



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	19 October 2023
Licensing Ref No:	23/04220/LIPN - New Premises Licence
Title of Report:	8-10 Grosvenor Gardens London SW1W 0DH
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge & Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	22 June 2023		
Applicant:	X & Why Limited		
Premises:	N/A		
Premises address:	8-10 Grosvenor Gardens London SW1W 0DH	Ward:	Knightsbridge and Belgravia
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises intends to operate as a members' workspace.		
Premises licence history:	This is a new premises application and therefore no Premises Licence history exist.		
Applicant submissions:	<p>On the application form the provided the following information:</p> <p>The premises is a members' workspace located within the newly redeveloped building at 8 – 10 Grosvenor Gardens. The applicant will be occupying the whole building as members' workspaces and ancillary social areas. The applicant offers members' workspaces for businesses seeking flexible working. The applicant offers private offices, dedicated desks, or hot desks to business members. Membership costs are all-inclusive and include the space, furniture, utilities, maintenance, and use of meeting rooms.</p> <p>The applicant has provided the following submissions:</p> <ul style="list-style-type: none"> • Amended hours and licensable activities • Amended list of conditions • A brochure • Correspondence with the Environmental Health Service • Mediation with the interested parties <p>A copy of the documents can be found at Appendix 2.</p>		
Applicant amendments:	<p>On original submission of the application, the applicant applied for the following:</p> <p>Films: Monday to Thursday 10:00 to 23:30 Friday and Saturday 10:00 to 00:00 Sunday 10:00 to 22:30</p> <p>Late Night Refreshment: Monday to Thursday 23:00 to 23:30 Friday and Saturday 23:00 to 00:00</p> <p>Retail Sale of Alcohol: Monday to Thursday 11:00 to 23:00</p>		

	<p>Friday and Saturday 11:00 to 23:30 Sunday 11:00 to 22:00</p> <p>Opening hours: Monday to Thursday 10:00 to 23:30 Friday and Saturday 10:00 to 00:00 Sunday 10:00 to 22:30</p> <p>Following consultation, the applicant has withdrawn their request for Late Night Refreshment and reduce the hours which are reflected in 1-B.</p>
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1-B Proposed licensable activities and hours							
Films:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	N/A	N/A
End:	22:00	22:00	22:00	22:00	22:00	N/A	N/A
Seasonal variations/ Non-standard timings:			None				

Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	N/A	N/A
End:	22:00	22:00	22:00	22:00	22:00	N/A	N/A
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	N/A	N/A
End:	22:00	22:00	22:00	22:00	22:00	N/A	N/A
Seasonal variations/ Non-standard timings:			<p>The premises are not, strictly speaking, open to the public.</p> <p>The premises (as offices) will be open to members and visitors 24 hours a day (as offices). The hours (left) are when the premises will be open for the purpose of licensable activities and when any pre-booked events would take place.</p>				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Sally Fabbriatore
Received:	20 July 2023
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>This representation is based on the Operating Schedule and the submitted plans, for the lower ground floor, ground, mezzanine, first, second, third, fourth and fifth and floors.</p> <p>The applicant is seeking the following on all floors:</p> <ol style="list-style-type: none"> 1. To allow the Supply of Alcohol 'on' the premises Monday to Thursday 11:00-23:00 hours, Friday and Saturday 11:00-23:30hours and Sunday 11:00-22:00 hours. 2. To allow the provision of Late Night Refreshment 'indoors' Monday to Thursday 23:00-23:30 hours and Friday and Saturday 23:00-00:00 hours. 3. To allow the provision of Films Monday to Thursday 10:00-23:00 hours, Friday and Saturday 10:00-23:30hours and Sunday 10:00-22:30 hours. <p>I wish to make the following representation in relation to the above application:</p> <ol style="list-style-type: none"> 1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the area and may impact on Public Safety. 2. The provision of Late Night Refreshment may cause an increase in Public Nuisance in the area. 3. The provision of Films may cause an increase in Public Nuisance in the area and may impact on Public Safety. <p>Further information has been provided and conditions proposed, which are being considered, further conditions may proposed to protect the Licensing Objectives.</p> <p>The granting of the Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	

2-B Other Persons	
Name:	██████████
Address and/or Residents Association:	████████████████████ ██████████ ██████████
Status:	Valid
In support or opposed:	Opposed
Received:	19 July 2023
<p>Fundamentally object to the development on the following grounds:</p> <p>████████████████████ - no effective screening to block ██████████ ████████████████████</p> <p>Car parking and congestion - car parking already severely limited ██████████. It is not reasonable for any of the proposed facility users to either park ██████████ nor access safely</p>	

██████████ to the underground car park given the congestion mentioned.

Disturbance - hours of work are unreasonable given ██████████ of the proposed facility. Lighting pollution, noise pollution, smell and traffic are some of the issues that will not be acceptable to ██████████. Introduction of a licence to sell alcohol, in an area where there are already many licensed premises, will increase drunkenness and anti social behaviour further to the ██████████.

Noise - from working hours with new facility clients, late at night and seven days a week, ██████████ is not acceptable.

Nuisance - having people ██████████ until late at night, combined with a license to sell alcohol will encourage noise and anti-social behaviour ██████████

Security - structurally introducing further strangers ██████████, plus introducing a licensed facility and where we already have security issues, will only further degrade the security ██████████ to an unacceptable level.

Name:		██████████ (Withdrawn 5th October 2023)	
Address and/or Residents Association:		██████████ ██████████ ██████████	
Status:	Valid	In support or opposed:	Opposed
Received:	14 July 2023		

Background

- The Building is ██████████
██████████
██████████

- The Building has been undergoing extensive renovation for the past several months. This has included raising the height of the occupied area, introducing a roof terrace with a proposed entertainment facility on the top of the Building (Document 2).

- The roof terrace and proposed entertainment facility ██████████
██████████

██████████. That is clearly set out in the marked-up Roof Terrace plan (Document 3).

- The works to the Building have also included installing an oversize, black metal fire escape staircase, which runs outside from above the Building, descending the entire height of the Building and exiting into Grosvenor Gardens Mews North.

- Grosvenor Property is the owner and developer of the Building. They have repeatedly described the intended use of the building as office space. They have said that the use of the roof terrace is to be limited to Monday to Friday, 09:00 – 17:00.

- By contrast with this stated use the licensing application appears to cover the entire building, including the roof terrace and proposed entertainment facility for seven days a week including up to midnight on Friday and Saturday. Whilst there is no indication that ██████████ is planning a “nightclub in the sky”, granting the blanket application would not rule this out. This is not consistent with the use of the Building as described by ██████████

Objection to Licensed Activities [REDACTED].

• We object to any licensing activities [REDACTED] or any part of them at any time. This includes licensing the roof terrace, any part of the building, which has windows or doors [REDACTED] or allowing the use of the exterior metal fire escape [REDACTED]. We believe that such licensed activities will cause a nuisance (noise or otherwise), [REDACTED] [REDACTED] be affected by any liquor stimulated noise and disturbance at any time.

• [REDACTED] (BEL 3 and 4) says that building refurbishments and enlargements: should be done in a way that commercial users should: ensure their uses do not result in harm to residential amenity: and be done in such a way that protects “ the amenity of surrounding residential occupiers.” A rooftop licenced 7 day a week late night Grosvenor entertainment facility is the very opposite of protecting such amenity. BEL 9 says that new late night and commercial uses should be directed to the designated Local Centres. This is not such an area and will result in harm to amenity.

• We have no objection to normal licensed activities taking place [REDACTED] [REDACTED]. as this is a commercial street lined with office buildings which will not affect [REDACTED].

Please contact us about this submission if you have any questions or require any further information.

Following mediation with the applicant, the interested party withdrew their representation on 05 October 2023.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	
Status:	Valid	In support of opposed:	Opposed
Received:	07 July 2023		

I refer to [REDACTED] Objection of 19th May and set it out below:

To save time all the objections we raised before still apply. We do note the reduction in hours now applied for. However, these still cover every day licence. Our previous Conclusion is still our view. We remain on the view that licences should only be given for the special events and that they should cease at the usual Westminster City Council recommended terminal time of 11.30PM on weekdays and 10.30AM on Sundays.

