



City of Westminster

## Licensing Sub-Committee Report

Item No:

Date:

24 February 2023

Licensing Ref No:

22/10450/LIPN - New Premises Licence

Title of Report:

The Rooftop Restaurant & Bar  
Old War Office  
Whitehall  
London

Report of:

Director of Public Protection and Licensing

Wards involved:

St James's

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Kevin Jackaman  
Senior Licensing Officer

Contact details

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1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	2 November 2022		
Applicant:	57 Whitehall Sarl		
Premises:	The Rooftop Restaurant & Bar – Raffles Hotel		
Premises address:	Old War Office Whitehall London SW1A 2BX	Ward:	St James's
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	<p>Raffles Hotel sits on the site of the Old War Office in Whitehall and is destined to become one of London's finest 5* hotels.</p> <p>The Rooftop Restaurant and Bar is a flagship 4,819 sq ft rooftop restaurant on the 6th floor of the hotel with a turret lounge and spectacular views across London.</p> <p>The Premises are outside the West End Cumulative Impact Zone and the applicants are aware of Policy HOT 1 and its associated policies.</p> <p>The hotel will employ the very latest security equipment as well as a high ratio of concierge, door, security and ancillary staff to manage both residents and guests.</p> <p>The highest materials are being employed to ensure sound proofing, safety, waste facilities and management systems. The Applicants are aware that there is currently a planning condition restricting use of the terrace, although this application seeks to future proof in the event that the use is extended as per the Westminster Planning Officer's recommendation.</p> <p>The applicant has provided plans which can be found at <b>Appendix 2</b>.</p> <p><b>This application was before the Licensing Sub-Committee on 2nd February 2023. The hearing was adjourned as the members sort clarification relating to the plans and conditions in respect of the application.</b></p>		
Premises licence history:	This is a new premises licence application and no premises history exists		
Applicant submissions:	The applicant has provided a promotional brochure, dispersal policy, smoking policy with plans and summary of proposals which can be seen at <b>Appendix 3</b> .		

<b>Applicant amendments:</b>	<p>Following the adjournment, the applicant removed the following licensable activities: Plays, Performance of Dance and Anything of a similar description to that falling within (e), (f) or (g)</p> <p>Furthermore, the hours for Films, Record and Live Music, Late Night Refreshment and Retail Sale of Alcohol are reflected in <b>section 1-B</b> of the report.</p> <p>A copy of amended conditions can be found at <b>Appendix 5</b>.</p>
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<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Films: Sixth Floor</b>				<b>Indoors, outdoors or both</b>			<b>Indoors</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	02:00
<b>Seasonal variations/ Non-standard timings:</b>			00:00 to 00:00 (for residents and bona fide guests) Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				

<b>Live music: Sixth Floor</b>				<b>Indoors, outdoors or both</b>			<b>Indoors</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	02:00
<b>Seasonal variations/ Non-standard timings:</b>			00:00 to 00:00 (for residents and bona fide guests) Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				

<b>Recorded music: Sixth Floor</b>				<b>Indoors, outdoors or both</b>			<b>Indoors</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	02:00
<b>Seasonal variations/ Non-standard timings:</b>			00:00 to 00:00 (for residents and bona fide guests) Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				

<b>Late Night Refreshment: Sixth Floor</b>				<b>Indoors, outdoors or both</b>			<b>Indoors</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	02:00
<b>Seasonal variations/ Non-standard timings:</b>			00:00 to 00:00 (for residents and bona fide guests) Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				

<b>Sale of Alcohol: Sixth Floor</b>				<b>Indoors, outdoors or both</b>			<b>Both</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	02:00
<b>Seasonal variations/ Non-standard timings:</b>		00:00 to 00:00 (for residents and bona fide guests) Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day  Off Sales 09:00 to 23:00 only					

<b>Sale of Alcohol: Sixth Floor Terrace</b>				<b>Indoors, outdoors or both</b>			<b>Both</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>		Monday to Sunday 09:00 to 21:00 (for residents and bona fide guests) Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day  Off Sales 09:00 to 23:00 only					

<b>Sale of Alcohol: Fifth Floor Internal Terrace</b>				<b>Indoors, outdoors or both</b>			<b>Both</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	02:00
<b>Seasonal variations/ Non-standard timings:</b>		00:00 to 00:00 (for residents and bona fide guests) Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day  Off Sales 09:00 to 23:00 only					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	02:00
<b>Seasonal variations/ Non-standard timings:</b>		00:00 to 00:00 (for residents and bona fide guests) Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day					
<b>Adult Entertainment:</b>		None					

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Ian Watson
<b>Received:</b>	29 <sup>th</sup> November 2022
<p>I refer to the application for a New Premises Licence.</p> <p>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</p> <ol style="list-style-type: none"> <li>1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Sunday between 09.00 to 02.00 hours. NYE to NYD. 24 hours for residents and their guests.</li> <li>2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Sunday between 23.00 to 02.00 hours. NYE to NYD. 24 hours for residents and their guests.</li> <li>3. To provide regulated entertainment 'Indoors' comprising <ul style="list-style-type: none"> <li>• Plays</li> <li>• Films</li> <li>• Live Music</li> <li>• Recorded Music</li> <li>• Anything of a similar description to Live Music, Recorded Music and Performance of Dance</li> </ul> Monday to Sunday between 09.00 to 02.00 hours. NYE to NYD. 24 hours for residents and their guests.</li> </ol> <p>I wish to make the following representation</p> <ol style="list-style-type: none"> <li>1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.</li> <li>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 area.</li> <li>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 area.</li> <li>4. The applicant has provided additional information with the application which is being addressed.</li> </ol> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	

<b>2-B Other Persons</b>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	29 November 2022
RLS Law represents [REDACTED] [REDACTED]	
<p>This representation relates to the above application for a new premises licence. The application is for a new premises licence for a premises identified as the Rooftop Restaurant and Bar which is located on the rooftop at sixth floor level of Raffles Hotel in the former Old War Office.</p> <p>[REDACTED] Old War Office (“OWO”) and [REDACTED] is on the same street as the ever-growing rooftop bar that forms part of the OWO development; however, we are making Representations in relation to all 7 of the Applications for new Premises Licences in the Old War Office development, that have been made simultaneously.</p> <p>The nature of the development at the Old War Office is complex and significant in its scale and we would suggest all 7 licence applications need to be considered simultaneously, as it is only with an appropriate prospective that takes in the likely impact of all 7 licences, that the relevant issues can be appropriately determined by the Licencing Authority.</p> <p>Both commutatively and individually, the applications are likely to impact on the four Licencing Objectives as set out below:-</p> <p><b>The Prevention of Crime and Disorder</b></p> <p>The provision of licensable activities, in particular the sale by retail of alcohol, and to some extent the provision of regulated entertainment, has a well-documented link to the propensity for persons to commit acts of crime with disorder, both against each other and those innocent members of the public that they encounter. The application seeks substantial hours for the sale of alcohol and provision of regulated entertainment, and so the grant of this application on its current terms is likely to increase crime and disorder in the surrounding area. We also note that the application includes the provision of late night refreshment and Westminster City Council has identified that locations providing late night refreshment offer a considerable attraction to persons who are and have consumed alcohol, both at the premises and in the local area, effectively increasing the number of people likely to be on these premises late into the night on any given day. The combined OWO premises has a significant capacity and so will realistically be holding a large number of persons who will have consumed alcohol late into the night. When those customers leave the premises late in the evening or in the early hours of the morning, the identified link between the consumption of alcohol and the propensity to engage in crime and disorder will be all too readily played out in the surrounding residential neighbourhood.</p> <p><b>The Prevention of Public Nuisance</b></p> <p>Further to our comments above on the prevention of crime and disorder, a substantial number of people leaving this premises late in the evening or in the early hours of the morning will have, we would go so far as to say, an obvious impact on local residents who will be expecting to quietly enjoy their homes and get a good night’s sleep. Westminster City Council has identified the (perhaps all too obvious) link between persons consuming alcohol and listening to regulated entertainment and the propensity for those persons to cause noise nuisance to local residents as they gather and pass by residents’ homes.</p> <p>We would add that the provision of regulated entertainment itself has the potential to result in noise breakout and that noise is likely to disturb residents, especially in the late evening and early hours of the morning. Again, for a combined premises of this size, the above is a</p>	

considerable issue that causes concern to all local residents, including our client.

### **Public Safety**

Due to the nature of the premises, it is highly likely that large numbers of people (many of whom will have consumed alcohol), will depart simultaneously when the premises close to the public or at the end of any particular event. This is a highly trafficked area and the management of such persons needs to be demonstrated to the highest level to ensure the safety of those departing customers. This is a clear and substantial risk and needs to be considered in detail by the Licensing Authority at an appropriate subcommittee.

### **Protection of Children From Harm**

We can expect the various licence premises within this combined development to have in place, robust age verification systems, however, as we have noted above, public nuisance is highly likely to be caused by departing customers (especially in the evening and early morning) and many of those that live in the neighbourhood surrounding the premises have families with children who require more sleep than the parents. The impact on those children of this operation is likely to be even more significant than it will be on neighbouring adult residents.

### **Matters Generally**

We strongly suggest to the Licensing Authority that the applications submitted in relation to the OWO development, including this application, fail to sufficiently address the requirements of Westminster's Statement of Licensing Policy; including but not limited to, Policies CD1, PS1, PN1, CH1, RNT1, HOT1, MD1 and PB1. Further, the nature of the 7 applications and the draft Conditions attached to them, fail to clearly and adequately identify the number and nature of the persons allowed on the Premises and receiving Licensable Activities at any given time.

Our clients will ensure that they or their representatives are free to attend any subcommittee hearing that the council may convene in relation to this and the 6 other abovementioned applications, and will provide a detailed comment by way of their own witness testimony, along with detailed submissions from us, their legal representatives

<b>Name:</b>	Lewis Silkin Solicitors
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	15 November 2022

### **The Rooftop Bar & Restaurant at the Old War Office**

#### **Licence Application 22/10450/LIPN - Neighbour Representations**

We act on behalf of the owner of [REDACTED] and are writing to express our concerns about the proposed operating hours and potential noise in connection with the above licence application ("the Licence Application").

#### **Background**

The Old War Office ("the OWO") is a Grade II\* listed building and is situated within the Whitehall Conservation Area. It was originally built as offices in 1899-1906. After becoming vacant in the 21st Century the government decided to dispose of the building in 2014. Planning permission (ref: 16/09548/FULL) ("the Planning Permission") was granted in 2017 to convert the building into a luxury hotel with associated retail, restaurant, bar and leisure/spa facilities and residential apartments.

The Rooftop Bar & Restaurant ("the Rooftop") will be a restaurant that is situated on the sixth floor of the OWO. The Rooftop comprises an entrance lobby, an indoor dining and bar area, a

kitchen, an outdoor wraparound terrace and a turret lounge.

The Planning Permission was granted subject to a number of conditions some of which related to noise impact and protection of residential amenity. The conditions ("the Planning Conditions") provided:

*"Cond 12: Non-hotel guests shall not be permitted within the bar at fifth/sixth floor level (or any other facilities providing food and beverages that are created within the hotel in the future) before 08.00 hours or after 02.00 hours."*

*"Cond 13: The terraces adjacent to the 'panoramic bar' at fifth and sixth floor levels as shown on drawing numbers 0255-Z05 R06 and 0256-Z06 R06 shall only be used by customers of the bar between 08.00 and 21.00 hours and the al fresco dining within the Quadrangle shall only take place in association with the restaurant in the north-east corner of the ground floor as shown on drawing number 0250-Z00 R09 between 11.30 to 20.00 hours daily."*

Reasons given for the imposition of these conditions include the protection of residential amenity of people in neighbouring properties and in the residential part of the development. The Licence Application seeks a premises licence for the Rooftop ("Premises Licence"). It requests a licence for the following activities: regulated entertainment (plays, films, live music and similar activities), late night refreshments and the supply of alcohol. The Licence Application proposes the following times and locations:

- Regulated entertainment will take place indoors between 0900-0200.
- Late night refreshments will take place both indoors and outdoors between 2300-0200.
- The supply of alcohol will take place both indoors and outdoors between 0900-0200.

