (1-4am old vs. midnight-2am new).

My clients have, and are, giving a great deal of thought as to how best to manage dispersal to avoid it disturbing anybody. We are currently revising and finalising our Dispersal Policy for the sub-committee hearing, but our intention is to disperse customers down towards

Piccadilly Circus (via Glasshouse Street/Air Street) or out onto Regent Street (via Glasshouse Street). We will do everything within our power to avoid sending customers up Warwick Street past your hotel.

Vehicle Noise

I am going to break vehicle noise down into two categories:

- 1) Noise from service vehicles e.g. deliveries and collections; and
- 2) Noise from other vehicles e.g. taxis

Noise from service vehicles

When we met, I expressed the view that it was unlikely that service vehicles (from 1 Warwick) would pass by your [REDACTED] because of the location of 1 Warwick's pick up and drop-off point/access being on Brewer Street rather than Warwick Street. As Brewer Street is one-way vehicles could not pass your premises. I have confirmed this with the client.

A further point to make is that my client has, in its suggested conditions to promote the licensing objectives (copy of current draft attached for ease of reference), already agreed that deliveries and collections will not take place during sensitive hours (23:00 to 07:00). My client is quite content to agree that it will schedule noisier deliveries/collections later within this window e.g. after 8/9am and before 8/9pm as part of its operational strategy. My client can't agree to have all deliveries and collections after 8am because, put simply, there are deliveries, for example, milk, that will need to be delivered before then. I don't think

anyone ever envisaged the Licensing Act 2003 being used to control milkmen!

Noise from taxis

Returning to the Dispersal Policy that I mentioned earlier, as part of our Dispersal Strategy we are going to suggest that taxis pick up from outside the premises on Brewer Street, not Warwick Street. That will certainly be the case for any taxis that we order, and we will do what we can to ensure customers follow suit. You will appreciate, I hope, that it isn't going to be possible to stop taxis coming up Warwick Street entirely.

Next Steps

I hope that the above is useful in addressing the concerns that you raised. We will likewise be reaching out to other parties who made representations but expect that we will have to attend a sub-committee hearing as many of their concerns relate to the council's policy on new applications in Soho, even where we are on the outer fringes.

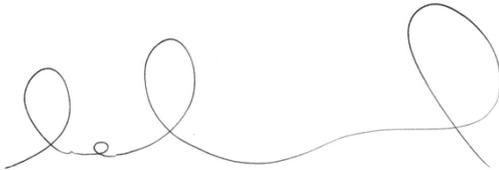
If you have found that this letter has assuaged your concerns then I would be grateful if you would please write to the Licensing Officer with conduct of this application, Mr Kevin Jackaman, indicating that you are withdrawing your representation. Kevin can be contacted at kjackaman@westminster.gov.uk but it would be sensible to also send

any withdrawal email to licensing@westminster.gov.uk to ensure that it is picked up.

If you feel that there are still outstanding matters between us then I would be delighted to pick those up with you over the phone or in-person.

With my best wishes.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Luke Elford'. The signature is fluid and cursive, with a large loop at the end.

Luke Elford
Partner
John Gaunt & Partners

From: [REDACTED]
Sent: 15 August 2022 13:15
To: kjackaman@westminster.gov.uk
Cc: Licensing: WCC <licensing@westminster.gov.uk>
Subject: 22/05504/LIPN

Reference : 22/05504/LIPN

Dear Kevin ,

Please can I withdraw my objection.

At the time that I objected I wasn't quite sure what this premises was going to be or how it was going to trade and I did have some concerns that it might cause our business some problems.

Having met with their solicitor I am hugely impressed by what the premises is going to be and massively reassured that it won't cause issues for us or others. In fact , if anything , I think the premises is going cause less problems than The Warwick used to ! I don't know if you recall The Warwick , but it was a very late pub/club that blared out music and turned out customers until dawn and all of the problems that went with that . 1 Warwick looks a big , big improvement.

I now wish to support this application and I wish them all the best. I hope the committee sees what a benefit this place is going to be and grants them what they require.

Regards,

[REDACTED]

[REDACTED]

[REDACTED]

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City of Westminster

Office Name: Ian Watson
 Designation: Senior Practitioner EH
 Licensing
 Date: 9th March 2022
 Contact number:
 Email: iwatson@westminster.gov.uk
 Signed: Ian Watson
 Uniform Ref Number: 21/13551/PREAPL

Trading name of business and Address: 1-4 Warwick Street, W1B 5LT		
Reference Number if Applicable: 21/13551/PREAPL		
Licence: Yes 20/10521/LIPCH and 20/05824/LIPT	Applicant/solicitor: Luke Elford	CI Zone: Yes West End
Current Type of Business: Bar with Music and Dancing		
Current Licensed Areas: Ground and Basement Floor		
Current Licensed Activities: Supply of Alcohol, Late Night Refreshment, Private and Regulated Entertainment		
<p>Pre application advice purpose: To assess the premises for a new licence regarding licensing hours, works and conditions.</p> <p>Background to application: The premises are currently a building site but benefit from two premises licenses that currently permit licensable activities up to 04.00 hours. A refurbishment will be carried out to change the layout of the premises with the addition of new floors including a sixth-floor terrace. New conditions will be proposed to support the proposed operation.</p> <p>Inspection carried out by Alan Lynagh (District Surveyor Licensing - DS) and Ian Watson (Senior Practitioner Environmental Health (Licensing)).</p> <p><u>District Surveyor Comments</u></p> <p>Means of Escape</p> <p>The applicant is proposing the following aspirational capacities at the premises at the time of the initial meeting:</p> <ul style="list-style-type: none"> • Ground floor 210 persons • First floor 120 persons • Sixth floor terrace 120 persons • Second to fifth floors 50/60 persons per floor 		

To achieve these capacities the means of escape widths if applying the guidance in the Technical Standards for Places of Entertainment should be confirmed as:

- Ground Floor – 2 escapes @ 1050mm. It appears there are at least two routes to the front facades, but their widths should be confirmed to ensure they comply with required widths. Any door accommodating over 60 people should open in the direction of escape so it should be confirmed that façade doors open outwards or are fitted with a suitable powered opening device linked to the operation of the fire detection and alarm system. The final exit point to the secondary external stair from the fourth to ground floor will need to be confirmed as this may be supporting a higher capacity than a single floor (over 60). The members reception area at ground floor should be confirmed as being lobbied (two separate door protection) to all risk areas off it (restaurant/bar etc) given the protection required to this route (see below). In addition, the members reception area will need to be maintained generally sterile as it forms the main protected route from the floors above and cannot be compromised.
- First Floor – 2 escapes @ 900mm (850mm may be acceptable). It is noted that there appears to be two separate routes available back to the main central staircase. Technically each route should be lobbied from each other, but this may be acceptable given the relatively minimal travel distances to each exit from the floor plate although it is recommended this justification is covered in the fire strategy. It appears the kitchen risk area at this floor is fire separated also but this should also be confirmed. This should therefore work but it should be confirmed that the staircase down is then fully lobbied at every other level also to support this strategy (appears to be the case).
- Sixth Floor Terrace – 2 escapes @ 800mm (750mm acceptable also but 800mm preferable due to the activity proposed on this floor). Again, it is noted that there appears to be two separate routes available back to the main central staircase. As detailed above each route should technically be lobbied from each other but again this may be acceptable given the relatively minimal travel distances to each exit from the floor plate and the fact this is the top level of the staircase also. Although again it is recommended this justification is covered in the fire strategy. In addition, at this level we would need confirmation that the floor space factors (see guidance below) support the full 120 proposed capacity internally as clearly in inclement weather the external terrace areas would not be in use.
- Second to Fifth Floors – 1 single escape at 800mm (750mm acceptable also but 800mm preferable due to the activity proposed on this floor). We would request confirmation if the doors at this level into the separate offices/rooms are fire rated? It is clear that there is a lobby provided to the stairs but again we would highlight that the principle of the two routes back to the central stair being lobbied from each other

is compromised by the lack of protection from the kitchen area. For example, as there is a single door protection from this area into the route that would be being accessed from the opposite side for escape. Again, we would ask that this is considered and justified in the fire strategy.