We repeat that we have serious reservations about an alcohol licence in connection with this scheme. There will be extensive numbers of people coming and going in the premises using facilities including large events, mostly when alcohol is available. We understand the good intentions behind the scheme, but do not believe that it should be allowed to interrupt the daily lives of residents nearby or be possibly the centre of relative late night drinking in the area. We cite the same failures as stated before to meet licensing objectives. Accordingly we ask the Licensing Committee to refuse the Application.

[REDACTED]
[REDACTED]
[REDACTED]

I am writing to you to **Objection** behalf of [REDACTED] in connection with the following Licensing Application:

Previous Objection from 19th May 2023 the contents of which still apply:
“1 Preamble

using the premises including parents and the events goers, we want to know how children are to be protected. We are cognizent of the dangers for children given these premises will be used 24 hours a day and accessible for the sale of alcohol and including events will take place up to 2 AM With the possibility of night drinkers 5 AM.

In this connection we are concerned for the access to children all the time both relating to alcohol and generally.

4 Conclusion

We have serious reservations about an alcohol licence in connection with this scheme. There will be extensive numbers of people coming and going in the premises using facilities including large events, mostly when alcohol is available. We understand the good intentions behind the scheme, but do not believe that it should be allowed to interrupt the daily lives of residents nearby or be possibly the centre of very late night drinking in the area.

We confirm that we strongly take the view that the hours proposed are completely unacceptable and do not meet licensing objectives. We take the view that licences should only be given for the special events and that they should cease at the usual Westminster City Council recommended terminal time of 11.30PM on weekdays and 10.30AM on Sundays.

We believe, even if the Licensing Committee is minded to grant an application with much shorter hours we would ask that they do not exceed the basic policy times beyond terminal hours.

Accordingly, we object to the application. We take the view it should be totally rejected.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policy HRS1 applies

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

	<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> <ol style="list-style-type: none"> 1. Casinos: Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005. 2. Cinemas, Cultural Venues and Live Sporting Premises: Monday to Sunday: 9am to 12am 3. Hotels: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours. 4. Off licences: Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm. 5. Outdoor Spaces: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 6. Pubs and bars, Fast Food and Music and Dance venues: Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am. 7. Qualifying Clubs: Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 9. Sexual Entertainment Venues and Sex Cinemas: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. <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>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy PB1 applies</p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D. <p>B. It is the Licensing Authority's policy to refuse applications within</p>

	<p>the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or, 2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>
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4. Equality Implications

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

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

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

5. Appendices

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

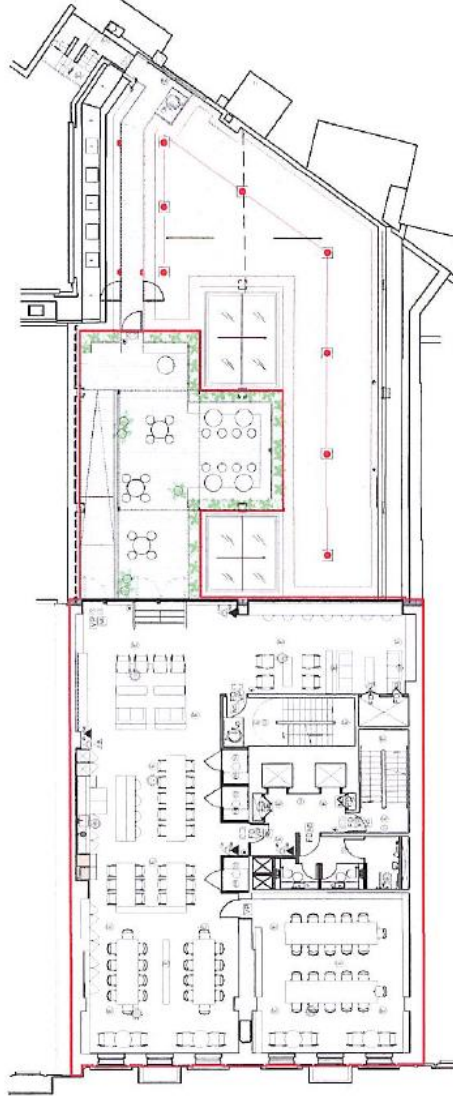
Report author:	Miss Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health Service representation	20 July 2023
5	Interested party 1 representation	19 July 2023
6	Interested party 2 representation	14 July 2023 (<i>Withdrawn 05 October 2023</i>)
7	Interested party 3 representation	07 July 2023

BARR GAZETAS



01
2025

Abdoul Louhis Second Floor Plan
11/02/2025 1:20:00 AM

Locatable activities may take place
anytime with the red line

Any detail not required by the Regulation is for diagrammatical
purposes only and is subject to change at any time.
The location of fire safety equipment are indicative only and
may change following consultation with the fire safety officer or
following a fire risk assessment.

FIRE PRECAUTIONS

- SMOKE DETECTOR
- HEAT DETECTOR
- FD FIRE DETECTOR
- ILLUMINATED EMERGENCY EXIT SIGN
- MANUAL CALL POINT
- EMERGENCY LIGHT FITTING
- Fire Alarm Panel
- Bench
- Sounder / Beacon

- Fire blanket
- Water fire extinguisher
- Wet chemical extinguisher
- Fixed fire extinguisher
- Carbon dioxide fire extinguisher
- Dry powder extinguisher

- Fire Safety Notice
- Fire Door Keep Locked Shut
- Fire Door Keep Shut
- Fire Exit Keep Clear

- Doors shown thus to have
glazed / vision panels
- Doors fitted with push bar
operating mechanism only
indicated by an uncoloured door
handle to be uncoloured during
hours of occupation of fitted
with single action sublocking
mechanism without the use of
a key



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Rev.	Description	By	Date
1			

Client
Gazetiers
& IT Consultants
& IT Consultant - Gazetiers

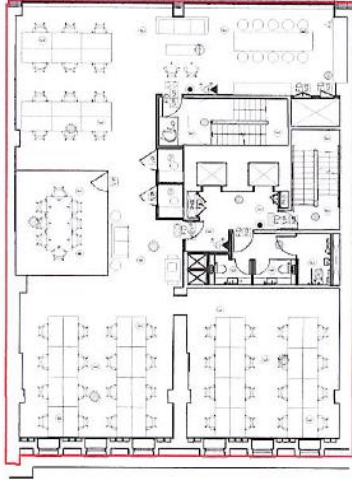
The
Abdoul Louhis Second Floor Plan

Area	Proposed Area	Area	Area	Area
2118	SS	12	12	C

2118-BG-00-DR-A-80.205

2118-BG-00-DR-A-80.205
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any claim. It is not to be used to support any claim.

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2118-BG-00-DR-A-80.207
 Alcohol Licence Fourth Floor Plan
 1 1008341, 1 2008343

— Licenseable activities may take place anywhere within the red line.
 Any detail not required by the Regulations for diagrammatical purposes only and subject to change at any time.
 The locations of fire safety equipment are indicative only and not intended to be taken as a guarantee of compliance with the fire safety code or relevant fire risk assessment.

- FIRE PRECAUTIONS**
- SMOKE DETECTOR
 - HEAT DETECTOR
 - FD FIRE DOOR
 - ILLUMINATED EMERGENCY EXIT SIGN
 - MANUAL CALL POINT
 - EMERGENCY LIGHT FITTING
 - Fire Alarm Panel
 - Blowoff
 - Searchlight Beacon

- Fire Extinguisher
- WATER FIRE EXTINGUISHER
- DRY POWDER FIRE EXTINGUISHER
- FOAM FIRE EXTINGUISHER
- CARBON DIOXIDE FIRE EXTINGUISHER

- Fire Safety Notice
- Fire Door Keep Locked Shut
- Fire Door Keep Shut
- Fire Exit Keep Clear

- Doors showing how to fire Bladed Vision panels.
- Doors fitted with pushbar closing mechanism only. All doors to be unlocked during hours of operation of fire alarm system. Pushbar closing mechanism without the aid of a key.