The requested licence conditions ("the Licence Conditions") have been summarised by Westminster City Council as follows:

*"Notice is hereby given that 57 Whitehall Sarl have applied to the City of Westminster for a new Premises Licence for regulated entertainment daily 0900-0200; sale by retail of alcohol on and off daily 0900-0200 and late-night refreshment on and off daily 2300-0200 for The Rooftop @ Raffles Hotel, The Old War Office, Whitehall, London SW1A 2BX."*

Our client wishes to object, in the strongest possible terms, to the Licence Conditions on the grounds that it will impact the residential amenity of neighbouring properties, particularly those neighbours situated at a similar height to the Rooftop. The Rooftop, particularly the external terrace, operating until 0200 everyday will cause public noise nuisance to our client and neighbouring properties. This impact needs to be taken into account particularly bearing in mind the cumulative impact in relation to noise and traffic that will arise from the use of the OWO hotel and associated facilities.

### **Westminster City Council Licencing Policy (October 2021)**

The Westminster Licencing Policy document sets out how the Council will promote licencing objectives whilst protecting residential amenity and supporting businesses. The following policies are relevant to the Rooftop Licence Application:

*Policy PN1 – Prevention of Public Nuisance*

(a) *"The Licencing Authority will not grant applications that do not promote the prevention of public nuisance licencing objective."*

(b) *"When considering Clause A, the Licencing Authority will apply the criteria and take into account any relevant considerations as set out below:*

*Criteria*

(i) *"The potential for nuisance associated with the style, characteristics and activities of the business to be carried out at the premises and the potential steps which would be taken to reduce the risk of nuisance occurring. This will particularly apply in areas of residential accommodation and where there is residential accommodation in proximity of the premises."*

*Considerations*

(ii) *"Whether Operating Schedules contain adequate measures to prevent noise and vibration, whether airborne or structure borne, generated from within the premises, outside it, or from an open site, that may cause disturbance to people in the vicinity. Regard will be had to*



*disturbance of people whether at home, at work, staying in, or visiting the vicinity. However, stricter conditions will be imposed on Premises Licences in areas that have denser residential accommodation or have residential accommodation close to them.”*

*(iii) “Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to limit noise and vibration, eating, drinking and smoking outside their premises and other environmental impacts by:*

- Restricting the generation of noise within the premises and from activities associated with the premises in the vicinity, or from an open-air site.*
- Limiting the escape of noise from the premises or open-air site.*
- Restrict 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.*
- Identifying whether people standing or sitting outside premises are likely to cause obstruction or other nuisance.*
- Identifying whether the premises are under or near to residential accommodation.*
- Limiting the hours of the sale of alcohol in open containers or food for consumption outside the premises.*
- Introducing measures to make sure that customers move away from outside premises when such sales cease.*
- Identifying whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink (whether supplied from the premises or not), between certain hours or at all times. In addition, there may be particular issues of crime and disorder with regard to outside activities.*

*(iv) The measures proposed in the Operating Schedule should have regard to the objective noise criteria set out in Appendix 11.”*

*Appendix 11*

*(i) “The council regards the control of noise as an essential aspect of good neighbourliness, contributing to the sustainability of residential and commercial communities. The Westminster Noise Strategy outlines Westminster’s commitment to adopt noise conscience city management, planning and licensing.”*

*(ii) “Applicants should consider the potential sources of noise and the hours when it may be generated. The Licensing Authority’s noise criteria relate to all these sources of noise whether indoors or in the open air, including:*

- Music and human voices, both amplified and unamplified.*
- Other internal activities*
- Use of open areas*
- Patrons queuing*
- Patrons and staff entering and leaving the premises and in its vicinity.*

*(iii) “Many licensed activities can cause noise that is heard outside the premises or originates from an open-air site and some of these risks generating noise that causes public nuisance. The risk assessment carried out for licence applications for such activities, should take account of the criteria and guidance on noise set out below which indicates circumstances in which a noise report will be necessary and what it should contain.”*

*Licensing Strategy – Related Strategies and Initiatives*

*B17: The local planning authority is a responsible authority and can make representations on applications. However, it can only make representations related to the licensing objectives.*

*Nuisance and crime and disorder are shared concerns of planning and licensing.*

### **Licensing and Planning**

Our client is aware that planning and licencing are considered under distinct and separate regimes. As a matter of law licensing authorities only have to consider matters relating to licensing objectives under the Licensing Act 2003 namely (i) prevention of crime and disorder (ii) public safety (iii) prevention of public nuisance and (iv) protection of children from harm. Sections B17 of Westminster Council’s Licencing Policy recognises, however, that planning concerns relating to the impact on residential amenity, to the point it causes public nuisance is within the scope of licensing and should be considered being a matter of shared concern.

### **Noise Impact**

Our client would like to suggest alternative opening hours conditions that would allow the

Rooftop to operate effectively while safeguarding the residential amenity of our client and neighbouring properties. Instead of allowing the outdoor terrace to be used everyday until 0200, the Rooftop terrace should be restricted to 2100.

The Licence Conditions also request the general use of the indoor dining area to be allowed until 0200. Westminster standard licencing conditions do not generally accommodate a restaurant use to be open until 0200. A closing time of 0100 is generally what is required by Westminster City Council and indeed has been imposed on similar applications, in particular the Civil Service Club (ref: 20/07906/LIPN) situated approx. a one-minute walk away.

The Licensing hours requested would negatively impact the residential amenity of our client and neighbouring properties which would conflict with the aims of Policy PN1 (Prevention of Public Nuisance).

### **Proposed Conditions**

In summary, we would ask that the proposed Premises Licence should include the following conditions, alongside Westminster's mandatory conditions, to protect residential amenity and ensure compliance with Westminster Council's licensing public nuisance policy aims:

- The Rooftop indoor dining and bar area shall be open no later than 0100 daily.
- The Rooftop external terrace shall not be used past the hour of 2100 daily.
- The provision of regulated entertainment of performance of live music, performance of dance, shall only be permitted indoors.
- All windows and external doors shall be kept closed after 2100 when regulated entertainment or performance of live music, performance of dance is provided, except for the immediate access and egress of persons.
- Notices shall be prominently displayed at all exits to the terrace requesting patrons to respect the needs of local residents and businesses and leave the terrace quietly.
- A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. The telephone number is to be made available to residents and businesses in the vicinity.
- There shall be no private pre-booked functions whatsoever in the external terrace area of the premises.
- There shall be no private pre-booked functions whatsoever in the external terrace area of the premises.
- The external terrace area shall be limited to a suitable number of people at any one time to (i) limit overcrowding and (ii) restrict excessive noise and will not be used past 2100.

If the Council is minded to approve the Licence Application, we respectfully request that the conditions are amended/added as set out above to protect residential amenity.

3.	<b>Policy &amp; Guidance</b>
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</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"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</li> <li>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</li> <li>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</li> <li>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</li> <li>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities 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</li> </ol>

	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>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:</p> <p>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) 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. 10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>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>
<p><b>Policy HOT1(A) applies</b></p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel.</li> <li>5. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>6. The application and operation of the venue meeting the definition of a Hotel as per Clause C.</li> </ol> <p>C. For the purposes of this policy a Hotel is defined as a premises that is primarily used as an establishment providing overnight accommodation for customers.</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.

<b>5.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Interested Party supporting documents
<b>Appendix 2</b>	Premises plans
<b>Appendix 3</b>	Applicant supporting documents
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Mr Kevin Jackaman
<b>Contact:</b>	Telephone: 020 7641 1095 Email: kjackaman@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Environmental Health representation	29 November 2022
<b>5</b>	Interested Party representation (1)	29 November 2022
<b>6</b>	Interested Party representation (2)	15 November 2022

[REDACTED]

Westminster Licensing Sub-Committee  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Your ref: 22/10467/LIPN et al  
Our ref: GA018.1

[REDACTED]

By email only – [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk)

30 January 2023

Dear Sirs,

**Old War Office, Whitehall, London, SW1A 2EU**  
**Licensing Act 2003**  
**Applications 22/10514/LIPN et al associated with the Old War Office Hotel Development.**  
**(the “Applications”)**

[REDACTED] and have previously provided a representation that can be found in the committee papers for this application. Unfortunately, due to a longstanding commitment, [REDACTED] are unable to attend the hearing on 2 February 2023 and so, we are providing this update to our original representation to stand as our client’s written submissions to the subcommittee. Further, [REDACTED] will be represented by Mr Richard Brown of the Westminster Licencing Project in his capacity as specialist legal representative to the citizens of Westminster.

A copy of these submissions will be sent to the Applicant’s team including their legal advisor and we look forward to any comment the Applicant may have on the same. We can be contacted at the above email address during normal business hours.

[REDACTED] [Home](#)

[REDACTED] the Old War Office. We understand that this is the case for many of the residences in this (currently) surprisingly quiet neighbourhood.

**The Applications Generally**

Save for specific issues affecting the roof bar and restaurant, our client’s concerns broadly relate to the three ground floor bars and restaurants that face outwards onto the highway. We note that despite these units being described for the most part as restaurants, no restaurant condition has been offered for any one of the licences being sought. For this reason, we ask the members to impose

[REDACTED]

Westminster's Model Condition 66 along with Model Condition 60 allowing for a capacity-restricted holding bar in each of the restaurants:

MC66 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.

MC60 Notwithstanding condition MC66, alcohol may be supplied and consumed prior to their meal in the bar area (*designated on the plan*), by up to a maximum at any one time, of [*Enter number of persons or percentage of persons*] persons dining at the premises.

We would ask the members to note that without the imposition of the above conditions the applications as they stand are for three street level bars with no restrictions or conditions open to the public until 2.00 am seven days a week. We would submit that that is quite simply not appropriate for a highly residential area such as this.

In addition to the above condition, we would request that the members impose specific capacity conditions on each of the licenced areas. Currently, although capacity conditions are proposed, no specific capacity figures have been identified, and there is no mention of a limit on guests of residents.

Further, all persons wishing to smoke, regardless of where they are within the hotel development (including any of the bars and restaurants) should be required to do so in the internal courtyard.

### **Access to Ground Floor Premises**

The Cambridge Bar & Restaurant, the Gurkha and the Whitehall Place Restaurant are at ground floor and we understand can be accessed without having to pass through the hotel. While this may be acceptable during the daytime operation, in the later hours, these are effectively three freestanding late night venues selling alcohol as well as, but not currently, ancillary to food. This is all the more concerning given the number of protestors who regularly congregate in the area due to its proximity to Whitehall and Trafalgar Square.

Access in the later hours to these premises should be by way of the main hotel entrance in order to mitigate the risk of noise nuisance through the comings and goings at ground floor level of customers seeking and having partaken of licensable activities including the sale of alcohol. The Applicant has proposed a condition requiring this, however, in its current form, the condition requires access to be by way of the main hotel entrance after 1am. We request that in order to promote the Prevention of Public Nuisance Licencing Objective, this requirement should commence at 10pm daily (when the various Premises are open past that time).