- As a general point exit routes from 4th Floor to 1st floor are provided with access to the secondary external stair route and it shows that these pass through the toilet accommodation lobby. We would request further information is provided on how this will be managed, and we would flag up the requirement for signage to be totally clear and a suitable system in place for monitoring the floor surface within the toilet lobby as it can't be wet/slippy. It is noted that all hand washing facilities are proposed within the cubicles, which assists.

In addition to the above it should be confirmed that the main central staircase width complies with Table 11 of the Technical Standards. Assuming all ground floor occupants will not exit via the core stair exits the first to sixth floor would have a maximum capacity of 480 persons this would equate to a staircase width required of circa 1200mm. Albeit it is noted that from levels 4 to 1 there is an alternative secondary escape also. We would therefore just request that the staircase limitations are fully detailed in the fire strategy and is confirmed they comply with the above guidance.

Finally at the inspection it is believed that smoke ventilation (AOV or similar) was mentioned in relation to the central staircase. We would request confirmation of this and details of what is proposed and the cause and effect for operation of any such system and where any controls are located for assessment and comment.

Floor Space Factors

Once a suitable floor plan has been proposed the example table below should be used to calculate the maximum achievable capacity. We can assess this for the operator (if plans are provided).

Area	Overall Public area M ² (approx)	Capacity At 0.3M ² per person (live music/ bar)	Capacity at 0.5 M ² per person (cocktail/ dancing)	Banquette style seating at 0.45m per person	Loose Seating/Nets	Max operational capacity

Ground Floor	TBC	TBC ÷ 0.3 = TBC	TBC ÷ 0.5 = TBC	TBC ÷ 0.45 = TBC	TBC	TBC
First Floor	TBC	TBC ÷ 0.3 = TBC	TBC ÷ 0.5 = TBC	TBC ÷ 0.45 = TBC	TBC	TBC
NB: If any of the available floor space as detailed in this strategy is reduced then the recommended figures will need to be recalculated and this will need to be reflected within this strategy						

Additional District Surveyor's Comments

- All fire doors protecting exit routes should be provided with intumescent strips and smoke seals and comply with the relevant provisions of Table B1 of Approved Document B.
- Every escape route (other than those in ordinary use) should be marked by emergency exit signs complying with BS 5499: Part 1 and these will be located in accordance with the recommendations of BS 5499: Part 4.
- Suitable primary and secondary lighting should be provided throughout and this should include all changes of level and key staff areas.
- A cause and effect for the fire alarm system and any fire curtains should be produced for consideration and this should include suitable cut offs of the music and other entertainment systems.

General Fire/Public Safety Considerations

We would recommend the proposed fire/public strategy for the building licence considers the points detailed below:

- Level of fire alarm detection to be considered and it is recommended that system is in line with BS 5839 Part 1 2002 Category L1/L2 protection to allow maximum flexibility with capacity calculations.
- All protected exit routes to be provided with 30 minutes fire separation to other parts of the premises. The existing areas of penetration to other floors should be appropriately fire stopped/rated.
- All Fire doors protecting escape routes will be provided with intumescent strips and smoke seals and all fire doors will comply with the relevant provisions of Table B1 of Approved Document B.
- Every escape route (other than those in ordinary use) will be marked by emergency exit signs complying with BS 5499: Part 1 and these will be located in accordance

with the recommendations of BS 5499: Part 4.

- Full details of the emergency lighting scheme should be provided and we would expect the system to be in line with BS5266.
- Lighting to all public areas should be under management control.

Disabled Evacuation

The operator will need to set out a method statement covering the disabled evacuation for the premises and the use of any evacuation chairs as required.

We have detailed below some advisory notes on disabled evacuation from the RRO guidance to assist as it may be possible to use certain lifts in an emergency under management control.

Below are a number of paragraphs lifted from guidance documents, which may be useful for consideration when establishing a robust Disabled Evacuation Plan.

BS 8300 - 8.3.4 Lifts for emergency evacuation

Lifts that are provided to evacuate disabled people in an emergency, whether fire-fighting lifts or evacuation lifts, should conform to the relevant recommendations in BS 9999.

NOTE 1: Lifts can be used to assist in the evacuation of disabled building users if they are encased within a fire-protected shaft and have their own independent electrical supply, control panel and other features described in BS 9999.

NOTE 2: Lifts not designed for evacuation can be used for evacuation in certain circumstances, provided a fire risk assessment has evaluated that the lift is able to function as an evacuation lift (see BS 9999).

NOTE 3: Guidance on fire safety risk assessments for a variety of building types is available from the Department for Communities and Local Government.

NOTE 4: BS 9999 refers to BS EN 81-72 for fire-fighting lifts.

HM Government Fire Risk Assessment-Theatres, Cinemas and similar premises document

If disabled people are going to be in your premises then you must also provide a safe means for them to leave if there is a fire. You and your staff should be aware that disabled people may not react, or can react differently, to a fire warning or a fire. You should give similar consideration to others with special needs such as parents with young children or the

elderly.

Where staged alarms are being used, disabled people should be alerted on the first stage to give them the maximum time to escape or move to a refuge, and to implement evacuation procedures involving your staff. If you have well-protected refuges and appropriate management procedures, you may wish to delay the evacuation of non-ambulant people from certain areas until after the able bodied have left since the total evacuation time may be reduced if the disabled people are likely to impede the speed of the able bodied evacuees.

A refuge is a place of reasonable safety in which disabled people can wait either for an evacuation lift or for assistance up or down stairs. Disabled people should not be left alone in a refuge area whilst waiting for assistance with evacuation from the building. Depending on the design and fire resistance of other elements, a refuge could be a lobby, corridor, part of a public area or stairway, or an open space such as a balcony or similar place, which is sufficiently protected (or remote) from any fire risk and provided with its own means of escape and a means of communication.

Normal lifts may be considered suitable for fire evacuation purposes, subject to an adequate fire risk assessment and development of a suitable fire safety strategy by a competent person.

Enough escape routes should always be available for use by disabled people. This does not mean that every exit will need to be adapted. Staff should be aware of routes suitable for disabled people so that they can direct and help people accordingly.

General points for Consideration

Doors

To clarify the width of a doorway on the means of escape routes is the clear width measured between the leaves (or, if a single door, the leaf and the frame or doorstop) of the doors when open at right angles to the frame. Door hardware may be ignored if the door opens more than 90 degrees to the frame. Doorways should be not less than 2060mm high except that the height may be reduced to 1960mm in existing buildings. Curtains or drapes should never be hung across doors or escape routes within any of the licensable areas as this could impede any evacuation.