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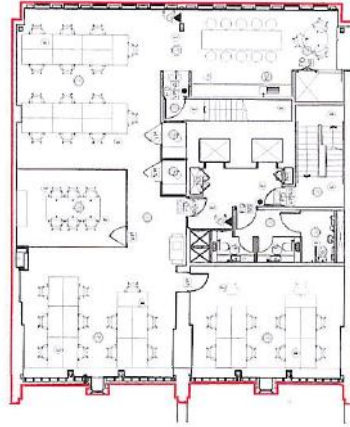
Rev	Description	By	Date
1			13/04/21

Client	
Company	513 Greenway Centre
Title	
Project	Alcohol Licence Fourth Floor Plan
Area	FD Fire Door
Project No.	2118
Sheet No.	25
Scale	1:1
Drawn By	2118-BG-00-DR-A-80.207

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1:6
2:3
3:3



01
30.209

Abceel License Floor Plan
1/10/2017 1:20:06 AM

Licenseable activities may take place anywhere within the red line

All work not required by law. Exceptions to the diagrammatical purposes only and subject to change at any time.

This location of fire safety equipment are illustrative only and intended to show the location of the fire safety equipment in following a fire alarm activation.

- FIRE PRECAUTIONS**
- SMOKE DETECTOR
 - HEAT DETECTOR
 - FIRE DOOR
 - ILLUMINATED EMERGENCY EXIT SIGN
 - MANUAL CALL POINT
 - EMERGENCY LIGHT FITTING
 - Fire Alarm Panel
 - Reason
 - Scrubber Station

- Fire blanket:**
- Water fire extinguisher
 - Wet chemical extinguisher
 - Foam fire extinguisher
 - Carbon dioxide fire extinguisher
 - Dry powder extinguisher

- Fire Safety Notice**
- Fire Door Keep Locked Shut
 - Fire Door Keep Shut
 - Fire Exit Keep Clear

- Do not obstruct this to allow glazing system panels.
- Do not fitted with push bar release mechanism.
- All other doors on this route to be unlocked during hours of operation of this mechanism without the use of a key.

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Code	Sheet/Plan	CD	By	Date
				11/11/17

Client	
B-10 Grosvenor Gardens	

Contractor	
Abceel License Floor Plan	

Title	
Abceel License Floor Plan	

Scale	Project No.	Sheet No.	Total No.	Revision
1:6	2116	55	71	C

Revision No.	
2116-BG-00-DR-A-30-208	

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Application for a Premises Licence

X & Why Fivefields

8 – 10 Grosvenor Gardens

London SW1W 0DH

23/04220/LIPN

**Applicant's papers for Licensing Sub-Committee Hearing on
19/10/23 at 10:00**



CONTENTS:

1. Updated hours and licensable activities.
2. Updated conditions.
3. Fivefields brochure.
4. Engagement with Environmental Health Officer
5. Engagement with Interested Parties

X & Why Ltd

Lower Ground and Second Floor

8-10 Grosvenor Gardens

London SW1W 0DH

Statement of Licensable Activities

UPDATED 03/10/23

B AMENDED AS SHOWN

Films			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	22:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	10:00	22:00		The showing of films in meeting rooms at the premises.	
Wed	10:00	22:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10:00	22:00		None	
Fri	10:00	22:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	n/a	n/a		None	
Sun	n/a	n/a			

I REMOVED FROM APPLICATION

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	n/a	n/a	<u>Please give further details here</u> (please read guidance note 3)		
Tue	n/a	n/a		THE PROVISION OF HOT FOOD AND/OR HOT DRINKS TO WORKERS AND THEIR GUESTS, OR PERSONS ATTENDING A PRE-BOOKED FUNCTION AT THE PREMISES	
Wed	n/a	n/a	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	n/a	n/a		NONE	
Fri	n/a	n/a	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	n/a	n/a		NONE	
Sun					

J AMENDED AS SHOWN

Supply of alcohol			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>		
Standard days and timings (please read guidance note 6)				Off the premises	<input type="checkbox"/>		
Day	Start	Finish		Both	<input type="checkbox"/>		
Mon	11:00	22:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	NONE			
Tue	11:00	22:00					
Wed	11:00	22:00					
Thur	11:00	22:00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri	11:00	22:00				NONE	
Sat	n/a	n/a					
Sun	n/a	n/a					

L AMENDED AS SHOWN

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	22:00	
Tue	10:00	22:00	
Wed	10:00	22:00	
Thur	10:00	22:00	
Fri	10:00	22:00	
Sat	n/a	n/a	
Sun	n/a	n/a	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

The premises are not, strictly speaking, open to the public.

The premises (as offices) will be open to members and visitors 24 hours a day (as offices). The hours (left) are when the premises will be open for the purpose of licensable activities and when any pre-booked events would take place.

X & Why Ltd
Lower Ground and Second Floor
8-10 Grosvenor Gardens
London SW1W 0DH

Applicant's Schedule of Conditions to
Promote the Licensing Objectives

UPDATED 03/10/23

General – all four licensing objectives

1. The provision of Licensable Activities at the premises shall be ancillary to the use of the premises as a members' workspace.
2. Licensable Activities may not be provided other than to:
 - a. Members and their guests (not exceeding 4 guests per member);
 - b. The proprietors, directors, shareholders, and management of the operating company (and their guests);
 - c. Persons attending a private, pre-booked event at the premises.
3. There shall be no externally promoted DJ-led events at the premises at any time.
4. No person shall be admitted to membership of the premises or be entitled to take advantage of any of the privileges of membership without an interval of at least 24 hours between their nomination or application for membership and their admission.
5. No person shall be permitted to host a private, pre-booked event at the premises without an interval of at least 24 hours between the event booking being made and the event taking place.
6. A list of the names and addresses of members of the premises (which may be electronic) shall be kept at the premises at all times together with a list showing the names and dates of attendance of any guests (which may be electronic) introduced by members. Both lists shall be produced on demand for inspection by Responsible Authority officers.
7. The premises licence holder shall keep a register of all private, pre-booked events held at the premises. The register shall (as a minimum) record the following details:

- a. The full name (first and surname) of the person booking the event;
- b. The home address of the person booking the event;
- c. The date of birth of the person booking the event;
- d. A colour copy of photographic ID (passport, driving licence, or PASS ID card) for the person booking the event;
- e. A telephone number and/or email address for the person booking the event;
- f. The nature of the event; and
- g. The number of persons attending the event.

Details of each event shall be kept for a minimum period of 6 months from the date of the event.

8. Any private, pre-booked events to be held at the premises shall be subject to being risk assessed by the premises licence holder and a written risk assessment produced. A copy of the risk assessment for each event shall be kept at the premises for a period of 6 months from the date of the event and made available to Responsible Authority officers on request.
9. At least one (1) member of staff from the premises licence holder shall be on duty for the duration of any private, pre-booked events. The premises licence holder shall risk assess the need for further staff members to be present at private, pre-booked events.
10. Where indicated by the risk assessment the premises licence holder shall employ a suitable number of SIA registered door supervisors for the duration of any private, pre-booked events.
11. A direct telephone number for the manager at the premises shall be available when the premises is open for licensable activities. This telephone number is to be made available to residents and businesses in the vicinity.

The prevention of crime and disorder

12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

14. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. all seizures of drugs or offensive weapons
 - f. any faults in the CCTV system
 - g. any refusal of the sale of alcohol
 - h. any visit by a relevant authority or emergency service.

The prevention of public nuisance

15. Patrons permitted to temporarily leave and then re-enter the premises at ground floor level, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
16. 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
17. 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.
18. Loudspeakers shall not be located in the entrance lobby or on the terraces.
- ~~19. All windows and external doors shall be kept closed after 22:00 hours except for the immediate access and egress of persons.~~

REPLACE WITH:

All windows and external doors shall be kept closed after 20:00 hours except for the immediate access and egress of persons.