### **Opening Hours**

Currently, the applications are to allow hotel 24 hours a day for each of the licenced units, but more concerningly for local residents the applications are to allow members of the public access until 2.00 am seven days a week.

We would ask the committee members to note the highly residential nature of this area, and to appropriately reduce the hours that members of the public may be on the premises on Sundays to Thursdays, to a terminal hour of 11pm (with last orders at 10pm) and Midnight (with last orders at 11pm) on Fridays/Saturdays. Further, we would ask that this is enshrined by way of condition requiring such persons to be off the premises by midnight rather than simply for them to remain on the premises having been provided with licensable activities such as the sale of alcohol up until midnight.

### **Comments on the Specific Licence Applications**

#### 22/10484/LIPN – The Raffles Hotel

Given the size and capacity of the hotel, and its likely role as a destination venue, we submit that although hotel residents may indeed be expected to arrive at anytime of the day, non-residents should be excluded from the Premises outside of the hours we have proposed for the restaurants and bars; effectively all non-residents to be off the premises from 11pm/Midnight to start of business the following day.

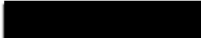
#### 22/10514/LIPN – The Raffles Apartments

We cannot see why these need to be licensed as they can be serviced from the hotel licence by way of off sales.

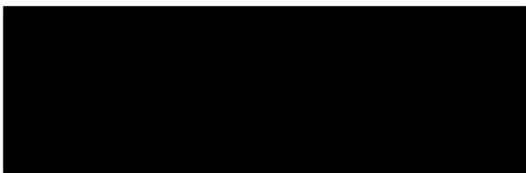
#### 22/10450/LIPN – The Rooftop at Raffles Hotel

The use of the terrace area should be limited to an appropriate number of customers so as not to cause a nuisance at any time (this should not simply be a number limited by health and safety regulations). Further, the terrace should not be accessed by anyone (save for staff in carrying out maintenance that cannot reasonably be conducted at any other time) between the hours of 9pm and 9am.

#### 22/10455/LIPN – The Pavilion

 are not against the use of this primarily internal restaurant, with it's terrace within the courtyard area. However, it would seem perfectly sensible and practicable for all customers who wish to smoke, from the Hotel and its various licensed units, to be required to do so within the courtyard area, not only those from the Pavilion.

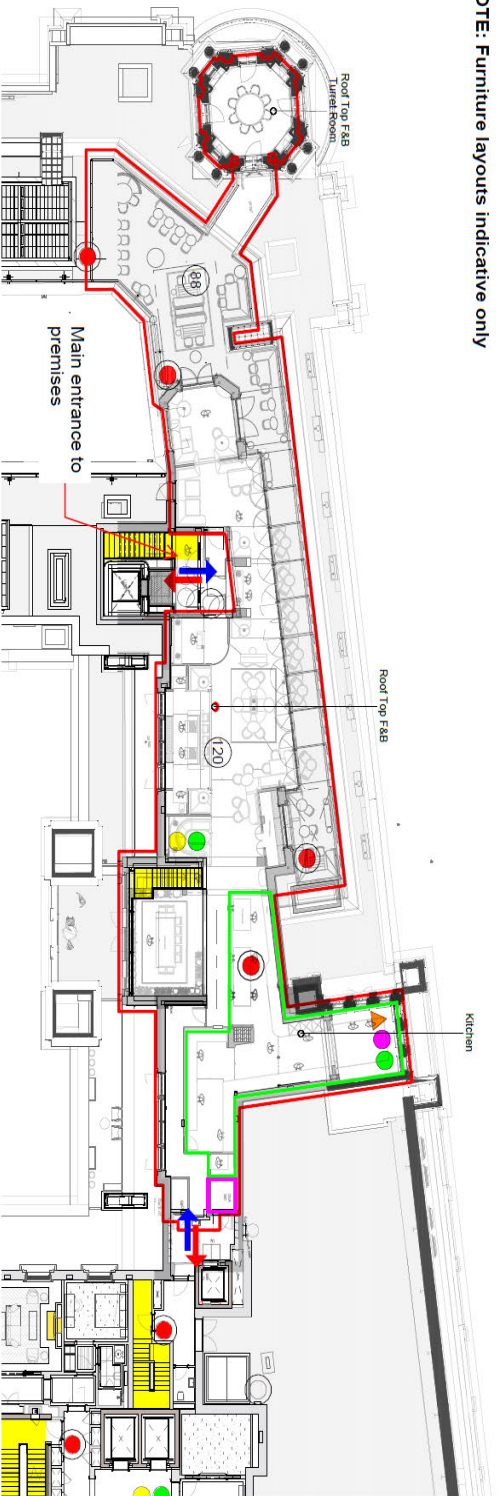
Yours faithfully



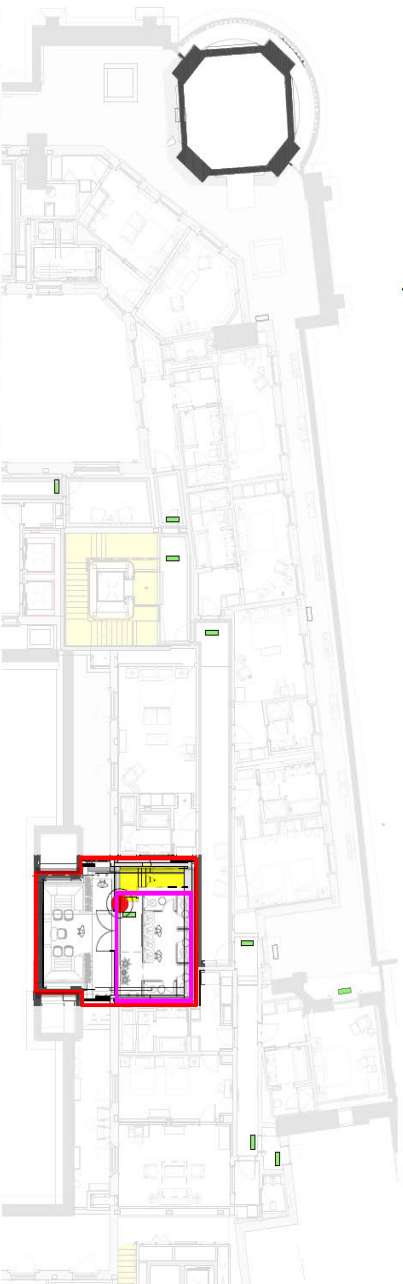




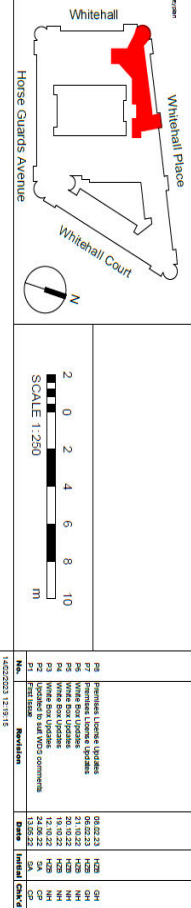
**NOTE: Furniture layouts indicative only**



Premises License - Rooftop F&B Sixth Floor Plan



Premises License - Rooftop F&B Fifth Floor Plan



No.	Revision	Date	Initial	CHK'd
04/02/23		04/02/23	H2B	GH
05/02/23		05/02/23	H2B	GH
11/10/23		11/10/23	H2B	NH
15/12/23		15/12/23	H2B	NH
13/02/23		13/02/23	SA	CF

No.	Revision	Date	Initial	CHK'd
04/02/23	12/13/15	04/02/23	H2B	GH
05/02/23		05/02/23	H2B	GH
11/10/23		11/10/23	H2B	NH
15/12/23		15/12/23	H2B	NH
13/02/23		13/02/23	SA	CF

**The Rooftop:**  
 Licensee Area

**Fire Strategy:**  
 Manual fire detection call point  
 Fire Exit Signage  
 Egress (Escape Route) from the premises  
 Access to the premises  
 Fire Blanket to be provided  
 OCCUPANCY:  
 Occupant/levels

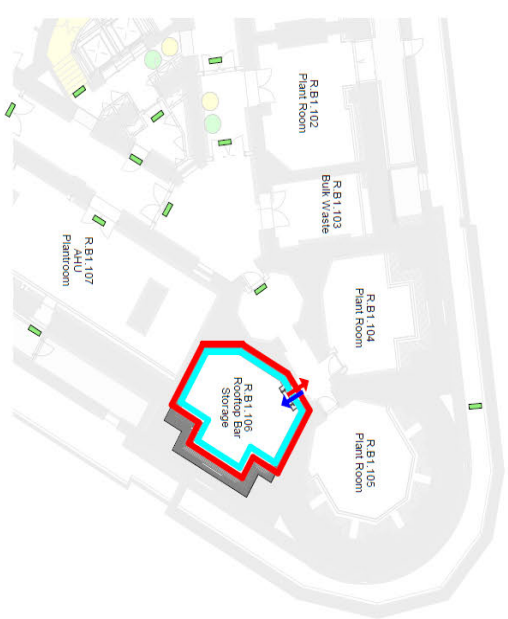
**PORTABLE EXTINGUISHERS:**  
 SS9V oil fire Extinguisher  
 Powder fire Extinguisher  
 Wet Chem. Fry Fighter fire  
 Fire Extinguisher  
 CO2/Carbon Dioxide fire  
 Fire Extinguisher

**HOTEL & AMENITY SUPPORT AND ANCILLARY AREAS:**  
 Kitchen Facilities  
 Public Convenience  
 Storage Areas

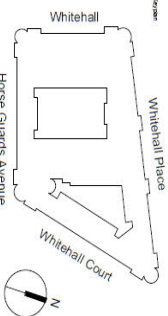
**NOTES:**  
 Means of fire detection, warning and emergency lighting provisions are provided by Specialist Sub-Contractor. Fire mounted on brackets or stands close to all exits, no more than 30m apart. Final locations to be confirmed with Fire Officer.  
 For locations of all smoke detectors, sounders, sprinklers and emergency luminaires, please refer to the EPR 68 Series drawings.  
 For all Fire Exit signage locations, please refer to the EPR 68 Series drawings.  
 Fire extinguisher scope as advised by Chubb Fire & Security.  
 Areas have been designed to accord with Building Regulations and through consultation with LSC.

**EPR Architects**  
 20 Raffles, London SW1P 3BU  
 Tel: 020 7493 7900  
 57 Whitehall  
 London  
 Premises Licensing - Rooftop Bar

**For Information**  
 1250 @ A3 05/11/22  
 Project: 1250 @ A3 05/11/22  
 OMO: EPR\_AK-DNV\_B\_XK-31-0504\_P8



Premises License - Rooftop F&B Basement 1 Floor Plan



2 0 2 4 6 8 10  
SCALE 1:250  
m

<p>No. 14/20/2023 12 18/24</p> <p>P3 Premises License Update P2 Premises License Update P1 Premises License Update</p> <p>Revision</p>	<p>01/02/23 H2B 06/02/23 H2B 06/02/23 H2B 06/02/23 H2B 06/02/23 H2B</p> <p>Date Initial Check</p>
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**NOTES:**  
 Means of fire detection, warning and emergency lighting provisions are provided by Specialist Sign-Contractor. Fire mounted on brackets or stands close to all walls no more than 30m apart. Final locations to be confirmed with Fire Officer.  
 For locations of all smoke detectors, sounders, sprinklers and emergency luminaires, please refer to the EPR 68 Series drawings.  
 For all Fire Exit Signage locations, please refer to the EPR 68 Series drawings.  
 Fire extinguisher scope as advised by Chubb's Fire & Security. Areas have been designed to accord with Building Regulations and through consultation with LBC.