Double Swing Doors and Doors Across Corridors

Double swing doors, doors across corridors and doors that may cause an obstruction should be fitted with safety glass vision panels with zones of visibility between 500mm and 1500mm from the floor. Fire resisting safety glass panels should be fitted in fire doors to the same

level of fire resistance as the door itself.

Thresholds

No door should open immediately over or onto a step. A single step on the line of a doorway is not acceptable. A landing at least as wide as the door and at least as long as the width of the door plus 400mm, should be provided between the door and the first step of any stair.

There should be no upstand or threshold bar across any doorway or escape route, other than a chamfered weather bar or threshold seal for sound insulation protruding a maximum of 6mm and arranged so as not to cause a trip hazard.

Door fastenings

All exit doors should be free from fastenings when public, entertainers or staff are present or have fastenings that may be readily opened in emergency without using both hands or a key to open the door.

Note 1: This does not preclude the use of a key to open the door from the outside.

Note 2: Any removable devices, such as locks, bolts, chains or padlocks, used to improve security must be removed before the premises are occupied. A door alarm system is preferable to removable security devices where possible.

Where there may be more than 60 people, any fastenings on doors should be panic bolts or panic latches operated by push bars complying with *BS EN 1125*.

If a room holds less than 60 people, push pads or lever handles complying with *BS EN 179* are acceptable. The use of latches operated by lever handles should be avoided in public areas. Round knobs should not be used as they could be difficult to operate.

Any door furniture should be fitted between 800mm and 1200mm above floor level and should provide visual contrast with the surface of the doors. To avoid confusion push plates should usually be fitted for pushing doors and handles to pull doors.

Lighting

The premises should have an adequate supply of both normal and emergency and each system should be sufficient to enable the public, performers and staff to see their way to move around the premises safely and to escape from the premises.

Adequate emergency lighting in addition to sufficient normal lighting should be provided so that all parts of the premises including toilets and internal and external exit routes leading to

the street are illuminated. All emergency lighting should comply with BS 5266: Parts, 1, 7 & 8.

Both supplies of lighting should be independently capable of providing the recommended minimum illuminance. However, whilst both normal and emergency supplies are functioning properly, either or both supplies may operate at a reduced level so long as the minimum recommended illuminance is provided. In the event of the failure of either supply the remaining supply should be automatically restored to full illuminance.

The lighting and emergency lighting circuits should not normally be switched off by the operation of any RCD. The lighting should be operated by an automatic switching system or remain on when the public are present. Light switches should preferably not be installed in public areas such as the event space but if so installed should be key-operated or otherwise protected from unauthorised operation.

Maintained emergency lighting (that is operating whenever the premises are occupied) should be installed where the normal lighting may be dimmed. Where non-maintained emergency lighting is installed, it should come into operation on the failure of the local normal lighting circuit forming part of the normal lighting.

Lighting fittings should be fixed at least 2100mm above floor level or pitch line of stairs. Suspended fittings, other than small lamp pendants, should be provided with suitable means of suspension independent of the electric cable. Heavy fittings should be rigidly fixed or be provided with two non-combustible independent means of suspension.

Communication

Adequate communication is needed throughout the premises. Where noise levels are loud communications systems such as a public address system may be needed especially in emergency as there are emergencies where the fire system does not suffice. Consideration should be given to the type and style of operation proposed and the type of entertainment available as this will help inform any decisions made regarding communication systems. In some circumstances a duty manager, equipped with two-way communication with designated members of staff is sufficient.

Exit Signage

All exit routes should be suitably signed, with particular attention drawn to the need for signage throughout the large floor spaces.

Protected Exit Routes

All protected exit routes should be provided with 30 minutes fire separation to other parts of

the premises or as detailed in the Fire Strategy.

All Fire doors protecting escape routes should be provided with intumescent strips and smoke seals and all fire doors will comply with the relevant provisions of Table B1 of ADB.

Every escape route (other than those in ordinary use) should be marked by emergency exit signs complying with BS 5499: Part 1 and these will be located in accordance with the recommendations of BS 5499: Part 4

In addition, the normal works condition and plans change condition should be attached to the application.

The above list is not exhaustive but details some of the key considerations for the proposed use of the space. It is also advised that a final clearance inspection should take place prior to any use under the licence.

Licensing Policy

The premises are located within the West End Cumulative Impact zone and therefore a new application would be subject to policy considerations with a general policy to refuse new applications. The premises would now extend from the basement to the sixth floor with only the ground, first and sixth floors requiring licensable activities. Basement use will be back of house and support services with the second to fifth floor office and meeting space. The ground floor will be split between public restaurant and bar use, the first floor a members lounge along with the sixth-floor lounge and external terrace.

It would be hard to define the overall operation of the premises in relation to an ancillary use, as in a hotel, but a similar application was recently granted within the West End CIZ, albeit to lesser hours, with restaurant use only at ground floor but with office use and a fifth-floor lounge and terrace, reference 22/00029/LIPDPS. The premises did not benefit from any current or surrendered premises licenses nor was the new application determined at committee. Following mediation with objectors all representations were withdrawn.

The policies that would potentially apply to any application are CIP1, MD1, PB1, RNT1, HRS1 and COMB1 but there is no specific policy for a proprietary members club.

Policy CIP1 states,

A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to: 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact. D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

Section D11 and D12 state,

D11. The Cumulative Impact Policy provides a presumption to refuse pubs and bars, music and dance venues and fast-food premises. This policy is intended to be strict and will only be overridden in genuinely exceptional circumstances. However, the Licensing Authority will not apply these policies inflexibly. It will always consider the individual circumstances of each application; even where an application is made for a proposal that is apparently contrary to policy.

D12. Applicants for premises uses that have a presumption to refuse will be expected to demonstrate an exception as to why their licence application should be permitted. It is not possible to give a full list of examples of when the council may treat an application as an exception. However, in considering whether a particular case is exceptional, the Licensing Authority will consider the reasons underlying the West End Cumulative Impact Zone special policy and the relevant premises use policies when considering applications.

Further at D22 policy states,

D22. The Licensing Authority considers that within the West End Cumulative Impact Zone premises which restrict access to general members of the public, such as proprietary clubs and premises used for private functions, will not be considered to be exceptions to cumulative impact area policies for that reason alone

Proprietary clubs are also mentioned at D28 and D29

D28. In contrast, many proprietary clubs may allow members to join online with little or no prior contact with the member. Joining fees may be nominal and membership short term. Access to the club may be extended to guests of the management or other categories of person to allow immediate access. Individuals attending premises operating private functions, which could include corporate or personal events, are not necessarily known to the management of the premises, although will be known to the event organiser. Access may also be permitted to guests of invitees or guests of the management. Moreover, persons leaving proprietary clubs and premises operating private functions will sometimes cause public nuisance or be involved in crime, either as perpetrators or victims.

D29. The council is therefore of the view that there is a clear distinction in the character and operation between “qualifying clubs” and proprietary clubs and premises which promote private functions and considers that proprietary clubs and premises which promote private functions are very likely to contribute to cumulative impact in the West End Cumulative Impact Zone and will often not offer sufficient control over their members to promote the licensing objectives.

Whilst there is no specific policy for proprietary clubs, policy QUC1 states at F106,

F106. Westminster contains a number of well-known traditional clubs and other clubs that will be Qualifying Clubs. Through their membership controls, qualifying clubs have little association with crime and disorder and public nuisance. Qualifying clubs should not be confused with proprietary clubs, which are clubs run commercially by individuals, partnerships or businesses for the purposes of profit, these will be considered under the

Public House and Bars Policy PB1.