- ~~20. All terraces shall close at 17:00 each day except for smokers.~~

REPLACE WITH:

The terrace at second floor level shall only be used between 10:00 and 17:00 Monday to Friday (excluding bank holidays and public holidays) and access to the terrace (except in emergencies) shall be prevented at all other times.

ADDITIONAL CONDITIONS:

The premises licence holder shall display a suitable sign or signs on the terrace reminding users to respect the needs of residents and to use the area appropriately.

The premises licence holder shall not permit smoking on the second-floor terrace. Smoking shall only be permitted at ground floor level on Grosvenor Gardens.

The premises licence holder shall not play Live or Recorded Music or use an amplified public address system on the second-floor terrace.

21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. 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.
23. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
24. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day
25. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 07:00 on the following day
26. No deliveries to the premises shall take place between 23:00 and 07:00 on the following day.

ADDITIONAL CONDITIONS:

There shall be no deliveries of goods or services relating to Licensable Activities at the premises via Grosvenor Gardens Mews North. All deliveries of goods and services relating to Licensable Activities shall be via Grosvenor Gardens.

The premises licence holder shall ensure that any lights either inside or outside the premises shall not cause a nuisance to nearby properties.

Public safety

27. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
28. The edges of the treads of steps and stairways shall be maintained to be conspicuous.

ADDITIONAL CONDITION:

The fire evacuation meeting point shall not be in Grosvenor Gardens Mews North unless that is directed by the London Fire Brigade.

The protection of children from harm

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

fivefields



A purposefully designed *flexible workspace* enabling charities that support children and young people to *thrive* and grow alongside each other.



Westminster
Foundation



GROSVENOR

x+why





The Westminster Foundation, Grosvenor Property UK and x+why have come together to curate and operate a *flexible working space* like no other.

In the heart of Victoria, Fivefields brings together like-minded charities like you to grow, network and collaborate with each other, through shared interests and challenges. And because we understand your needs, we've designed a space that's tailored around you.

An environment where sustainability and accessibility are fundamental with dedicated event spaces for when you need to shout, meeting rooms for when you need to talk, breakout areas when you need somewhere to think and a roof terrace to relax. With grant funding available from the Westminster Foundation, Fivefields is redefining flexible workspace for charities.



At Fivefields we offer you a range of spaces and facilities to help you *succeed*.



Multiple private meeting rooms ranging in sizes and both informal to formal



A 20-seat private Board Room



Multiple phone booths for private calls



Collaboration areas to break out with the team



Mission Rooms for team meetings of up to 32 people



An events space with an Ante Room for up to 94 people and leading Audio Visual facilities



A library space, for getting your head down for those quieter moments



Multiple Tea points



A large terrace

Our *Cultural Programme* provides stimulation for all our members to engage with, benefit and learn from.

- Panels and discussions with leading Charities and businesses
- Focus on sustainability and social impact
- Workshops, mentoring and courses
- Games nights, quizzes, live music and comedy
- Wellbeing and mindfulness activities including yoga, meditation, and arts and crafts
- Exhibitions and film nights





One monthly fixed cost

All our memberships are “all in pricing”. This includes business rates, utilities, consumables, service charge, WiFi, cleaning, security, insurance and taxes, design fees and limited printing (everything other than additional meeting rooms and refreshments you may choose to add). This means there are no surprises and considerably reduced administration for our members. So, you can focus on creating impact.

Memberships

A range or combination of memberships depending on your requirements including:

Flexible Memberships – for Charities looking to be part of the Community but on an ad hoc basis, to access a range of break out spaces and the roof terrace. Memberships can be taken for single days, 10 days per month or full time.

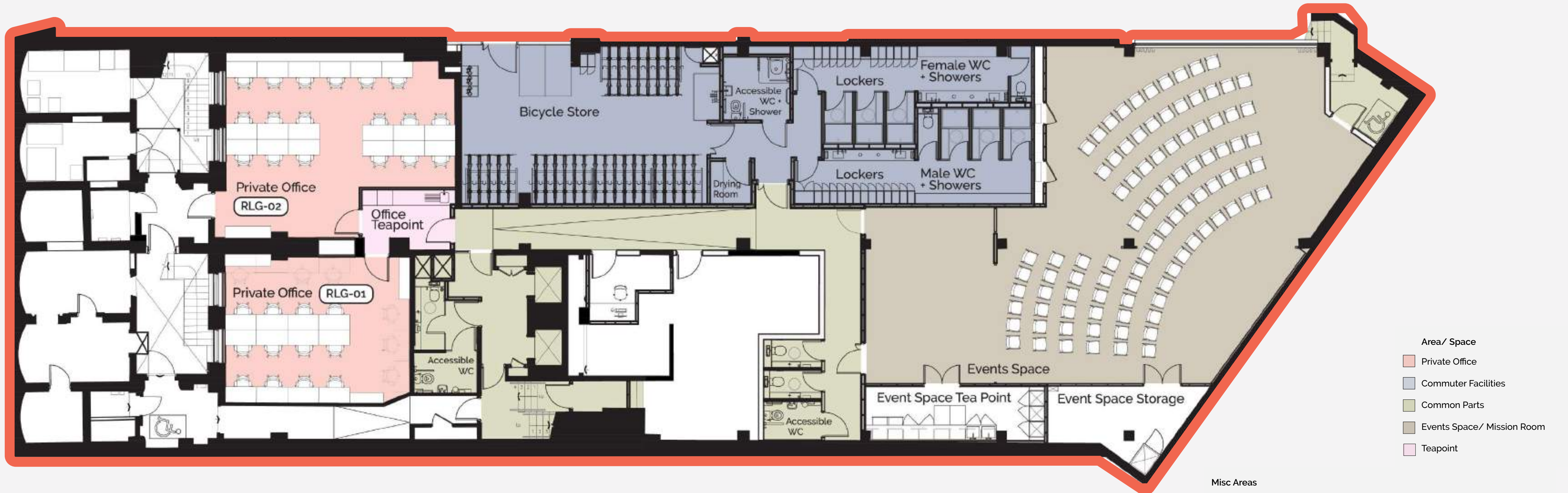
Dedicated Desks – providing members with their own dedicated desk complete with an ergonomic chair and locker in an open plan environment, surrounded by likeminded Charity members with access to all shared amenities.

Private Offices – choose from a range of incredible private office spaces for your team which you can customise to add branding, plants and furnishings to make your own secure and private space. All offices will include desks, ergonomic chairs and access to all shared amenities.

LG

FLOORPLAN

Lower Ground



- Area/ Space
- Private Office
 - Commuter Facilities
 - Common Parts
 - Events Space/ Mission Room
 - Teapoint

Misc Areas			
Teapoint	01	Accessible WC	01
Accessible Shower	01	Additional Accessible WC	01
Bike Racks	60	Showers	06
Bike Lockers	09	WCs	03
Lockers	81	Male WC	01
		Female WC	01
		Drying Room	01