**Legend:**

- The Rooftop:
- Licence Area

- Manual fire detection call point
- Fire Exit Signage
- Egress (Escapes Route) from the premises\*
- Access to the premises\*
- ▲ Fire blanket to be provided

- ⓧ OCCUPANCY:  
Occupant/levels

**HOTEL & AGENCY SUPPORT AND HOTEL & AGENCY AREAS:**  
— Kitchen Facilities  
— Public Convenience  
— Storage Areas

**PORTABLE EXTINGUISHERS:**  
● SSOW d1r Fire Extinguisher  
● Powder d1r Fire Extinguisher  
● Wet Chem/Fry Figher d1r  
● Fire Extinguisher  
● CO2 Cannon Dioxide 2kg  
● Fire Extinguisher

577/Whitehall London	Premises Licensing - Rooftop Bar
<p><b>For Information</b>          Project No. 10/20/22          Project to Commence Date: 06/02/23          OWO-EPR-AR-DRW-B-XX-3140801 P3</p>	

**Thomas & Thomas**  
Partners LLP

**OLD WAR OFFICE  
WHITEHALL  
LONDON SW1A 2BX**

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**EXECUTIVE SUMMARY**

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**THOMAS & THOMAS PARTNERS LLP  
38A MONMOUTH STREET  
LONDON  
WC2H 9EP**

**Reference: AT/51.1.1**  
**Solicitors for the Applicant**

## Introduction

1. Following the adjournment of the applications on Thursday 2 February, the applicant has provided additional plans and amendments to the various applications, in respect of hours of operation, conditions and licensable activities. Those changes are shown below:

Area	Hours & Activities					
	Public / Non-Residents	Internal Terraces	External Terraces	Residents (Hotel / Apartments)		
<b>Hotel</b>	Plays, Exhibition of Film, Live & Recorded Music, Late Night Refreshment, Performance of Dance, Anything of a Similar Description, Sale of Alcohol	<b>Mon to Sun</b> 09:00 to 02:00	Ground Floor <b>Mon to Sun</b> 09:00 to 23:00	N/A	Sale of Alcohol, Exhibition of Film, Recorded Music, Late Night Refreshment	<b>Mon to Sun</b> 24 hours
<b>Ground Floor Restaurants (Whitehall, Cambridge, Gurkha, Pavilion)</b>	Live & Recorded Music, Late Night Refreshment. Sale of Alcohol	<b>Mon to Sun</b> 09:00 to 01:00	Ground Floor <b>Mon to Sun</b> 09:00 to 23:00	Ground Floor <b>Mon to Sun</b> 09:00 to 21:00	Sale of Alcohol, Exhibition of Film, Recorded Music, Late Night Refreshment	<b>Mon to Sun</b> 24 hours
<b>Rooftop Bar &amp; Restaurant, 5<sup>th</sup> &amp; 6<sup>th</sup> Floor</b>	Live & Recorded Music, Late Night Refreshment. Sale of Alcohol	<b>Mon to Sun</b> 09:00 to 02:00	6 <sup>th</sup> Floor <b>Mon to Sun</b> 09:00 to 21:00  5 <sup>th</sup> Floor Internal Terrace <b>Mon to Sun</b> 09:00 to 02:00 (non-residents) 24 hours (Hotel Residents & Guests)	N/A	Sale of Alcohol, Exhibition of Film, Recorded Music, Late Night Refreshment	<b>Mon to Sun</b> 24 hours
<b>Apartments</b>	Plays, Exhibition of Film, Live & Recorded Music, Late Night Refreshment, Performance of Dance, Anything of a Similar Description, Sale of Alcohol	<b>Mon to Sun</b> 09:00 to 02:00			Sale of Alcohol (on & off), Exhibition of Film, Recorded Music, Late Night Refreshment	<b>Mon to Sun</b> 24 hours

In summary:

- a) The hotel and rooftop hours remain at 09:00 and 02:00\*;
- b) The ground floor uses (Gurkha, Whitehall, Cambridge, Pavilion) amended to 09:00 and 01:00\*;
- c) All external ground floor terraces will not operate save for between 09:00 and 21:00;
- d) The 6<sup>th</sup> floor terrace will not operate save for between 09:00 and 21:00; and

- e) The ground floor internal terraces will not operate save for between 09:00 and 23:00.

\*save for residents and their guests

### The Application

2. The Grade II\* listed Old War Office is one of the most historically significant buildings in London, and is iconic both in terms of its physical appearance and by virtue of its historic function.
3. The overall vision of use celebrates the building's heritage and seeks to secure the buildings long-term future, introducing an appropriate mix of appropriate high-quality uses, facilitating public access to the building for the first time and delivering the restoration and adaptation of this nationally important building.
4. The mixed-use scheme includes a 120 bedroom hotel and ancillary spaces, 85 residential apartments and ancillary facilities.

### The Applicant

5. The applicant is **57 Whitehall SARL**, who are the developer of the hotel. They have entered into a long-term agreement with Raffles Hotels and [ ] other restaurant operators. Raffles Hotels & Resorts is part of Accor S.A. headquartered in Tour Sequana, Issy-les-Moulineaux, France. Accor S.A. operates a number of hotels in the capital, two hotels are in close proximity that are managed very successfully (The Savoy & Sofitel St James).
6. Six of the licences are constituent parts of the hotel and a condition is proposed that the uses under the licences remain ancillary to that use. The seventh application is for the private apartments, where the majority of the use is conditioned to residents and their guests only. The only part that is not is a small function room ancillary and connected to the main hotel. This is hatched black on the plan. Therefore, the overwhelming use and access onto Whitehall Court is only by the long-term residents of the apartments.
7. Uniquely, the hotel also has on-site parking for residents and a bespoke taxi pick-up and servicing plan. The departure and dispersal of customers and arrangements for smoking are addressed in the Noise, Dispersal and Management Plan.

Thomas and Thomas Partners

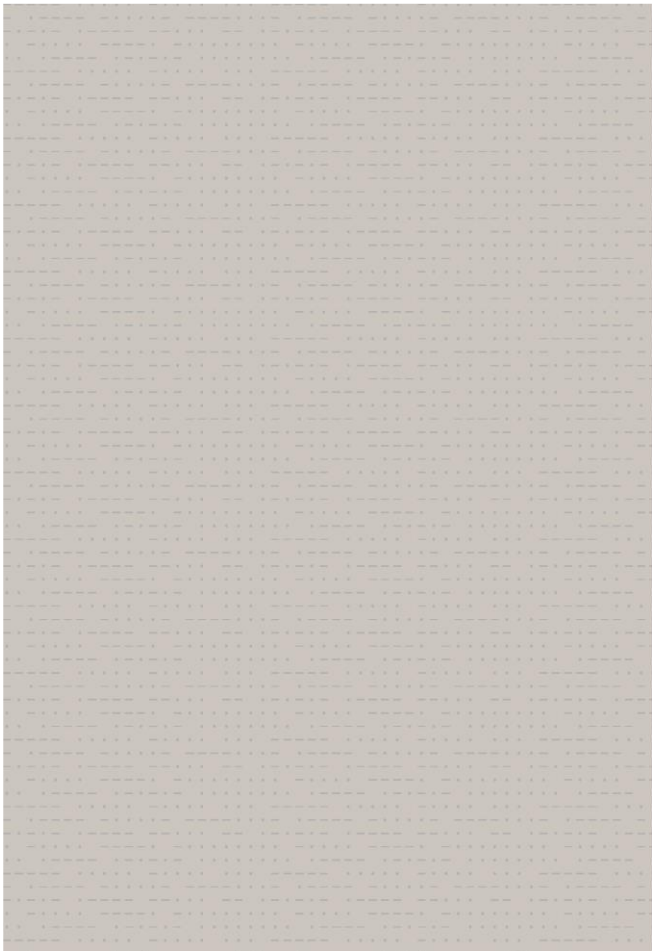
## 22/10450/LPN – The Rooftop Restaurant & Bar Old War Office Whitehall London

Sixth floor restaurant and bar with external terraces at 5<sup>th</sup> & 6<sup>th</sup> floor

	<u>Non-residents</u>		<u>Hotel Residents &amp; Guests</u>	
	Live & Recorded Music, Films, Late Night Refreshment	Sale of Alcohol	Exhibition of Film, Recorded Music, Late Night Refreshment	Sale of Alcohol
<b>Sixth Floor</b>	<b>Monday to Sunday</b> 09:00 to 02:00	<b>Monday to Sunday</b> 09:00 to 02:00	<b>Monday to Sunday</b> 24 hours	<b>Monday to Sunday</b> 24 hours
<b>Fifth Floor Internal Terrace</b>	N/A	<b>Monday to Sunday</b> 09:00 to 02:00	N/A	<b>Monday to Sunday</b> 24 hours
<b>Sixth Floor Terrace</b>	N/A	<b>Monday to Sunday</b> 09:00 to 21:00	N/A	<b>Monday to Sunday</b> 09:00 to 21:00
<b>Opening Hours</b>	<b>Monday to Sunday</b> 09:00 to 02:00		<b>Monday to Sunday</b> 24 hours	
<b>Non-standard timings</b>	From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day. *Off sales 09:00 to 23:00 only			

THE  
OWO<sup>®</sup>





AN INTRODUCTION

# THE OWO<sup>®</sup>

Whitehall, London SW1.

The OWO opens in 2022 with London's first Raffles Hotel, 85 Raffles branded residences, and a collection of world-class dining experiences.

The former Old War Office building, a prominent address on Whitehall, offers 5 remarkable restaurant spaces, averaging 3,703 sq ft, in an unrivalled location.

Each space will have a unique style and personality, with flavours from around the world to tempt the palates of hotel guests, residence owners, and the multitude of visitors to London.

An unparalleled canvas to take your restaurant ambitions to new heights.

Nº01



THE SPACES

## ROOFTOP

Flagship 4,819 sq ft rooftop restaurant on the 6th floor with a turret lounge and spectacular views across the capital.

## PAVILION

5,019 sq ft Pavilion restaurant with adjacent restaurant and bar.

## WHITEHALL PLACE

Ground floor restaurant of 3,828 sq ft with prominent street access and heritage features.

## THE GURKHA

3,906 sq ft restaurant with street access on Horse Guards Avenue.

## THE CAMBRIDGE

947 sq ft ground floor retail café space with Whitehall Place street access.

This is a rare opportunity to be part of an extraordinary new chapter in the building's history. Crafted by the world's leading designers, architects and artists, the world has yet to experience anything quite like it.

N04





THE LOCATION

## Minutes from London's iconic attractions.

Within walking distance of The OWO are four of London's leading attractions including Buckingham Palace, Houses of Parliament, Big Ben, and Piccadilly Circus. The most popular in Westminster are the National Gallery and Westminster Abbey, attracting approximately 4 million visitors each per year.



Above: The National Gallery, Big Ben, Horse Guards Parade, Downing Street.

N08



THE LOCATION

## A new generation of brands alongside venerable institutions.



Above: Bond Street, Estiatorio Milos restaurant, The Ritz Hotel, Dover Street Market and Burlington Arcade.  
Opposite: Royal Warrant Holder, Fortnum and Mason.