Therefore, in reducing the impact of a new licence application within the West End CIZ a lot of weight will need to be made of the fact that two existing premises licenses will be surrendered. The concern here is that the current combined capacity of both licenses is 424 persons where the proposed capacity of the new premises is 510 persons within the licensed areas.

Whilst an application can be made to similar hours it would be ambitious especially with an overall increase in capacity. The proposed operational capacity of the licensed areas offers an increase of 86 persons overall the current capacity of the two existing licenses.

Public Toilet Provision

To support a proposed capacity of 510 persons the following minimum public toilet provision is required to the licensed areas.

Female – 7 x WC's

Male – 4 x WC's plus 4 urinals.

A disabled toilet should also be provided.

Separate staff toilets and changing should also be provided, minimum 1 per sex.

It is advised that the proportion of public toilets provided on each floor allow the immediate use of facilities to minimise any queuing for the facilities.

Capacity

The combined capacity of the existing licenses is 424 persons. The proposed capacity of the licensed areas within the new premises is 510 persons. This breaks down as discussed to 150 persons ground floor, 240 persons first floor and 120 persons sixth floor. This is an overall increase in the West End CIZ of 84 persons and therefore against cumulative impact policy.

Proposed Hours

Supply of Alcohol 'On' and 'Off'

Monday to Sunday 10.00 to 03.00 hours

Late Night Refreshment 'Indoors'

Monday to Sunday 23.00 to 03.00 hours

Regulated Entertainment 'Indoors'

Monday to Sunday 09.00 to 03.00 hours

Whilst these hours may generally replicate the current provision on licence 20/10521/LIPCH they may not be supported under policy, even with the surrender of the existing licenses, especially with the proposed increase in capacity. It is advisable to consider reducing overall

operational hours, or only having certain days to existing hours.

Licensing Position

The following conditions are proposed to support the licensing objectives.

- Save for the ground floor, alcohol may only be sold for consumption by members of a private club and their bona fide guests. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
- A legible list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book legibly recording the names and dates of attendance of any guests introduced by members which shall be retained for a period of 28 days. Both the list and the book shall be produced on demand for inspection by the Police or an authorised officer of the Council.
- The supply of alcohol on the ground floor shall only be,
 - (a) Within the hatched area where the premises shall only operate as a restaurant,
 - (i) in which customers are shown to their table or the customer will select a table themselves,
 - (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,
 - (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. or
 - (b) Ancillary to the use of the premises for music and dancing and substantial refreshment.

You may wish to consider conditioning the use of the co-working floors, albeit that any supply of alcohol to these floors would be under the 'Off' sales provision.

- The use of the second to fifth floor shall only be by
 - a) Office tenants - those persons with a minimum one-month contract to occupy office space at these premises
 - b) Co-Working members
 - c) Office members
 - d) Virtual office or digital members
 - e) Persons attending a private pre-booked event or function, a list of functions and persons attending to be kept at reception for inspection by the relevant authorities
 - f) Directors and employees of the licence holder and its affiliated companies
 - g) Persons who have pre-booked a meeting room

- h) Day-pass visitors and
- i) Any guests of the above.

A list of whom shall be kept on the premises at all times together with a record also showing the names and dates of attendance of any guests introduced by members. All records shall be produced on demand for inspection by the police or an authorised officer of the Council.

- The sale or supply of alcohol for consumption off the premises shall either be (i) in sealed containers or (ii) for consumption by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and where the supply of alcohol is only to persons seated taking a substantial table meal and is by waiter or waitress service only, or (iii) to members working within the second to fifth floors.
- No regulated entertainment shall be provided on the external terrace.
- Loudspeakers shall not be located in the entrance lobbies or outside the premises building including the 6th floor external terrace.
- The 6th floor external terrace shall not be used between 21:00 hours and 09.00 hours, save for use in an emergency.
- 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 and will include the external area immediately outside the premises entrance. 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.
- 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.
- Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS Hologram.

- 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 regarding crime disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.

- The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment

- From 9pm on Thursday, Friday and Saturday, a minimum of one SIA licensed door supervisor shall be on duty at each entrance of the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible. At all other times, the requirement for SIA licensed door supervisors shall be risk- assessed.

- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

- No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

- There shall be no sales of alcohol for consumption 'Off' the premises after 23:00 hours each day.

- There shall be no sales of hot food or hot drink for consumption off the premises after 23:00 hours each day.

- All windows and external doors shall be kept closed after 23:00 hours each day, except for the immediate access and egress of persons.

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

- Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the need of local residents and use the area quietly.

- During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
- No collection of waste or recycling materials (including bottle) from the premises shall take place between 23:00 and 07:00 hours on the following day.
- No deliveries to the premises shall take place between 23:00 and 07:00 hours on the following day.
- All waste if to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 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.
- The premises licence holder shall ensure that any patrons 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.
- The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
- The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
- The premises will implement a comprehensive dispersal policy and all relevant staff will be trained in its implementation. The Policy will be reviewed regularly and whenever the Licensee becomes aware of issues associated with dispersal.

- No licensable activities shall take place until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
- No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
- Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

General Advice

I would advise that the entrance to the ground floor public bar is lobbied to minimise noise breakout. Any smoking area for the ground and first floor should be positioned directly outside of the premises and should be adequately supervised. The acoustic report submitted in support of the planning application should form part of the licensing application so that the nearest effected premises are identified with regard to potential operational noise. Consideration should also be made regarding the provision of a comprehensive dispersal policy and membership policy.

Conclusion

The new application should reflect the change of layout to the premises as well as the proposed operating schedule identifying the style of operation. The application as proposed will challenge both the cumulative impact area as well as policy and consideration should be made to tailor the operational later hours and days with no overall increase in capacity. The licensing objectives of Public Safety, Prevention of Public Nuisance and Crime and Disorder are addressed with model conditions, and these should satisfy the responsible authorities.

As part of the application process, it is advised that the other responsible authorities will also need to assess the proposals and may wish to make additional comments.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

From: [REDACTED]
Sent: 26 August 2022 10:41
To: LEIford@john-gaunt.co.uk
Cc: Richard Brown <licensing@westminstercab.org.uk>; Abbott, Karyn: WCC <kabbott@westminster.gov.uk>
Subject: MG Warwick

Dear Luke,
Thank you for your letter of 15th August and the copy of the letter to the Senior Licensing Officer.

Thank you for the clarification and additional information to our questions, I provide a more detailed response to some of the questions below.

Outside tables and chairs

The numbers are noted. Also noted that a pavement licence would be required.

Late night refreshment to 5am

Noted that this has been withdrawn.

Technical reports

Noted that these will be supplied in good time for the hearing.

Areas open 24 hours

Noted.

The proposed terrace use until 11pm

Whilst we asked for a reduction to 9pm, we note the proposed condition 7, '*no regulated entertainment shall be provided on the roof terrace*' and you state you are confident there are measures in place to ensure residents are not disturbed. Can you confirm what additional measures are in place considering the 80 persons capacity? I assume that the acoustic report from Big Sky Acoustics to which you refer may cover this, and look forward to being provided with a copy of this in due course as you indicated.