G

FLOORPLAN

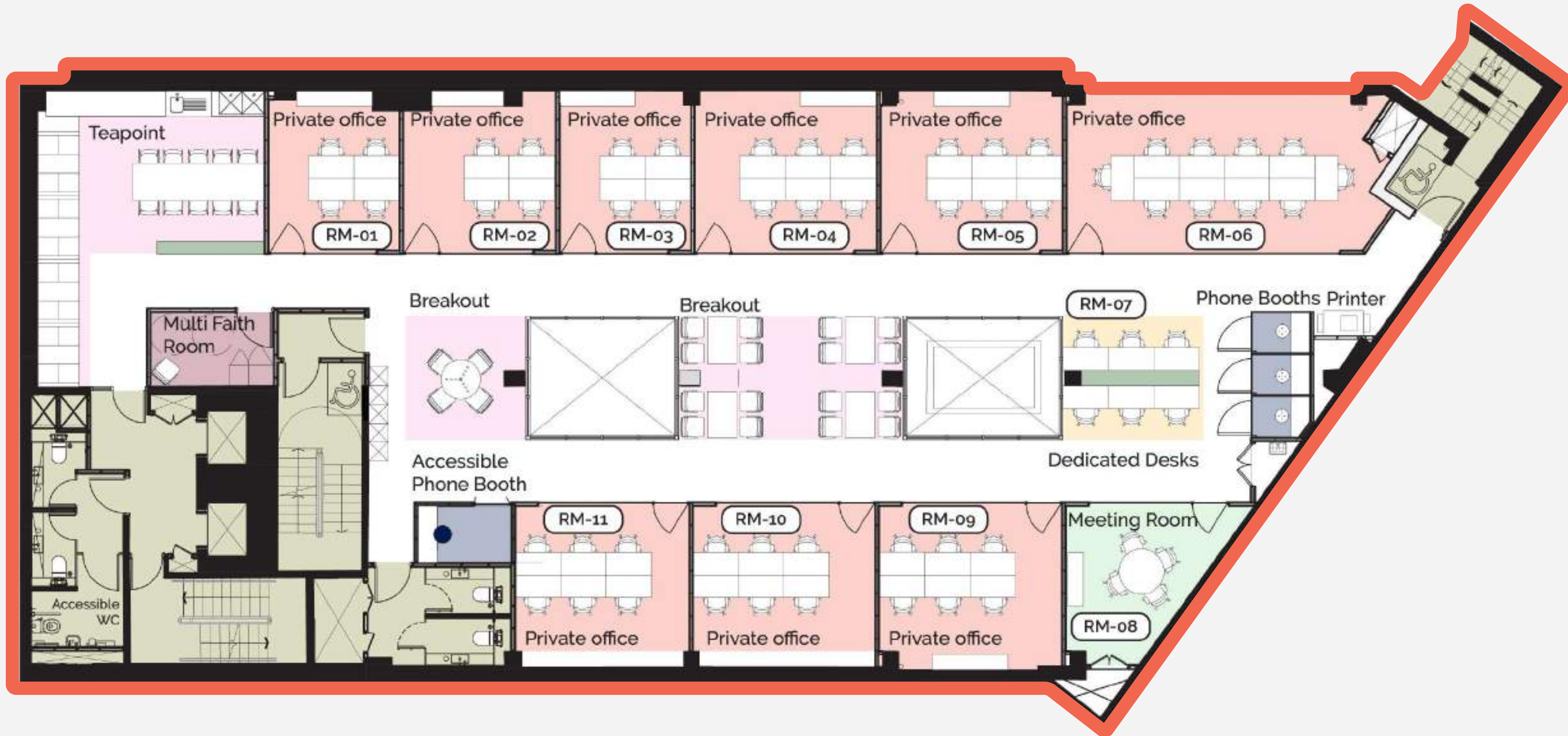
Ground Floor



M

FLOORPLAN

Mezzanine



- Area/ Space
- Multi Faith Room
 - Meeting Rooms
 - Common Parts
 - Breakout Spaces
 - Phone Booths
 - Dedicated Desks
 - Private Office

Misc Areas

Teapoint	01
WCs	04
Accessible WC	01
Printer	01

1

FLOORPLAN

First Floor



- Area/ Space**
- IT Room
 - Meeting Rooms
 - Common Parts
 - Breakout Spaces
 - Phone Booths
 - Dedicated Desks
 - Private Office
 - Charity Suite