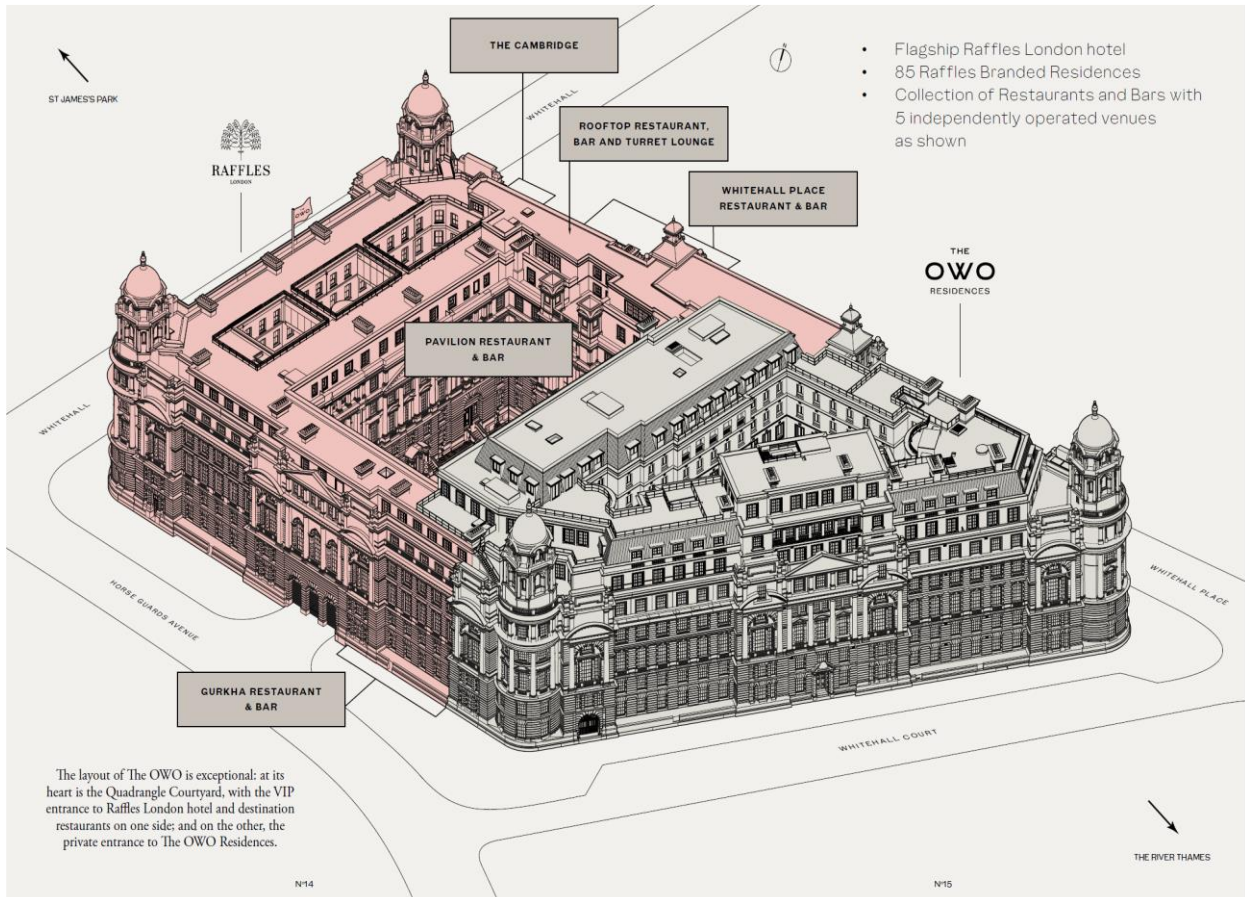
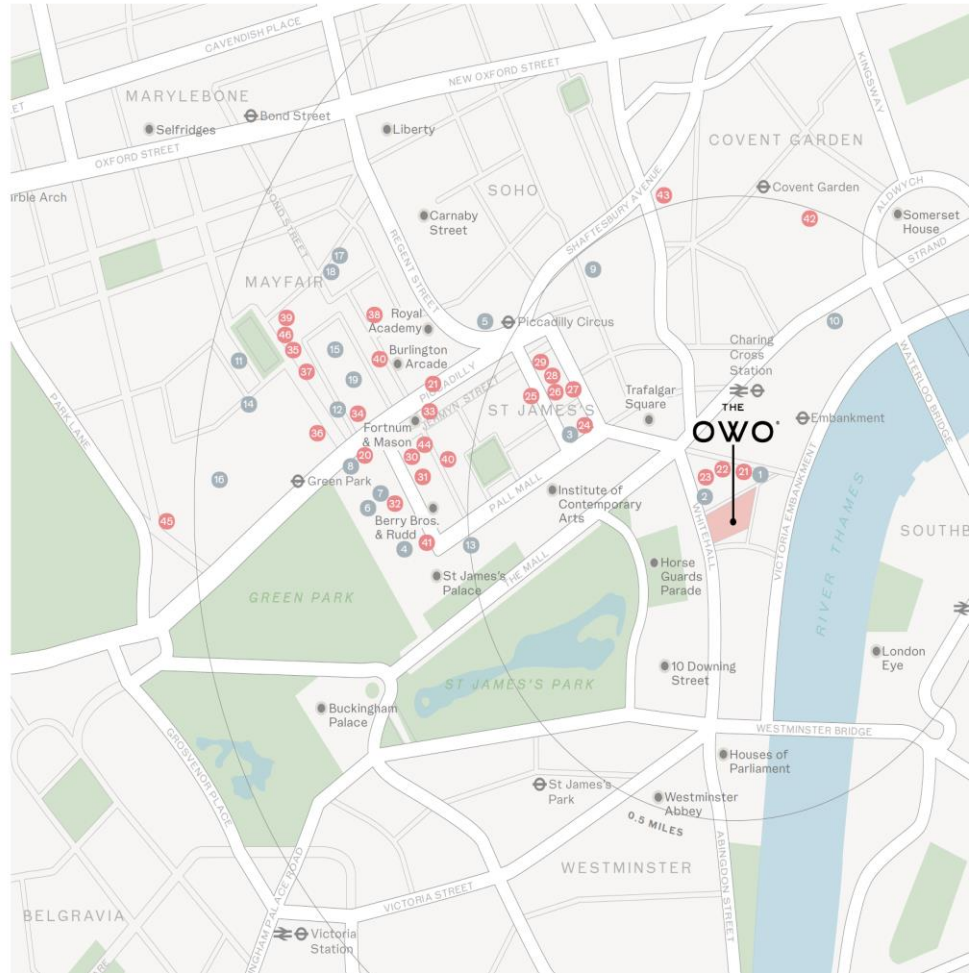
The area is home to some of the capital's most established institutions from Christie's to the Royal Academy, as well as historic private members' clubs like Whites and the Carlton Club. Today, these are joined by a new generation of restaurants, flagship stores and galleries from Fortnum & Mason to the cutting-edge Dover Street Market.

N00

N01

- HOTELS/CLUBS**
- 1 Corinthia London
  - 2 Great Scotland Yard
  - 3 Sofitel
  - 4 Dukes London
  - 5 Hotel Café Royal
  - 6 The Stafford
  - 7 St James's Hotel and Club
  - 8 The Ritz
  - 9 W London
  - 10 The Savoy
  - 11 Annabel's
  - 12 The Arts Club
  - 13 67 Pall Mall
  - 14 Mark's Club
  - 15 Oswalds
  - 16 5 Hertford Street Club
  - 17 Conduit Club
  - 18 The Westbury Hotel
  - 19 Browns Hotel

- RESTAURANTS**
- 20 The Wolseley
  - 21 The Northall
  - 22 Kerridge's Bar & Grill
  - 23 The Yard Restaurant
  - 24 Wild Honey
  - 25 Estiatorio Milos
  - 26 Imperial Treasure
  - 27 Scully St James's
  - 28 Aquavit
  - 29 Ikoyi Restaurant
  - 30 Cafe Murano
  - 31 Sake no Hana
  - 32 Seven Park Place by William Drabble
  - 33 45 Jermyn Street
  - 34 Mahiki Mayfair
  - 35 Sexy Fish
  - 36 Novikov
  - 37 Park Chinois
  - 38 Caccioni's
  - 39 Hakkasan
  - 40 Gymkhana
  - 41 Chutney Mary
  - 42 Sushi Samba
  - 43 Louie
  - 44 Quaglino's
  - 45 Nobu Park Lane
  - 46 Amazonico





## Floorplate



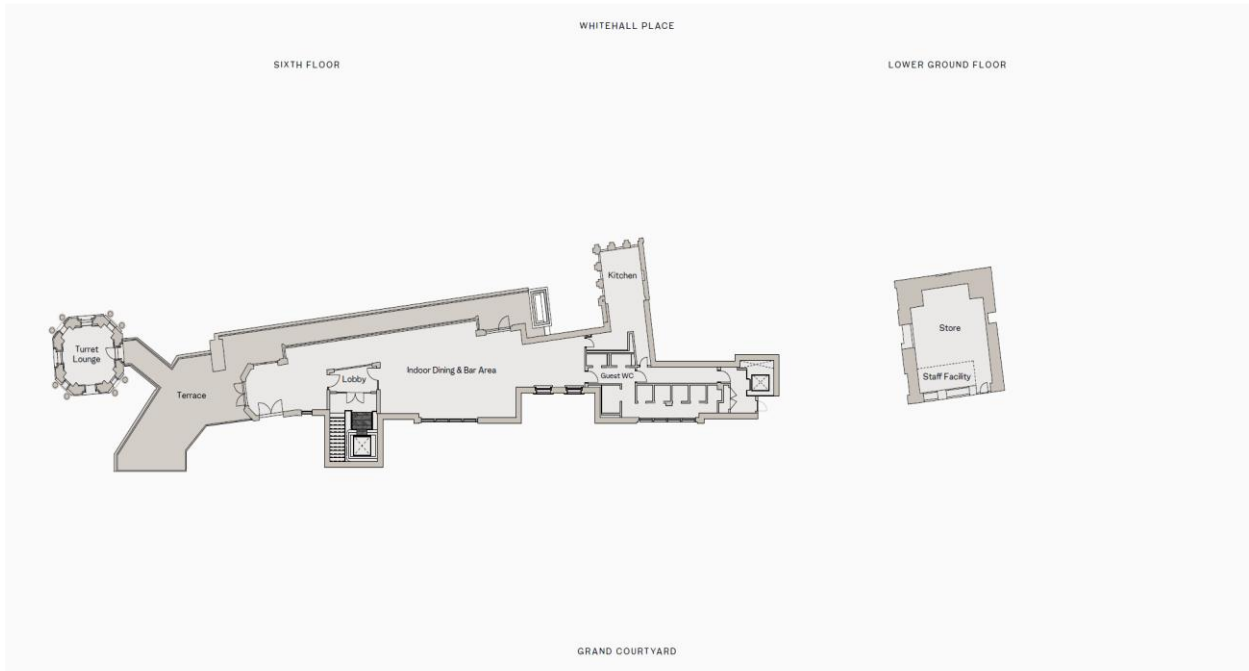
N06

- Raffles Hotel
- Independent Restaurants & Bars
- Parking/Other
- Residential Gardens
- Residential Amenities

- ① The Cambridge
- ② Whitehall Place Restaurant & Bar
- ③ Pavilion Restaurant & Bar
- ④ Gurkha Restaurant & Bar
- ⑤ Rooftop Restaurant & Bar (Sixth Floor)