Condition that there no externally promoted events

We agree that the purpose of our proposal was to prohibit loud large scale and/or music/alcohol-led events organised/promoted by external people with whom the licence holder may not have any long term relationship or knowledge. In our experience, such events have a much higher risk profile for noise/nuisance/crime and disorder than the sort of events which you mention. We would therefore be very happy to consider a condition which guards against the problem we foresee but does not prevent your client from holding the type of events you mention. Can you suggest such a condition?

Deliveries - conditions 26/27

We accept the proposal of an exception for deliveries of pastries and milk from 7am, and suggest that the model condition can be amended accordingly i.e. 'Save for pastries, milk (and newspapers??), there shall be no deliveries...'.
'

Condition 24 - people smoking outside

We would accept the proposed restriction of 12 persons after 22:00 and would suggest the designated smoking area to be on Warwick Street.

The Soho Society's Position on hours

We have tried to separate the comments on conditions from our overall position on the hours. Whilst we acknowledged in our representation the previous use/hours of 1 to 2 Warwick Street, the publication of the first cumulative impact assessment in 2020 highlighted the year-on-year increase in cumulative impact between 2017 and 2019. The assessment proposed further policy restrictions within the West End Cumulative Impact Zone but due to COVID these were put on hold. We are concerned that since the reopening of the hospitality sector new crime figures for June 2022 show an increase in serious crime, it is against this backdrop that all applications for licences and especially those outside of policy need to be considered.

Whilst we are not suggesting that your client's premises will be problematic in terms of the operation your client proposes and we do not doubt it will be well run, it will nevertheless result in large numbers of people being present in the CIZ late at night and into the early hours of the morning. Brewer Street has a number of 3am licences (albeit mainly closer to the very busy junctions with Wardour Street and Old Compton Street) and cumulative impact here is a very real problem.

We do not feel that the argument that the hours and use which would result from this application when compared to the hours and use of the previous premises does constitute a genuine exception to Policy. We acknowledge the overall reduction in hours, but note that the capacity is to all intents and purposes the same. In any event, it is not the Soho Society's policy (or indeed, role) to decide what is or is not an exception to policy. We can only put our views forward and let the Licensing Sub-Committee decide. Regardless of previous history any 'new' application can give rise to cumulative impact and an increase in crime and disorder and noise nuisance and needs to be considered on this basis.

The Cumulative Impact Assessment is clear levels in the CIZ are high, crime rates are increasing, the level of cumulative impact needs to be reduced, granting a new application for a late night bar and private members club to the hours proposed will only add to the existing levels. I respectfully anticipate that it may be that we cannot come to agreement on the hours and so we would maintain our representation, but we are very happy to continue dialogue regarding acceptable conditions to narrow down any points of different in that regard, and put our respective position on hours forward to the Committee when the time comes.

Regards,

██████
████████████████████



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

Schedule 12
Part A

WARD: West End
UPRN: 010033545405

Premises licence

Regulation 33, 34

Premises licence number:

22/04148/LIPT

Original Reference:

05/01986/LIPCV

Part 1 – Premises details

Postal address of premises:

The Warwick
1-2 Warwick Street
London
W1B 5LR

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
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:

Performance of Dance

Monday to Thursday:	09:00 to 03:00
Friday to Saturday:	09:00 to 04:00
Sunday:	09:00 to 00:30
Sundays before Bank Holidays:	09:00 to 03:00 (Except Easter Sunday)

Performance of Live Music

Monday to Thursday: 09:00 to 03:00
Friday to Saturday: 09:00 to 04:00
Sunday: 09:00 to 00:30
Sundays before Bank Holidays: 09:00 to 03:00 (Except Easter Sunday)

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday: 09:00 to 03:00
Friday to Saturday: 09:00 to 04:00
Sunday: 09:00 to 00:30
Sundays before Bank Holidays: 09:00 to 03:00 (Except Easter Sunday)

Late Night Refreshment

Monday to Thursday: 23:00 to 03:30
Friday to Saturday: 23:00 to 04:00
Sunday: 23:00 to 01:00
Sundays before Bank Holidays: 23:00 to 03:30 (Except Easter Sunday)

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 03:00
Sunday: 12:00 to 00:30
Sundays before Bank Holidays: 12:00 to 03:00 (Except Easter Sunday)

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

The opening hours of the premises:

Monday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:00
Sunday: 09:00 to 01:00
Sundays before Bank Holidays: 09:00 to 03:30

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

Alcohol is supplied for consumption both on and off the Premises.

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Mg Warwick Street Propco Ltd
26 New Street
St Helier
Jersey
JE2 3RA

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

130160 (Jersey Registered)

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

Name: Not Known

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: Not Known

Licensing Authority: Not known

Date: 5 May 2022

This licence has been authorised by Mary Pring on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request,

before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that—

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

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

- 8. (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (iii) Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (iv) (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Conditions related to regulated entertainment

- 9. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 11. Notwithstanding the provisions of Rule of Management No 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Thursday to 03:00 on the day following and from 23:00 on each of the days Friday to Saturday to 04:00 on the day following and from 23:00 on Sunday to 00:30 on the day following and until 03:00 the following day whenever the Sunday is followed by a Bank Holiday.
- 12. The cloakroom shall either be locked shut or an attendant shall be on duty in the cloakroom when the premises are in use.

Conditions related to the sale of alcohol

- 13. 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.

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

- 14. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 (12:00 on Christmas Day and Good Friday) and extend until 03:00 on the morning following except that:

- (i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
- (ii) on any day that music and dancing end between 00:00 midnight and 03:00, the permitted hours shall end when the music and dancing end;

(b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:

- (i) with the substitution of references to 04:00 for references to 03:00.

(c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12:00 and extend until 00:30 on the morning following except that:

- (i) the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not provided after midnight;
- (ii) where music and dancing end between 00:00 midnight on any Sunday and 00:30, the permitted hours on that Sunday shall end when the music and dancing ends.

(d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12:00 and extend until 03:00 on the morning following, except that:

- (i) the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not provided after 00:00 midnight;
- (ii) where music and dancing end between 00:00 midnight on any Sunday and 03:00, the permitted hours on that Sunday shall end when the music and dancing ends.
- (iii) the terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hour for the sale of alcohol mentioned above in d (i) and (ii)

(e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

(f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;

- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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.

15. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
16. 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.

17. 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

18. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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 venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period

Conditions related to regulated entertainment

19. The number of persons accommodated at any one time (excluding staff) shall not exceed the following: Basement: 190, Ground Floor: 150.

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

20. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill upon final payment, showing details of all drinks and food purchased.
21. No off sales save that alcohol for consumption outside the premises to be sold or supplied by waiter/waitress to person seated at tables or taking a table meal. Use of tables and chairs outside the premises be subject to any other licence issued by Westminster City Council. All tables and chairs to be taken inside the premises by 23:00 hours.
22. The bi-folding doors shall be kept closed when regulated entertainment takes place.