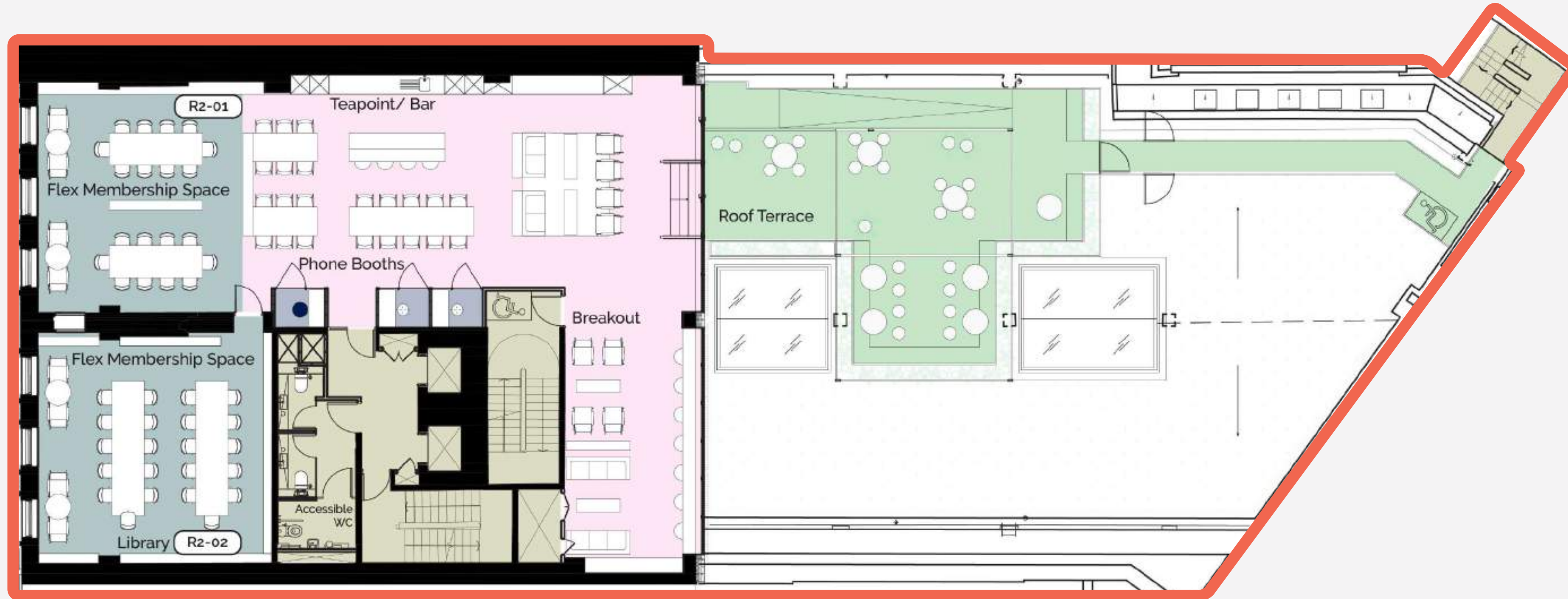
Misc Areas

Teapoint	01
WCs	04
Accessible WC	01
Printer	01

2

FLOORPLAN

Second Floor

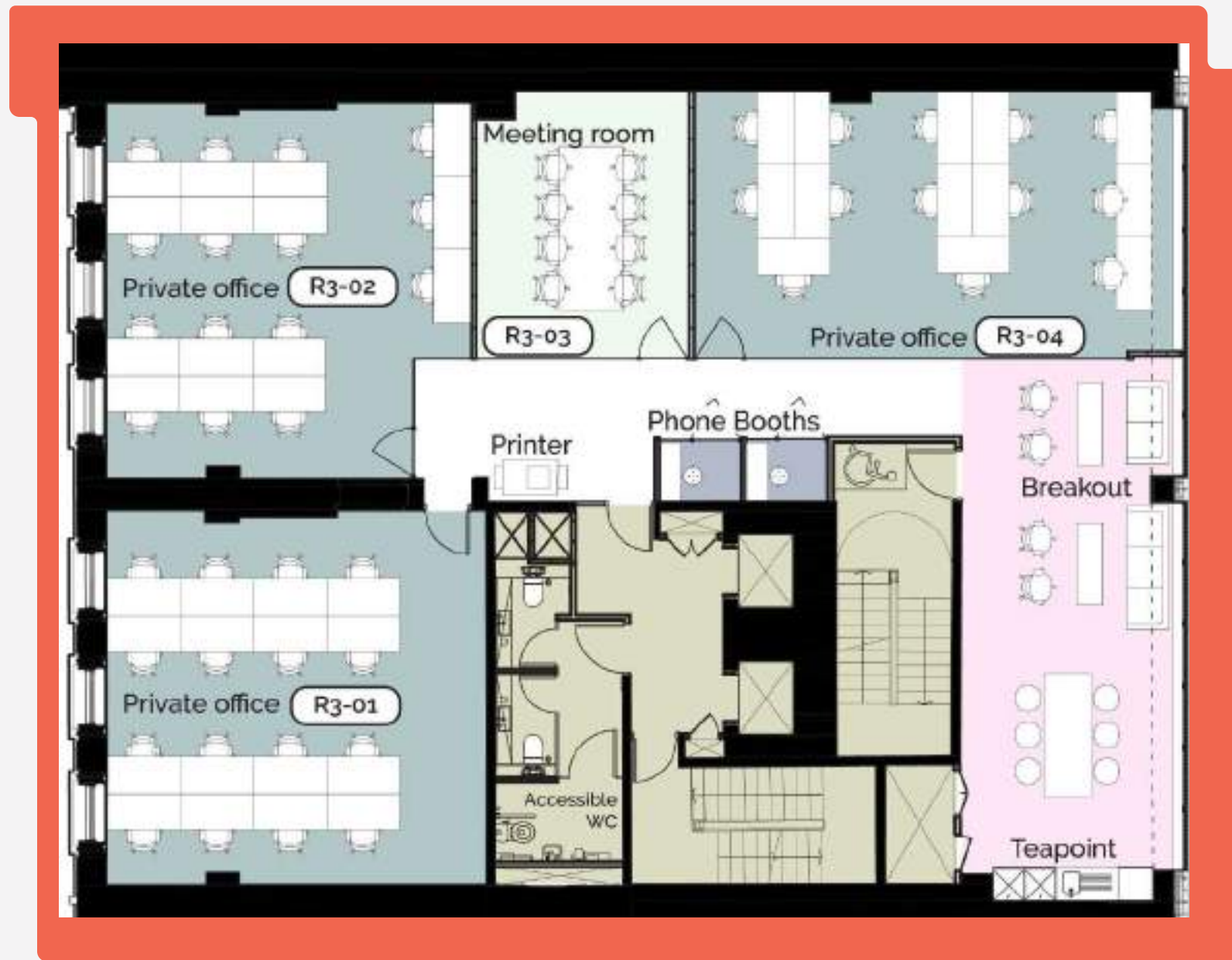


Area/ Space	
Flex Membership Space	
Common Parts	
Breakout Spaces	
Phone Booths	
Roof Terrace	

Misc Areas	
Teapoint	01
WCs	02
Accessible WC	01

3

FLOORPLAN Third Floor

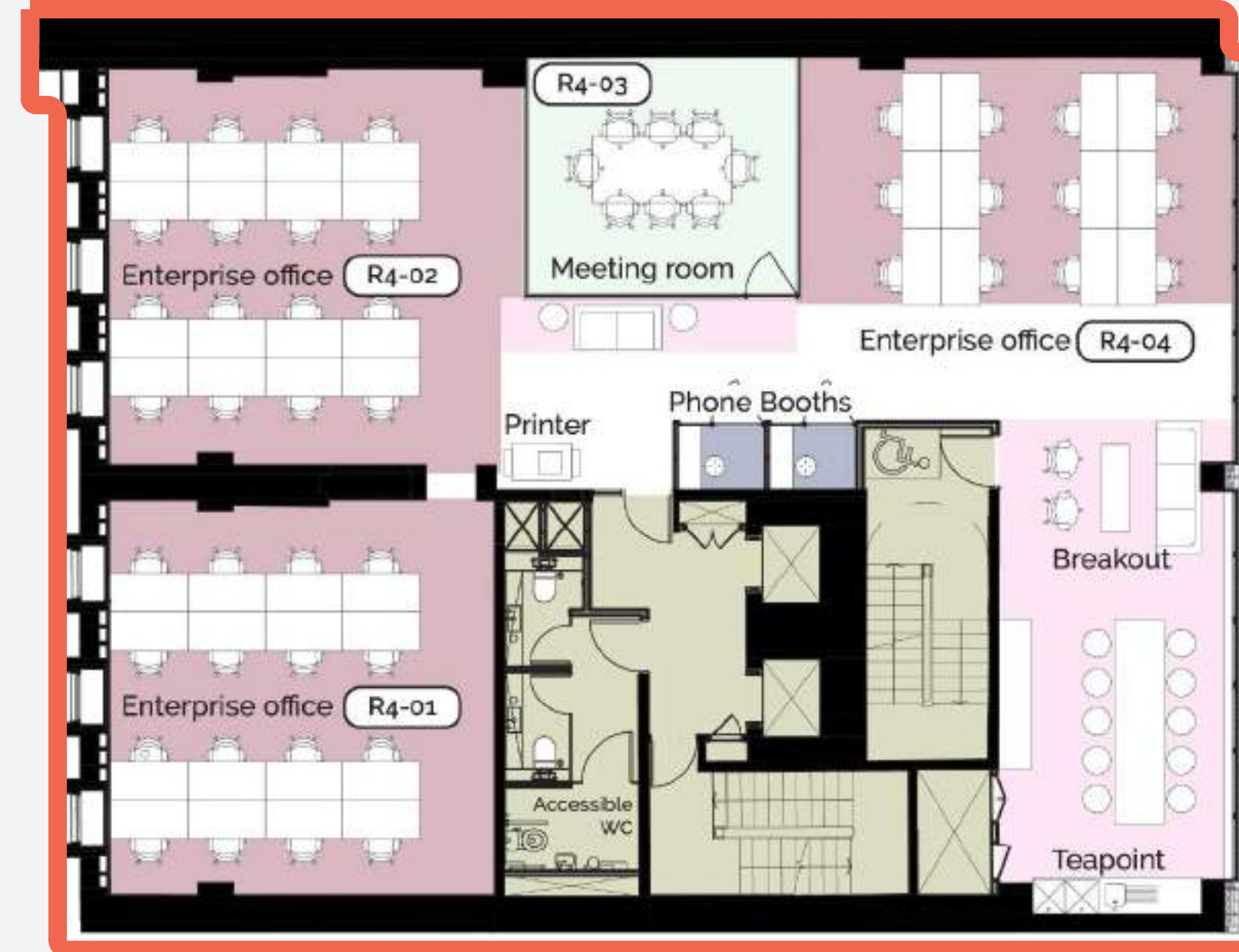


Misc Areas	
Teapoint	01
Printer	01
WCs	02
Accessible WC	01

Area/ Space	
Meeting Rooms	
Common Parts	
Breakout Spaces	
Phone Booths	
Private Office	

4

FLOORPLAN Fourth Floor



Misc Areas	
Teapoint	01
WCs	02
Accessible WC	01

Area/ Space	
Enterprise Office	
Meeting Rooms	
Common Parts	
Breakout Spaces	
Phone Booths	

5

FLOORPLAN

Fifth Floor



Misc Areas	
Teapoint	01
WCs	02
Accessible WC	01

Area/ Space	
Enterprise Office	
Meeting Rooms	
Common Parts	
Breakout Spaces	
Phone Booths	

Our Flexible, Dedicated and Private *Office Memberships* include an allowance of meeting room credits.

Your Membership will allow you to access a multitude of incredible meeting and events facilities when you need. Your membership will include:

- Free use of certain smaller meeting rooms
- A number of Credits per month which can be used for all meeting rooms and event spaces.