N07





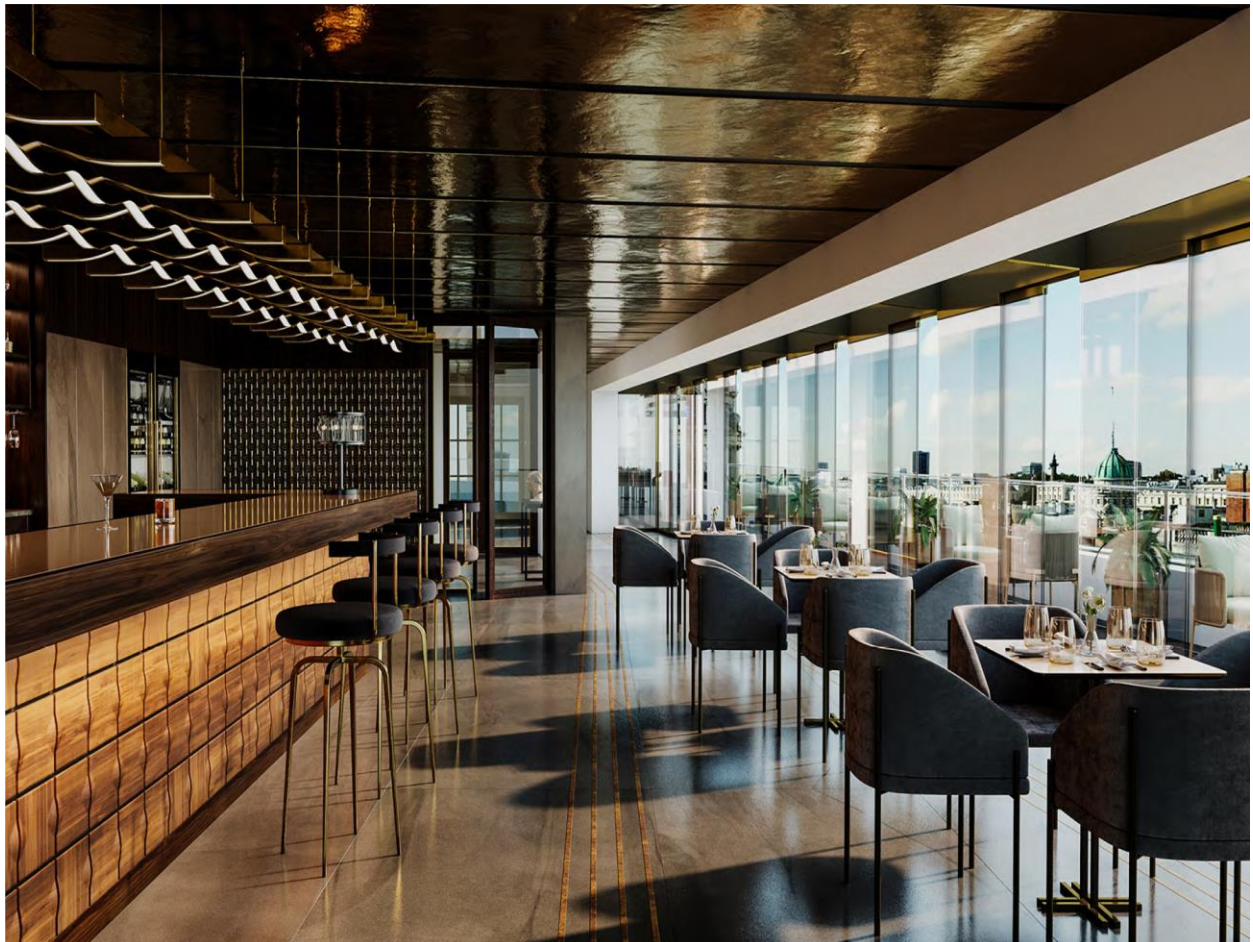
## Rooftop Restaurant, Bar & Turret Lounge

LOCATION	TOTAL AREA	FT <sup>2</sup>	M <sup>2</sup>
	Sixth	4,237ft <sup>2</sup>	394m <sup>2</sup>
	Lower Ground	582ft <sup>2</sup>	54m <sup>2</sup>
	<b>Total Area</b>	<b>4,819ft<sup>2</sup></b>	<b>448m<sup>2</sup></b>



N000

N021



[www.dining.theowo.london](http://www.dining.theowo.london)

**57 Whitehall  
The Old War Office  
London  
SW1A**



# **Dispersal Policy**

February 2023

Thomas & Thomas Partners LLP

Solicitors for the applicant



## 1 Introduction

- 1.1 This document is submitted by 57 Whitehall Sarl and should be read in conjunction with the seven Premises Licences applications made in respect of **The OWO, 57 Whitehall, London, SW1A** (“**the Premises**”). Management will be trained in its implementation and all F&B partners will have to commit to the operating procedures contained herein.
- 1.2 The Premises is situated on the east side of Whitehall, occupying the entire building between Whitehall Place, Whitehall Court, and Horse Guards Avenue.
- 1.3 57 Whitehall Sarl and its operator Raffles Hotels & Resorts are committed to a high standard of professional and responsible management. The management systems will ensure that the Premises is operated successfully, and sympathetically to neighbouring residents and businesses.
- 1.4 The controls set out in this document and corresponding Premises Licences place emphasis on the promotion of the Licensing Objectives.
- 1.5 The Policy will be reviewed regularly and whenever Management become aware of issues associated with dispersal of patrons.

## 2 Planned Management Measures for Control of Noise

### Executive Summary

- 2.1 The main entrance and exit for hotel residents and guests arriving by foot faces onto Whitehall, with a secondary access point through the internal courtyard via Horse Guards Avenue, both shown [blue](#) on the diagram below.
- 2.2 There are further entrances for the self-contained F&B premises on both Whitehall Place and Horse Guards Avenue, as shown [orange](#). The OWO Residency accommodation has a separate entrance at the rear on Whitehall Court, shown [green](#).
- 2.3 Vehicle access is provided for via Horse Guards Avenue into the internal courtyard. Residential parking is provided via a separate access on Whitehall Court, both shown [purple](#).
- 2.4 The management controls set out in the Dispersal Policy are designed to ensure all customers leave the area as quickly and as quietly as possible.
- 2.5 The below diagram sets out the various entrance routes from street level; all access locations to the premises will be monitored and controlled at all times.



### 3 General Operational Controls

3.1 The Management team will take their responsibilities as a neighbour very seriously. Management controls shall include:

3.1.1 Extensive employee induction and on-going refresher training, including:

3.1.1.1 Responsibilities in the local area and towards local residents.

3.1.1.2 Customer care and hospitality.

3.1.1.3 Complaint handling.

3.1.1.4 Food Safety.

3.1.1.5 Health and Safety.

3.1.1.6 Fire Safety.

3.1.1.7 Security awareness under Met. Police "Project Argus" programme.

3.1.1.8 Counter terrorism training.

3.1.1.9 safeguarding and welfare engagement training.

3.1.1.10 Obligations under the Licensing Act 2003.

3.2 Operational procedures to mitigate nuisance in the local area, including:

3.2.1 Responsible management of patrons both within internal and external areas of the Premises.

3.2.2 Controlled management of the arrival and departure of patrons, including encouraging departing patrons to disperse quickly and quietly to their onwards direction of travel.

3.2.3 Advice from an independent sound acoustic expert.

3.2.4 Regulated entertainment limited to indoors only.

3.2.5 Sympathetic servicing of the Premises, see section 5.

3.2.6 Internal CCTV coverage including full frontal imaging of anyone entering the Premises. At any given time, security on duty will be available, at least one of whom shall be able to operate the CCTV system.

3.2.7 The Premises external perimeter will be monitored and walks conducted at regular intervals to promote security and maintenance.

## **4 People Arriving, Departing & in the Vicinity**

### **Dispersal Policy**

- 4.1 The objective of the Dispersal Policy is to ensure a quiet, controlled and swift dispersal of all patrons, including hotel residents, their guests and persons visiting the F&B premises.
- 4.2 The Dispersal Policy shall promote a professional and responsible management of patrons as they leave the Premises to ensure they make their onwards journey without any adverse impact on local residents.
- 4.3 Despite the central London location, employees shall be made aware that local residents, as well as neighbouring hotel accommodation are in the vicinity, particularly at the rear.
- 4.4 This Dispersal Policy will be followed throughout the opening hours, though particular attention will be given to non-hotel residents leaving at the later hours.
- 4.5 In the event of an emergency, a full fire evacuation plan will be in place.

#### **Entrances and Exits**

- 4.6 All access and egress points will be suitably staffed and monitored throughout the day and night, when in use, given the hotel 24-hour nature.

#### **Dispersal**

- 4.7 Towards closing time of the F&B areas, the following measures, where appropriate, are taken to ensure a gradual and quiet dispersal:
  - 4.7.1 Politely reminding patrons that the Premises is about to close to non-residents.
  - 4.7.2 Advising patrons that require a taxi to wait either inside the Premises or internal courtyard for vehicle access.
- 4.8 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

#### **Transport**

- 4.9 Patrons may arrive and depart by various modes of transport, including by foot and private car taxis.
- 4.10 The Premises are also well serviced by various public transport options, as set out below. Hotel lobby staff will be familiar with the transport links so they may direct patrons, when required, to nearby transport links, as outlined below: -

### **Tube**

- 4.11 Embankment (District / Circle / Northern / Bakerloo Lines) is located within 0.2 mile / 5-minute walking distance of the Whitehall exit. The Northern Line runs Night Tube service on Friday and Saturday evenings throughout the night.
- 4.12 Westminster (Jubilee / District / Circle Lines) is located within 0.3 mile / 5-minute walking distance of the Whitehall exit. The Jubilee Line runs Night Tube service on Friday and Saturday evenings throughout the night.

### **Rail**

- 4.13 The Premises is located within 0.3 mile / 7-minute walking distance of Charing Cross Railway station where various railway lines are available serving south London and beyond.

### **Buses**

- 4.14 The Premises is served by TFL public buses, including night buses, on Whitehall. Routes include: - 3, 12, 159, 453 and night buses N3, N53, N109, N155 and N381.

### **Taxi**

- 4.15 Black cabs are readily available throughout the day and night in the area, with designated taxi stands proposed on Whitehall and Horse Guards Avenue.
- 4.16 Staff will assist patrons with their luggage to waiting taxis at the immediate designated bays.
- 4.17 In addition, TFL Night Tube Taxi Ranks are available at both Charing Cross and Embankment stations throughout the night on Friday and Saturday evenings.

### **Private Car Service**

- 4.18 Private hire services are readily available throughout the day and night in the area. Where taxis are pre-arranged by the hotel for residents and guests, the taxi can be directed to enter the internal courtyard via Horse Guards Avenue, where staff may assist with luggage and dispersal.
- 4.19 Patrons will be requested to wait inside until their taxi has arrived to ensure a quick and quiet dispersal, particularly at the later hours.

### Walking Transport Map



## **5 Deliveries & Servicing**

- 5.1 Deliveries and servicing are self-contained within the Premises, full details of which are outlined within the Waste Management, Delivery & Servicing strategy, as authorised by the City's Council's Planning Authority.
- 5.2 Policies to address vehicles nearing the premises are addressed in summary below: -
- 5.3 Where possible, multiple deliveries and/or collections will be combined to avoid high numbers of vehicles at any one time. In order to avoid disturbing local residents, late night and early morning delivery and collection times will be avoided.
- 5.4 Servicing vehicles shall be encouraged to load and unload goods quickly so as to ensure vehicle waiting time is limited.
- 5.5 Drivers shall be requested to turn engines off when able to reduce noise and pollution.
- 5.6 The following provisions will be followed: -
  - 5.6.1 Delivery and servicing vehicles will be allocated a specific time slot, within permitted delivery hours.
  - 5.6.2 Pre-authorisation of vehicles will be conducted in advance of arrival.
  - 5.6.3 Vehicle waiting will not be encouraged on the public carriageway.