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

Schedule 12
Part B

WARD: West End
UPRN: 010033545405

Premises licence
summary

Regulation 33, 34

Premises licence
number:

22/04148/LIPT

Part 1 – Premises details

Postal address of premises:

The Warwick
1-2 Warwick Street
London
W1B 5LR

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
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:

Performance of Dance

Monday to Thursday:	09:00 to 03:00
Friday to Saturday:	09:00 to 04:00
Sunday:	09:00 to 00:30
Sundays before Bank Holidays:	09:00 to 03:00 (Except Easter Sunday)

Performance of Live Music

Monday to Thursday: 09:00 to 03:00
Friday to Saturday: 09:00 to 04:00
Sunday: 09:00 to 00:30
Sundays before Bank Holidays: 09:00 to 03:00 (Except Easter Sunday)

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday: 09:00 to 03:00
Friday to Saturday: 09:00 to 04:00
Sunday: 09:00 to 00:30
Sundays before Bank Holidays: 09:00 to 03:00 (Except Easter Sunday)

Late Night Refreshment

Monday to Thursday: 23:00 to 03:30
Friday to Saturday: 23:00 to 04:00
Sunday: 23:00 to 01:00
Sundays before Bank Holidays: 23:00 to 03:30 (Except Easter Sunday)

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**

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 00:30
Sundays before Bank Holidays: 12:00 to 03:00 (Except Easter Sunday)

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

The opening hours of the premises:

Monday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:00
Sunday: 09:00 to 01:00
Sundays before Bank Holidays: 09:00 to 03:30

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

Alcohol is supplied for consumption both on and off the Premises.

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

Mg Warwick Street Propco Ltd
26 New Street
St Helier
Jersey
JE2 3RA

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

130160 (Jersey Registered)

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

Name: Not Known

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

Restricted

Date: 5 May 2022

This licence has been authorised by Mary Pring on behalf of the Director - Public Protection and Licensing.

Existing Premises Licence 20/05824/LIPT



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

Schedule 12
Part A

WARD: West End
UPRN: 100023470359

Premises licence

Regulation 33, 34

Premises licence
number:

20/05824/LIPT

Original Reference:

05/09529/LIPN

Part 1 – Premises details

Postal address of premises:

So Japanese
3-4 Warwick Street
London
W1B 5LS

Telephone Number: 020 7292 0767

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sunday:	23:00 to 23:30
Sundays before Bank Holidays:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

The opening hours of the premises:

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Sundays before Bank Holidays:	12:00 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

Part 2

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

Mg Warwick Street Propco Limited
26 New Street
St Helier
Jersey
JE2 3RA

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

RC130160

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

Name: Kaoru Yamamoto

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: 09/02454/LIPERS
Licensing Authority: City Of Westminster Council

Date: 7 August 2020

This licence has been authorised by Mary Pring on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The premises shall be opened for licensable activities on New Year's Eve continuously until the relevant starting time on New Year's Day.
10. No alcohol shall be sold to children under the age of 18.
11. Children under the age of 18 shall be accompanied by adult.
12. Staffs shall be vigilant and shall request I.D whenever a customer appears to be under the age of 21.
13. There shall be no regulated entertainment on the premises.
14. Service of drinks on the premises shall be by waiter or waitress service.
15. Off sales shall be restricted to purchases from the designated retail area.
16. Open containers shall not be taken from the premises.
17. The number of persons accommodated at the premises shall be set at 40 persons for the Ground Floor area and 44 persons for the basement area, non inclusive of staff.
18. A refuse store of sufficient size shall be provided.
19. To permit late night refreshment Monday to Thursday 23:00 to 23:30, Friday to Saturday 23:00 to 00:00, Sundays 23:00 to 23:30 and Sunday prior to a bank holiday 23:00 to 00:00
20. Permit the sale of alcohol by retail Monday to Thursday 10:00 to 23:30, Friday to Saturday 10:00 to 00:00, Sundays 12:00 to 22:30 and Sunday prior to a bank holiday 12:00 to 00:00
21. To extend the sale of alcohol and late night refreshment by one additional hour on Good Friday, Easter Saturday and Sunday, Christmas Eve, Boxing Day and New Year's Eve.
22. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry and exit points and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping.
23. Alcohol for consumption on the premises to be sold to persons at tables.
24. Alcohol for consumption on the premises to be served as ancillary to table meals.
25. The service of alcohol for consumption on the premises shall be by way of waiter/waitress service.
26. After 23.00 hours intoxicating liquor shall only be supplied to persons taking a table meal.
27. Substantial food and substantial 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.

28. Throughout the premises (including the external area) food and beverages (whether alcohol or otherwise) shall be supplied only to persons seated at table by waiter or waitress.
29. No draught beer, No super strength beers or ciders to be sold or supplied above 5.5% alcohol by volume.
30. There shall be no sale or supply of draught beer.
31. Silence notices to be placed by the exits warning patrons leaving the premises of the proximity of residential premises and requesting an orderly exit.
32. Intoxicating liquor is to be displayed or exposed for sale on shelving or in cabinets, all of which outside of permitted hours can be secured behind locked grills or screens or behind locked fridge doors.
33. Signage to be clearly displayed to customers explaining hours that alcohol is permitted to be sold.
34. Suitable beverages other intoxicating liquor (including drinking water) shall be equally available.
35. There shall be no self service of spirits.
36. All waste shall properly presented and placed for collection no earlier than 30 minutes before the scheduled collection times.
37. Any entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex encounter establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted) shall not be provided. This condition does not apply to any entertainment which is an integral part of a licensed performance of a play.



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

Schedule 12
Part B

Premises licence
summary

WARD: West End
UPRN: 100023470359

Regulation 33, 34

Premises licence
number:

20/05824/LIPT

Part 1 – Premises details

Postal address of premises:

So Japanese
3-4 Warwick Street
London
W1B 5LS

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sunday:	23:00 to 23:30
Sundays before Bank Holidays:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

The opening hours of the premises:

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Sundays before Bank Holidays:	12:00 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

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

Mg Warwick Street Propco Limited
26 New Street
St Helier
Jersey
JE2 3RA

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

RC130160

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

Name: Kaoru Yamamoto

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

Restricted

Date: 7 August 2020

This licence has been authorised by Mary Pring on behalf of the Director - Public Protection and Licensing.

Premises History

Licence & Appeal History

1-2 Warwick Street

Application	Details of Application	Date Determined	Decision
05/01986/LIPCV	Conversion licence	12.05.2005	Granted by Licensing Sub-Committee
06/03417/LIPDPS	Application to Vary the Designated Premises Supervisor	10.05.2006	Granted under Delegated Authority
06/05108/LIPV	Variation application To include an external seating area on the ground floor to permit retail sale of alcohol and late night refreshment	27.07.2006	Granted by Licensing Sub-Committee
06/05971/LIPDPS	Application to Vary the Designated Premises Supervisor	14.07.2006	Granted under Delegated Authority
06/12924/LIPDPS	Application to Vary the Designated Premises Supervisor	12.08.2008	Granted under Delegated Authority
07/02330/LIPDPS	Application to Vary the Designated Premises Supervisor	25.03.2007	Granted under Delegated Authority
06/06173/WCCMAP	Master Licence	17.03.2007	Granted under Delegated Authority
08/07167/LIPDPS	Application to Vary the Designated Premises Supervisor	06.01.2009	Granted under Delegated Authority
08/10390/LIPV	Variation application To vary the layout of the premises	22.12.2008	Granted under Delegated Authority
10/02108/LIPCH	Change of details	08.04.2010	Granted under Delegated Authority
10/05411/LIPDPS	Application to Vary the Designated Premises Supervisor	23.08.2010	Granted under Delegated Authority