EVENTS SPACE

Dedicated events space for up to 90 people in a range of formats and including an ante room and food and beverage if ordered

From £240 per hour

BOARD ROOM

Allowing up to 20 people in a roundtable format

From £80 per hour

MEETING ROOMS

A range of formal and informal meeting rooms depending on your requirement

From £24 per hour

MISSION ROOM

Allowing up to 32 people in a range of formats

From either £80 or £160 per hour



Grant Funding

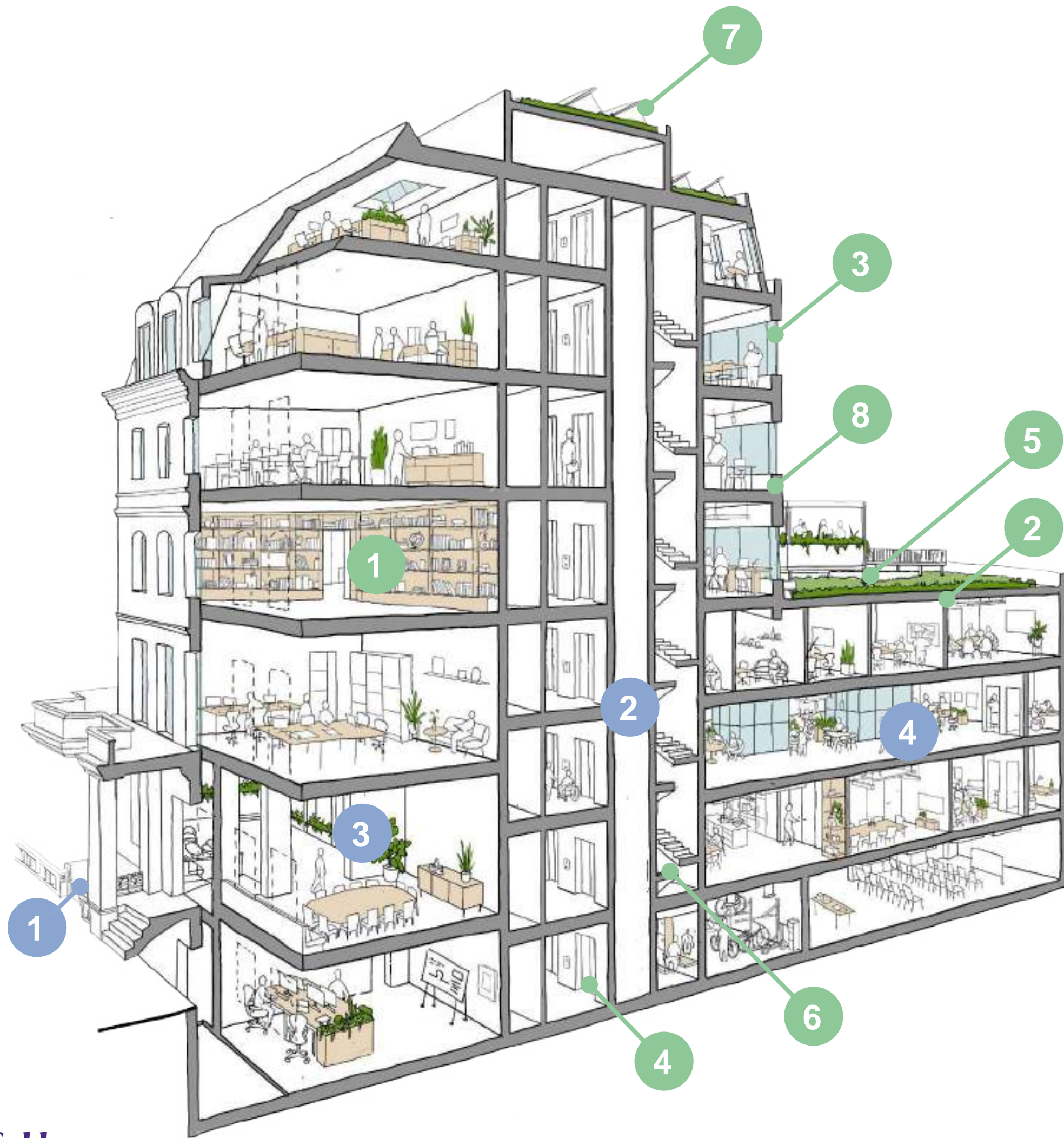
Charities who share a common goal of supporting children and young people to improve their life outcomes, aligning with the Westminster Foundation's strategy, may be eligible for grant funding from the Westminster Foundation of up to 50% of your monthly membership fee.

If you do not fall into the above criteria because you are either a non-profit organisation or social enterprise then you may still be eligible for membership (subject to approval from the Westminster Foundation) but you will not have access to grant funding.

For further details on how to apply for the grant funding then please visit <https://westminsterfoundation.org.uk/grants> or email x+why at [rdean@xandwhy.co.uk].

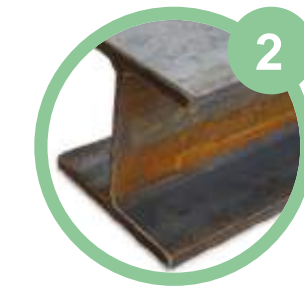


Innovations at Fivefields



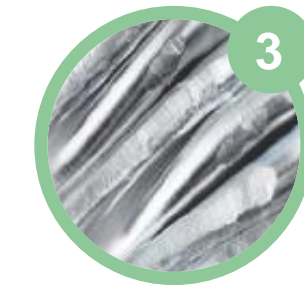
1 Non-toxic plywood & Grosvenor Estate timber

Responsibly sourced timber with low environmental impact.



2 Reused steelwork

Steelwork carefully removed from other Grosvenor projects provides carbon benefits.



3 Recycled Aluminium

Doors & windows on the scheme contain up to 70% recycled aluminium



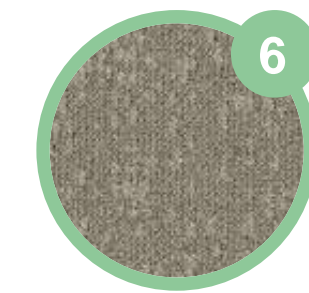
4 Recycled Plastic

Highly recycled plastic provides a great finish and helps divert materials from landfill.



5 Sedum roof

Improves building drainage and air quality



6 Air purifying carpets

Responsibly sourced timber with low environmental impact.



7 Photovoltaic panels

Renewable source of energy lowering reliance on fossil fuels.



8 Improved thermal envelope

Rear & mews facades benefit from new cavity insulation to improve thermal performance.



9 Upcycled raised access flooring & furniture

Reducing upfront embodied carbon emissions.



10 Environmental certification

BREEAM - Excellent.
FitWELL - 1 Star.
NABERS - 4 Stars.
AirRated - Gold.



1 Integrated platform lift

New platform lift and entrance ramp integrated into listed fabric improves building access.



3 Transitional lighting

Improves entrance experience for hypersensitive users.



2 Seamless circulation

Floor levels have been readjusted to limit reliance on ramps and lifts.



4 Neurodiversity friendly

Carefully designed signage, finishes and layout with neurodiversity in mind.

If you would like to discuss membership for you and your team, please contact us.

x+why



fivefields



ENGAGEMENT WITH ENVIRONMENTAL HEALTH OFFICER

03/10/23

From: [REDACTED]

Sent: Tuesday, October 3, 2023 2:10 PM

To: Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; Fabbricatore, Sally: WCC <sfabbricatore@westminster.gov.uk>

Cc: [REDACTED]

Subject: FW: X & Why Limited - X & Why, 8 - 10 Grosvenor Gardens - Application for a Premises Licence

Dear Jessica,

Please can you forward these two attachments to the two other objectors [REDACTED] – I have had no direct contact from either).

Sally, please see attached for information.

[REDACTED] have agreed to withdraw on the basis of the attached. I don't know if that changes your view at all.

Kind Regards

[REDACTED]
Partner

[REDACTED]
[REDACTED]



John Gaunt & Partners | Kings Cross Business Centre | 180 - 186 King Cross Road, London | WC1X 9DE

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29/09/23

From: [REDACTED]
Sent: Friday, September 29, 2023 1:58 PM
To: Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; Fabbricatore, Sally: WCC <sfabbricatore@westminster.gov.uk>
Cc: [REDACTED]
Subject: FW: X & Why Limited - X & Why, 8 - 10 Grosvenor Gardens - Application for a Premises Licence

Sally – FYI so you can see where I have got to with the objectors.

Jess – I am going to send a version of this letter (via you please) to [REDACTED] (who hasn't responded at all thus far) and [REDACTED] (who we have only latterly learned are involved).

I am taking it that we are still listed for hearing on the 19th of October?