## **6 Smoking**

- 6.1 Management recognises a small proportion of members of the public will at times wish to temporarily leave and re-enter the Premises to smoke. The applicant has identified Whitehall particularly as a suitable area for this later in the evening.
- 6.2 Management controls include:
  - 6.2.1 Prevention of drinks being taken outside the Premises.
  - 6.2.2 Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
  - 6.2.3 The Premises external perimeter will be monitored and walks conducted at regular intervals to promote security and maintenance.
  - 6.2.4 Staff shall be instructed to walk to nearby Victoria Embankment Gardens should they will to smoke.



# SMOKING

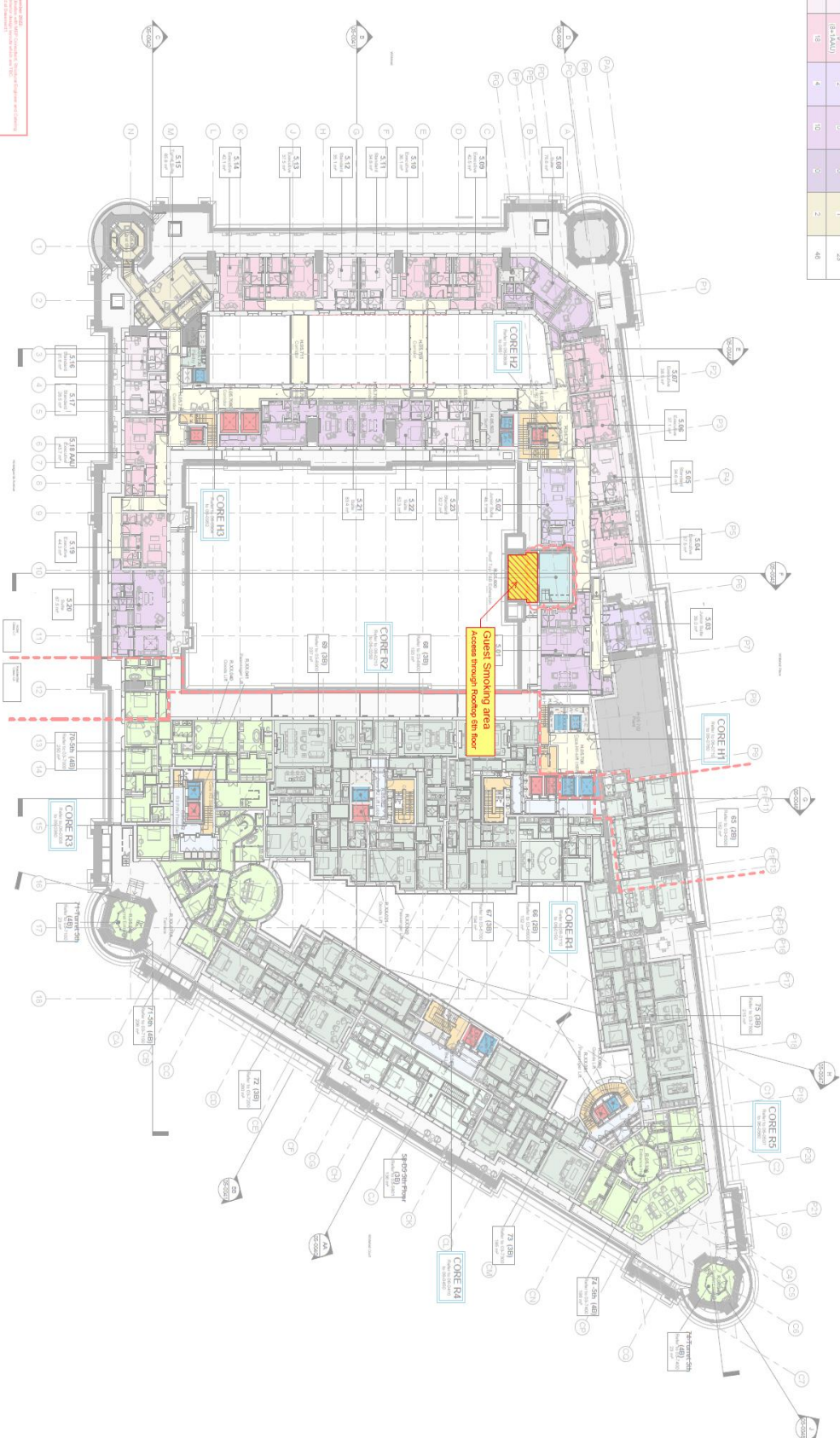


**RAFFLES**  
HOTELS & RESORTS

- ✚ Designated area for smoking as shown on the attached plan. The attached plans (several pages) show the Guest area for smoking (5<sup>th</sup> Floor), the area designated for staff or contractor smoking and the hotel area to be used if the main staff smoking area is closed.
- ✚ The area is cordoned off zone to allow for proper management.
- ✚ The area is covered by CCTV.
- ✚ Canopy provided in Hotel areas for adverse weather.
- ✚ Hotel areas marshalled by SIA security staff
- ✚ No drinks to be taken to outside smoking areas under any circumstances



Room No.	Room Name	Area (sq. ft.)	Count	Notes
0	(Blank)		2	
1			1	
2			2	
3			1	
4			2	
5			1	
6			2	
7			1	
8			2	
9			1	
10			2	
11			1	
12			2	
13			1	
14			2	
15			1	
16			2	
17			1	
18			2	
19			1	
20			2	
21			1	
22			2	
23			1	
24			2	
25			1	
26			2	
27			1	
28			2	
29			1	
30			2	
31			1	
32			2	
33			1	
34			2	
35			1	
36			2	
37			1	
38			2	
39			1	
40			2	
41			1	
42			2	
43			1	
44			2	
45			1	
46			2	
47			1	
48			2	
49			1	
50			2	



**NOTES:**

1. All dimensions are in feet and inches.
2. All dimensions are to the centerline of walls unless otherwise noted.
3. All dimensions are to the centerline of doors unless otherwise noted.
4. All dimensions are to the centerline of windows unless otherwise noted.
5. All dimensions are to the centerline of stairs unless otherwise noted.
6. All dimensions are to the centerline of elevators unless otherwise noted.
7. All dimensions are to the centerline of ramps unless otherwise noted.
8. All dimensions are to the centerline of balconies unless otherwise noted.
9. All dimensions are to the centerline of terraces unless otherwise noted.
10. All dimensions are to the centerline of setbacks unless otherwise noted.
11. All dimensions are to the centerline of setbacks unless otherwise noted.
12. All dimensions are to the centerline of setbacks unless otherwise noted.
13. All dimensions are to the centerline of setbacks unless otherwise noted.
14. All dimensions are to the centerline of setbacks unless otherwise noted.
15. All dimensions are to the centerline of setbacks unless otherwise noted.
16. All dimensions are to the centerline of setbacks unless otherwise noted.
17. All dimensions are to the centerline of setbacks unless otherwise noted.
18. All dimensions are to the centerline of setbacks unless otherwise noted.
19. All dimensions are to the centerline of setbacks unless otherwise noted.
20. All dimensions are to the centerline of setbacks unless otherwise noted.

**Legend**

- Existing Fabric - Position assumed and to be verified on site
- Hotel / Residential Demos - Note: All occupancy ratings need to be verified on site.
- Guest Occupancy - Note: All occupancy ratings need to be verified on site.
- Staff Occupancy - Note: All occupancy ratings need to be verified on site.

**Scale:** 1" = 10'-0"

**Understanded mechanical and MEP equipment in current MEP model**

**Note:** All MEP model items, CL, fans and work in progress and non-occupied rooms outside construction and MEP model.

**Color scheme and drawing references:**

- Blue: Front of House LIT - Passenger LIT
- Red: Back of House LIT - Guest LIT

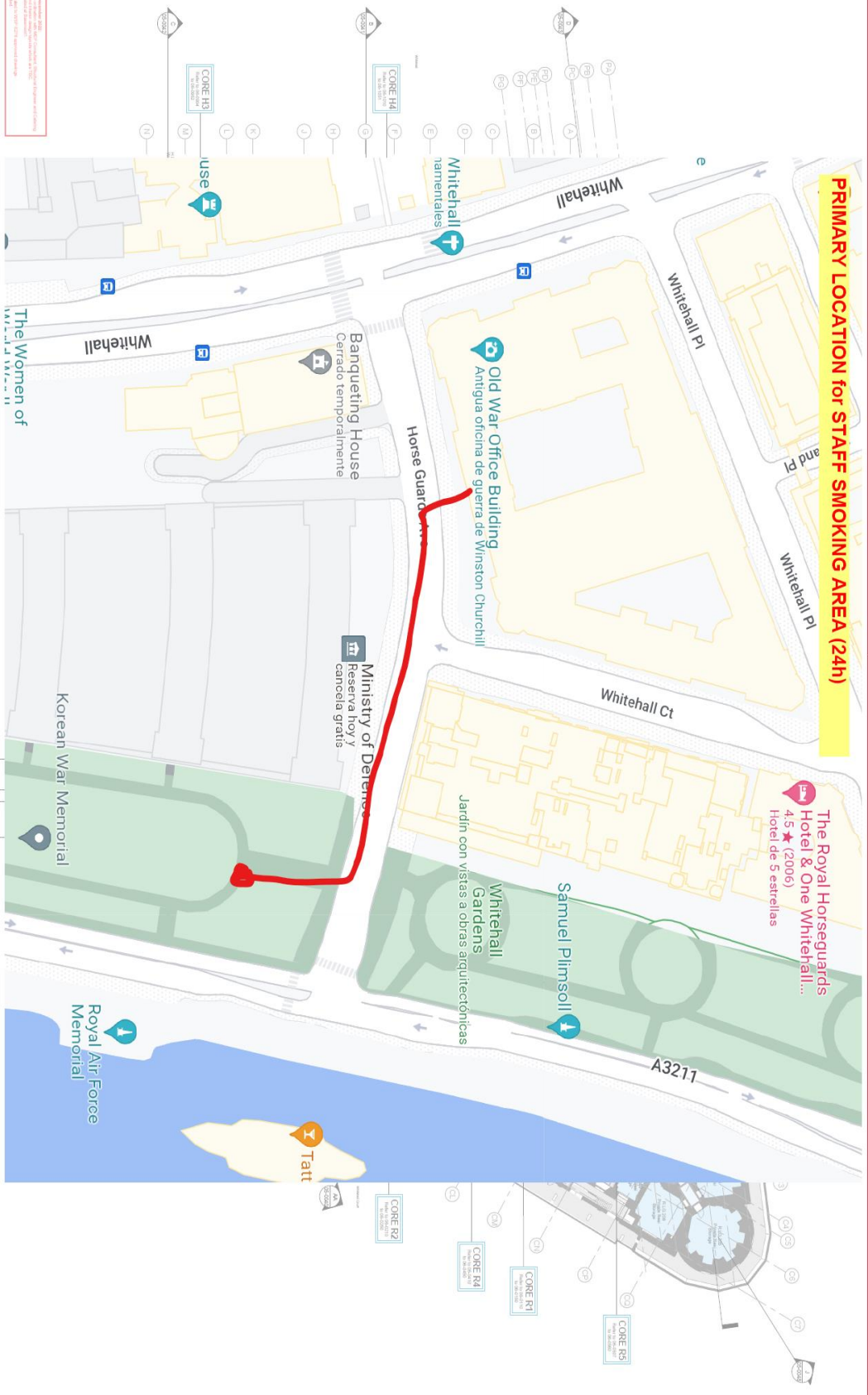
**Note:** All room drawings can be found in the RFP over view to numbers on sheet.