11/09736/LIPDPS	Application to Vary the Designated Premises Supervisor	14.12.2011	Granted under Delegated Authority
11/12282/LIPVM	<p>Minor Variation</p> <p>To amend condition 13 which reads "The number of persons accommodated at any one time (excluding staff shall not exceed the following: Basement: 220, Ground Floor: 150" to "The number of persons accommodated at any one time (excluding staff shall not exceed the following: Basement: 190, Ground Floor: 150".</p> <p>To remove the works conditions 19 and 20.</p>	05.01.2012	Granted under Delegated Authority
12/00931/LIPVM	<p>Minor Variation</p> <p>To alter the basement booth seating and seating arrangement on the raised area.</p>	27.02.2012	Granted under Delegated Authority
12/06458/LIPDPS	Application to Vary the Designated Premises Supervisor	05.08.2012	Granted under Delegated Authority
13/03142/LIPDPS	Application to Vary the Designated Premises Supervisor	04.07.2013	Granted under Delegated Authority
14/08645/LIPVM	<p>Minor Variation</p> <p>To vary the layout of the premises</p>	24.10.2014	Granted under Delegated Authority
15/01785/LIPDPS	Application to Vary the Designated Premises Supervisor	10.04.2015	Granted under Delegated Authority
15/02574/LIPDPS	Application to Vary the Designated Premises Supervisor	22.10.2015	Granted under Delegated Authority
17/00479/LIPDPS	Application to Vary the Designated Premises Supervisor	10.02.2017	Granted under Delegated Authority

18/08055/LIPDPS	Application to Vary the Designated Premises Supervisor	10.08.2018	Granted under Delegated Authority
18/13822/LIPDPS	Application to Vary the Designated Premises Supervisor	30.11.2018	Granted under Delegated Authority
18/14878/LIPT	Transfer application A3D2 Limited to Stonegate Pub Company Limited	14.12.2018	Granted under Delegated Authority
19/02271/LIPDPS	Application to Vary the Designated Premises Supervisor	28.03.2019	Granted under Delegated Authority
19/04464/LIPDPS	Application to Vary the Designated Premises Supervisor	07.05.2019	Granted under Delegated Authority
20/05827/LIPT	Transfer application	20.07.2020	Refused
20/10521/LIPCH	Change of details	31.03.2021	Granted under Delegated Authority
22/04148/LIPT	Transfer application Stonegate Pub Company Limited to Mg Warwick Street Propco Ltd	05.05.2022	Granted under Delegated Authority

3-4 Warwick Street

Application	Details of Application	Date Determined	Decision
05/09529/LIPN	Conversion licence	21.11.2005	Granted by Licensing Sub-Committee
06/06128/WCCMAP	Master Licence	21.11.2005	Granted by Licensing Sub-Committee
07/05714/LIPV	Variation application To vary the layout of the premises by extending the counter on the ground floor.	24.07.2007	Granted under Delegated Authority
09/00306/LIPV	Variation application To vary the layout of the premises	17.02.2009	Granted under Delegated Authority
09/04535/LIPDPS	Application to Vary the Designated Premises Supervisor	18.08.2009	Granted under Delegated Authority
19/00647/LIPVM	Minor Variation To vary the layout of the ground floor	05.02.2019	Granted under Delegated Authority
20/05824/LIPT	Transfer application Mr Tetsuro Hama to Mg Warwick Street Propco Limited	07.08.2020	Granted under Delegated Authority

There is no Temporary Event Notice or appeal history.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

11. Save for the ground floor restaurant and ground floor bar and their external areas (as shown shaded pink/orange and green/blue respectively on the licensing plans), licensable activities may only be provided to:
 - a. Members of a private club and their bona fide guests;
 - b. Bona fide guests of management; and
 - c. Persons attending a private, pre-booked event.
12. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 24 hours between their nomination or application and their admission to the private club.
13. A legible list of the names and addresses of members of the private club (which may be electronic) shall be kept at the premises at all times together with a record (which may be electronic) legibly recording the names and dates of attendance of any guests introduced by members which shall be retained for a period of 31 days. Both the list and the record shall be produced on demand for inspection by Responsible Authority officers.
14. The restaurant area of the ground floor (shown shaded pink on the licensing plans) shall only operate as a restaurant:
 - a. in which customers are shown to their table or the customer will select a table themselves
 - b. where the supply of alcohol is by waiter or waitress service only
 - c. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table
 - d. which do not provide any takeaway service of food or drink for immediate consumption off the premises
 - e. 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.

For the purpose of this condition 'substantial table meal' means a meal such as might be expected to be served as either breakfast, lunch, or dinner, or as a main course at any such meal and that is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purposes of a table.

15. The use of the second to fifth floors shall only be by:
 - a. office tenants i.e., those persons or companies with a minimum one-month contract to occupy office space at the premises
 - b. co-working members
 - c. office members
 - d. virtual office or digital members
 - e. persons attending a private pre-booked event or function, a list of functions and persons attending to be kept at reception for inspection by Responsible Authority officers
 - f. Directors and employees of the licence holder and its affiliated companies
 - g. Day-pass visitors
 - h. Any guests of the above, a list of whom shall be kept at the premises at all times together with a record (which may be electronic) showing the names and dates of attendance of any guests introduced by members. All records shall be produced on demand for inspection by Responsible Authority officers.

16. The sale of supply of alcohol for consumption off the premises shall either be:
 - a. for consumption in office and co-working spaces between 11:00 and 20:00 daily
 - b. in sealed containers and shall not be consumed in or immediately outside the premises until 23:00 daily; or
 - c. for consumption by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway in the external area (shown shaded orange and blue respectively on the licensing plans) in accordance with the terms of that permission.

17. No Regulated Entertainment shall be provided on the roof terrace.

18. Loudspeakers shall not be located in the entrance lobbies.

19. A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:
 - (a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,
 - (b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,
 - (c) The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team,
 - (d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and
 - (e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

20. The roof terrace shall not be used (save in emergencies and by members of staff) between 23:00 and 07:00 daily.

21. 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 and will include the external area immediately outside the premises entrance. 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.
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. 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.
24. Subject to a permitted wind-down substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
25. A Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS Hologram.
26. 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 regarding crime disorder
 - d. any incidents of disorder
 - e. any faults in the CCTV system
 - f. any refusal of the sale of alcohol
 - g. any visit by a relevant authority or emergency service.
27. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment
28. From 9pm on a Thursday, Friday, and Saturday evening, the Premises Licence Holder shall engage a minimum of 2 SIA licensed door supervisor(s) who shall be on duty at the premises. The SIA licensed door supervisor(s) must correctly display their SIA licence(s) when on duty so as to be visible. At all other times, the requirement for SIA licensed door supervisors shall be risk-assessed. Such risk assessments shall be produced to the Police or Licensing Authority immediately upon request.
29. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
30. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
31. There shall be no sales of alcohol for consumption 'Off' the premises after 23:00 hours each day.

32. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00 hours each day.
33. All windows and external doors shall be kept closed after 23:00 hours each day, except for the immediate access and egress of persons.
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of the local residents and businesses and leave the area quietly.
35. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the need of local residents and use the area quietly.
36. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
37. No collection of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 07:00 hours on the following day.
38. No deliveries related to licensable activities at the premises shall take place between 23:00 and 07:00 hours on the following day.
39. All waste if to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
40. With the exception of customers seating themselves at external tables 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.
41. The premises licence holder shall ensure that any patrons smoking, eating, or drinking 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.
42. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
43. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
44. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
45. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
46. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
47. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

48. The premises will implement a comprehensive dispersal policy and all relevant staff will be trained in its implementation. The Policy will be reviewed regularly and whenever the Licensee becomes aware of issues associated with dispersal. The Policy shall be produced to the Police or the Licensing Authority immediately upon request.
49. No licensable activities shall take place until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
50. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
51. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
52. Before the premises open to the public and subject to the grant of an acceptable premises licence the premises licence holder shall surrender and render incapable of resurrection the following premises licence(s):
 - a. 20/05824/LIPT (original licence number: 05/09529/LIPN); and
 - b. 19/04464/LIPDPS (original licence number: 05/01986/LIPCV)
53. The name and address of any person hosting a private, pre-booked event shall be kept at the premises at all times together with a record (which may be electronic) legibly recording the names of any guests attending that event which shall be retained for a period of 31 days. Both the name and address of the person hosting the event and the list of guests attending shall be produced on demand for inspection by Responsible Authority officers.
54. From 22:00 daily customers smoking outside the ground floor restaurant and bar shall be restricted to no more than 12 persons at any one time and shall be located within a designated smoking area located on Warwick Street. The said area shall be agreed with the Licensing Authority.
55. The number of persons accommodated at any one time in the licensed part of the premises shall not exceed 420 persons (excluding staff) with the following local restrictions for each floor:
 - a. Ground floor restaurant and bar – 150
 - b. First floor - 150
 - c. Sixth floor – 120
56. There shall be no externally promoted DJ-led events at the premises at any time.
57. With the exception of non-intrusive deliveries (e.g. post, milk, pastries, newspapers etc.) there shall be no deliveries to the premises between the hours of 23:00 and 08:00 the following morning.

Conditions proposed by the Licensing Authority

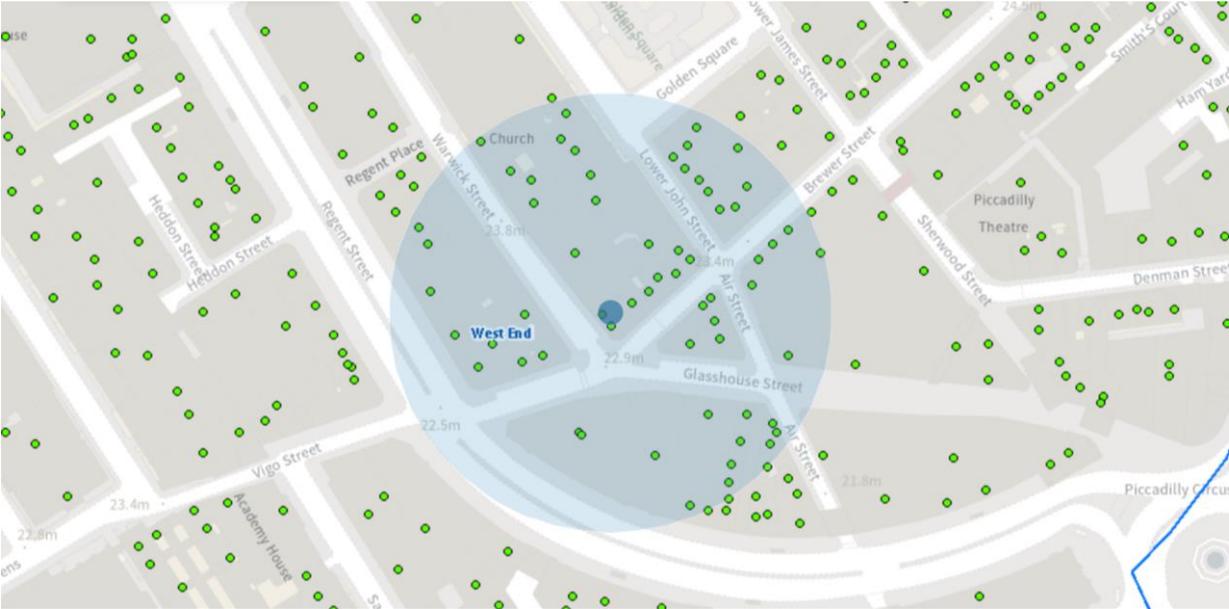
None

Conditions proposed by the Environmental Health Service

None

Conditions proposed by the Metropolitan Police Service

None



Resident count: 15

Licensed premises within 75 metres of Regency House, 1-4 Warwick Street, London, W1B 5LT

Licence Number	Trading Name	Address	Premises Type	Time Period
20/05824/LIPT	So Japanese	3-4 Warwick Street London W1B 5LS	Restaurant	Sunday; 12:00 - 23:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
22/04148/LIPT	The Warwick	1-2 Warwick Street London W1B 5LR	Restaurant	Sunday; 09:00 - 01:00 Monday to Thursday; 09:00 - 03:30 Friday to Saturday; 09:00 - 04:00 Sundays before Bank Holidays; 09:00 - 03:30
21/05304/LIPCH	Honest Burgers	84 Brewer Street London W1F 9UB	Restaurant	Sunday; 12:00 - 01:00 Sunday; 12:00 - 00:00 Monday to Saturday; 09:00 - 03:30 Monday to Saturday; 10:00 - 03:30
08/11314/LIPD	Rice Wine Shop	82 Brewer Street London W1F 9UA	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
19/07978/LIPDPS	Leicester Arms Public House	44 Glasshouse Street London W1B 5DP	Pub or pub restaurant with lodge	Sunday; 07:00 - 00:00 Sunday; 07:00 - 23:00 Monday to Thursday; 07:00 - 00:00 Monday to

				Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:30 Sundays before Bank Holidays; 07:00 - 00:30
16/00994/LIPRW	The Glassblower Public House	The Glass Blower 42 Glasshouse Street London W1B 5DW	Public house or pub restaurant	Sunday; 07:00 - 00:00 Sunday; 07:00 - 22:50 Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
14/02198/LIPDPS	The Source Cafe	78 Brewer Street London W1F 9TY	Cafe	Friday to Saturday; 08:00 - 02:30 Sunday to Thursday; 08:00 - 02:00
19/11314/LIPDPS	Nandos	46 Glasshouse Street London W1B 5DR	Shop	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/08393/LIPDPS	Il Conte Restaurant	Ground Floor 17 Air Street London W1B 5AF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/01342/LIPT	Prezzo	Ground Floor 36 - 38 Glasshouse Street London W1B 5DL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/05638/LIPN	Marian Goodman Gallery	5 - 8 Lower John Street London W1F 9DY	Museums & Art Galleries	Monday to Sunday; 10:00 - 18:00
18/09020/LIPCHT	Nala Restaurant	Basement North And Ground Floor North 1 Lower John	Restaurant	Monday to Sunday; 08:00 - 23:00

		Street London W1F 9DT		
09/00851/LIPCHT	One Stop Food & Wine	Ground Floor 1 Lower John Street London W1F 9DT	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
22/07496/LIPCH	Rapha Racing	85 Brewer Street London W1F 9ZN	Shop	Sunday; 10:00 - 22:00 Monday to Saturday; 08:00 - 22:00
06/06182/WCCMAP	Kulu Kulu Sushi	76 Brewer Street London W1F 9TX	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/10513/LIPDPS	Wholefoods	20 Glasshouse Street London W1B 5AR	Shop	Saturday; 09:00 - 22:30 Sunday; 12:00 - 18:30 Monday to Friday; 07:30 - 22:30