**EPR Architects**

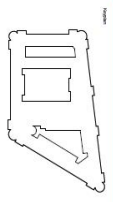
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**PRIMARY LOCATION for STAFF SMOKING AREA (24h)**



**Notes:**  
 1. The proposed location for the 24-hour staff smoking area is subject to the final design and construction of the building.  
 2. The proposed location for the 24-hour staff smoking area is subject to the final design and construction of the building.  
 3. The proposed location for the 24-hour staff smoking area is subject to the final design and construction of the building.



Symbol	Description
[Green Area]	Green Space
[Blue Area]	Water
[Yellow Area]	Proposed Building Footprint
[Red Line]	Proposed Staff Smoking Area
[Blue Circle]	Public Transport Stop
[Red Circle]	Existing Building
[Blue Circle]	Proposed Building Core

**Legend:**  
 Existing fabric  
 Existing Fabric - Position assumed and to be verified on site  
 Hotel / Residential Demolition  
 Hotel / Residential Demolition  
 Staff Occupancy  
 Staff Occupancy  
 Note: All cores are of uniform mass to be demolished and replaced with new structure.  
 Note: All cores are of uniform mass to be demolished and replaced with new structure.

**Notes:**  
 1. Unoccupied residential and commercial premises are to be demolished and replaced with new structure.  
 2. All cores are of uniform mass to be demolished and replaced with new structure.  
 3. All cores are of uniform mass to be demolished and replaced with new structure.

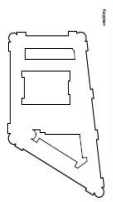
**Notes:**  
 1. Unoccupied residential and commercial premises are to be demolished and replaced with new structure.  
 2. All cores are of uniform mass to be demolished and replaced with new structure.  
 3. All cores are of uniform mass to be demolished and replaced with new structure.

**EPR Architects**  
 25 Abchurch Lane, London EC4A 3DF  
 Tel: +44 (0)20 7424 4444  
 Email: info@epr-architects.com  
 Project: Lower Ground Floor Plan  
 Date: 17/07/2024  
 DWG: EPR-UK-CPM-1-UG-02-048-P-24

**SECONDARY LOCATION for STAFF SMOKING AREA (Within building during lockdown)**



Proposed Lower Ground Floor Plan  
 This drawing is a secondary location for a staff smoking area during lockdown. It is intended for use as a reference only and should not be used for construction without the approval of the relevant authorities. The drawing is subject to change without notice.



Room No.	Room Name	Area (sqm)	Volume (cu m)	Notes
101	RECEPTION	150	1500	
102	OFFICE	200	2000	
103	CONFERENCE	100	1000	
104	STAFF SMOKING AREA	50	500	Proposed
105	STAIR	50	500	
106	LIFT	20	200	
107	TOILET	10	100	
108	STORAGE	30	300	
109	MEETING	80	800	
110	RECEPTION	150	1500	
111	OFFICE	200	2000	
112	CONFERENCE	100	1000	
113	STAFF SMOKING AREA	50	500	Proposed
114	STAIR	50	500	
115	LIFT	20	200	
116	TOILET	10	100	
117	STORAGE	30	300	
118	MEETING	80	800	
119	RECEPTION	150	1500	
120	OFFICE	200	2000	
121	CONFERENCE	100	1000	
122	STAFF SMOKING AREA	50	500	Proposed
123	STAIR	50	500	
124	LIFT	20	200	
125	TOILET	10	100	
126	STORAGE	30	300	
127	MEETING	80	800	
128	RECEPTION	150	1500	
129	OFFICE	200	2000	
130	CONFERENCE	100	1000	
131	STAFF SMOKING AREA	50	500	Proposed
132	STAIR	50	500	
133	LIFT	20	200	
134	TOILET	10	100	
135	STORAGE	30	300	
136	MEETING	80	800	
137	RECEPTION	150	1500	
138	OFFICE	200	2000	
139	CONFERENCE	100	1000	
140	STAFF SMOKING AREA	50	500	Proposed

- Legend**
- Existing fabric - Position assumed and to be verified on site
  - Hotel / Residential Demolition line
  - Staff Occupancy - Note: An occupancy number needs to be added. An occupancy number has been considered and approved.
  - Core status and design references
  - Front of House Lift - Passenger Lift
  - Back of House Lift - Goods Lift
  - As per drawings can be found in the 05-06 core refer to timbers on sheet.

Unconditioned mechanical and MEP conditions in core of VFM B17 model

Note: All MEP and VFM conditions are to be confirmed and approved by the relevant authorities.

Final copies are subject to the strategy review and the relevant authorities.

Core status and design references

- Front of House Lift - Passenger Lift
- Back of House Lift - Goods Lift
- As per drawings can be found in the 05-06 core refer to timbers on sheet.

**EPR Architects**

27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Proposed Lower Ground Floor Plan

1:200 @ A1 11/07/17

OWC-EPR-448-CHWA\_B 1/G-02-0048 P-2

## **Premises History**

## **Appendix 4**

There is no licence or appeal history for the premises.

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

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

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

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

**Mandatory Conditions**

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

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

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

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



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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

### **Conditions consistent with the operating schedule**

10. Licensable activities authorised under this licence shall remain ancillary to the main use of the premises as a hotel.
11. Between 02:00 and 09:00 the provision of licensable activities shall only be to residents and their guests.

### **Conditions consistent with the operating schedule and agreed with Environmental Health:**

12. Between the hours of 09.00 to 10.00 Monday to Saturday and 09.00 to midday Sunday the sale of alcohol shall be ancillary to the provision of food, with the exception of residents and their guests.
13. All sales of alcohol for consumption 'Off' the premises will be in sealed containers only.
14. A waiter or waitress service shall be provided.
15. The 6<sup>th</sup> floor external terrace shall not be used between 21.00 hours and 09.00 hours daily.
16. 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.
17. There shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours.
18. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
19. After 21.00 hours, there shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
20. 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, military ID card, passport or proof of age card with the PASS Hologram.
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 preceding 31 day period.
22. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

23. 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) any complaints received concerning crime and disorder
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service.
24. After 01.00 hours each day access and egress to the premises shall only be via the main hotel entrance, except in the case of emergencies.
25. All public entrances will be supervised by a responsible member of staff at all times when that part of the premises is open to the public.
26. 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.
27. 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.
28. All windows and external doors shall be kept closed after 21.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
29. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
30. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
32. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
33. 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.
34. No external deliveries to the premises shall take place between 23.00 and 07.00 hours on the following day.
  35. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
  36. 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.
  37. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
  38. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
  39. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
  40. All fabrics, curtains, drapes and similar features shall be either non-combustible or be durably or inherently flame retarded fabric.
  41. The hours for licensable activities and the opening times may be extended on New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.
  42. 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.
  43. 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.
  44. 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.
  45. After 23.00 hours patrons permitted to temporarily leave and then re-enter the premise, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
  46. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined as (specify location).

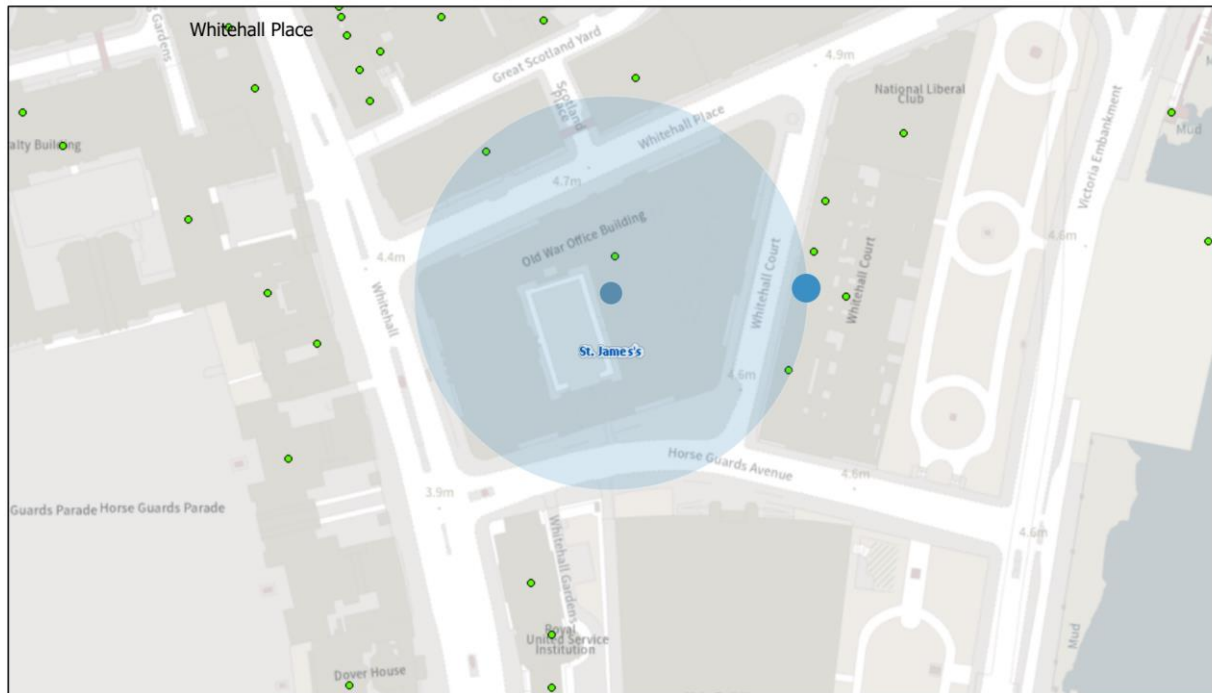
**Conditions proposed by the Police and agreed by the applicant to form part of the operating schedule.**

47. The need for SIA registered security will be risk assessed on a continual basis. This risk assessment will be made available upon request from a police officer or local authority officer.
48. There shall be no entry or re-entry to the premises after 00:30 save for hotel residents and their bona fide guests.

**Conditions proposed by Interested Party**

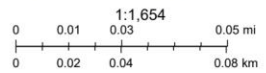
49. The Rooftop indoor dining and bar area shall be open no later than 01:00 daily.
50. The Rooftop external terrace shall not be used past the hour of 21:00 daily.
51. The provision of regulated entertainment or performance of live music, performance of dance, shall only be permitted indoors.
52. All windows and external doors shall be kept closed after 2100 when regulated entertainment or performance of live music, performance of dance is provided, except for the immediate access and egress of persons.
53. Notices shall be prominently displayed at all exits to the terrace requesting patrons to respect the needs of local residents and businesses and leave the terrace quietly.
54. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. The telephone number is to be made available to residents and businesses in the vicinity.
55. There shall be no private pre-booked functions whatsoever in the external terrace area of the premises.
56. The external terrace area shall be limited to a suitable number of people at any one time to (i) limit overcrowding and (ii) restrict excessive noise and will not be used past 2100.

**Old War Office, Whitehall, London, SW1A 2BX**



18/01/2023, 10:48:09

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Ward Labels
- Borough Boundary - Detailed



Resident count: 112

<b>Licensed Premises within 75 metres of Old War Office, Whitehall, London, SW1A 2BX</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
20/07368/LIPV	The Farmers Club	First Floor 3 Whitehall Court London SW1A 2EL	Club or institution	Monday to Sunday; 07:00 - 00:00