Kind Regards

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]



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JG&P

John Gaunt
& Partners

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04/09/23

From: [REDACTED]
Sent: Monday, September 4, 2023 5:56 PM
To: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Subject: Re: X & Why Limited - X & Why Grosvenor Gardens

Sure. I'm about all day on Thursday.

[REDACTED]

Sent from my mobile. Please excuse typos.

From: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Sent: Monday, September 4, 2023 5:44:09 PM
To: [REDACTED]
Subject: RE: X & Why Limited - X & Why Grosvenor Gardens

Sorry for the radio silence I was off for a few days and I'm still catching up.
Can we discuss on Thursday?

From: [REDACTED]
Sent: Wednesday, August 30, 2023 4:36 PM
To: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Cc: [REDACTED]
Subject: RE: X & Why Limited - X & Why Grosvenor Gardens

Hi Sally,
Just following up on my email below please.
Did you manage to visit the venue?

Kind Regards

[REDACTED]



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From: [REDACTED]

Sent: Thursday, August 17, 2023 11:08 AM

To: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>

Subject: X & Why Limited - X & Why Grosvenor Gardens

Hi Sally,

Did you get a chance to pop down and have a look at the site/surrounding area?

Is there anything that we need to pick up on?

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent from my mobile. Please excuse typos.

Partners: Tim Shield (569713) | Michelle Hazlewood (569714)
Christopher Grunert | Jon Wallsgrove | Patrick Robson | Luke Elford
Practice Manager: Jonathan Pupius

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15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.

Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

Find out more at: <https://bit.ly/wccfis>

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

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You should not disclose the contents to any other person or take copies.

08/08/23

From: [REDACTED]
Sent: Tuesday, August 8, 2023 6:28 PM
To: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Subject: Fwd: 23/04220/LIPN-8-10 Grosvenor Gardens, London, SW1W 0DH

Hi Sally,

Just in case this hasn't been sent to you also.

Resident response to my letter.

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent from my mobile. Please excuse typos.

From: [REDACTED]
Sent: Tuesday, August 8, 2023 6:06:27 PM
To: [REDACTED]
Cc: Ajose-Adeogun, Ola: WCC <ojoseadeogun@westminster.gov.uk>;
[REDACTED]
Subject: RE: 23/04220/LIPN-8-10 Grosvenor Gardens, London, SW1W 0DH

Dear [REDACTED]

Thank you for your letter of 4 August 2023, forwarded by Westminster Licensing. You have explained that your client, X & Why, is the Applicant for the above Premises License and in your letter have described the motivation for the Application. We have carefully read through your letter and the attached schedule of conditions. [REDACTED]
[REDACTED] by the Application. Your letter identifies but does not address all of our concerns regarding nuisance, invasion of privacy and the right to quiet enjoyment of our home.

Your letter stresses the Who (members only) and Why (ancillary to workspace) of the requested Licensable Activities. Our concern centres on the When and Where of the proposed Licensable Activities to the extent that these affect the Mews.

When are proposed Licensable Activities?

If we have understood the Application correctly, Licensable Activities are proposed seven days a week, including until midnight on Friday and Saturday, throughout the Premises. These Activities might include "private pre-booked events" during the Licensed hours. This does not feel to us consistent with normal office business hours, however flexible these may be. This is demonstrated in the below table.

Day of week	Normal business hours	Proposed Licensable Activities hours	Extra hours from end of business day
Monday	08:30 -18:30	10:00-23:30	+5hours in the evening
Tuesday	08:30 -18:30	10:00-23:30	+5hours in the evening
Wednesday	08:30 -18:30	10:00-23:30	+5hours in the evening
Thursday	08:30 -18:30	10:00-23:30	+5hours in the evening
Friday	08:30- 18:30	10:00-24:00	+5.5 hours in the evening
Saturday	09:00 -13:00	10:00-24:00	+11 hours - all afternoon/evening
Sunday	Closed	10:00-22:30	+12 hours, 30 mins –all day/evening

You comment that these hours are “entirely consistent with Westminster City Council’s Statement of Licensing Policy”. This does not address that [REDACTED]. There are two other commercial buildings [REDACTED] which observe normal office hours (until 18:00 Monday -Friday, closed on Saturday and Sunday)

Where are proposed Licensable Activities to be carried out?

The application appears to cover the whole of the Premises, inside and out. The entire rear of the Premises [REDACTED]. The roof terrace and fire escape corridors and staircases [REDACTED]. Any Licensed Activity taking place in these areas of the Premises directly impacts [REDACTED]. You have highlighted a few of the issues that this will create.

1. **Light Pollution:** In your letter you say, “We think it is unlikely that you will suffer light pollution from the Premises”. This is completely at odds with the layout of the Premises, the entire rear of [REDACTED]s. If there are windows at the rear of the Premises (currently covered up by scaffolding) and the lights are on during the hours of the proposed Licensed Activities, then unless the windows are covered with blackout blinds, there will be light pollution both [REDACTED]. The same is true of any lights outside the rear of the Premises.
2. **Noise pollution:** Whenever there is Licensable Activity either outside or inside the Premises, with a door or window open [REDACTED], there is the potential for noise pollution [REDACTED]. This is true whether the Licensable Activity is watching a film or having a drink. The suggestion that windows be closed only after 22:00 (condition 19) acknowledges the potential for nuisance from open windows but does not provide an adequate solution.

On this topic, you have suggested a condition restricting the use of the terrace to 17:00 daily. It is our understanding ([REDACTED]) that the terrace will be used only Monday – Friday and not at all at weekends. This is not reflected in the conditions.

[REDACTED] will be most affected by noise pollution outside of normal office hours and at the weekends,

3. **Smells:** Condition 17 does not address fumes from smoking, both from the terrace and through open areas (if any) from permitted smoking areas [REDACTED].

4. **ASB in [REDACTED]**: In your letter you confirm that there will be no access or egress to [REDACTED] except in emergency. Given the proximity of the fire exit steps to [REDACTED], we would appreciate confirmation that the exit from the fire escape steps is alarmed at the top and bottom and will not be used as an overflow exit or for any purposes other than as an emergency exit. Is [REDACTED] designated as an emergency meeting point for the Premises in the event of an emergency?

Can you please confirm that there will be no collections or deliveries (conditions 24-26) via [REDACTED] to the Premises?

Finally, you have not addressed the overriding issue which we regard as critical, namely, **interference with [REDACTED]**

[REDACTED] All Licensable Activities taking place [REDACTED] of the Premises/ on the new terrace will impact the use by the [REDACTED]

Summary

Our objection is only to Licensed Activities [REDACTED] of the Premises [REDACTED] outside of normal office hours. Other people may have other concerns.

We are happy to discuss with you amending the Application or introducing conditions to remove the negative impact of the Application [REDACTED]. We are conscious that not [REDACTED] in July and August. We would want to share all of this with them.

We can see that the hearing for the Application is scheduled for 30 December 2023. That means the local community has time to look at this in a proper timeframe.

We have copied Westminster Licensing.

Please feel free to email me directly when you have had the opportunity to consider this.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

04/08/23

From: [REDACTED]
Sent: Friday, August 4, 2023 8:48 AM
To: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Cc: [REDACTED]
Subject: FW: 23/04220/LIPN-8-10 Grosvenor Gardens, London, SW1W 0DH - Letter to Objectors

Dear Sally,

Please find attached copies of my letter to the two residential objectors, [REDACTED] (the letters are identical).

Please also find attached a brochure regarding X & Why and who they are. Further information can be found on their website, which is <https://www.xandwhy.co.uk/>

The only salient point from the letters that merits additional mention here is that my client is quite happy to agree that the terrace will not be used after 5pm each day, not even by smokers.

I hope your visit to the environs of the venue goes well. Do let me know if there is anything further I can help with.

I have asked Licensing to let me know a likely hearing date for this application.

Have a good weekend.

Kind Regards

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

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02/08/23

From: [REDACTED] d
Sent: Wednesday, August 2, 2023 2:51 PM
To: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Cc: [REDACTED]
Subject: RE: 23/04220/LIPN - 8-10 Grosvenor Gardens

No problem

If you propose it once you've had a look, I'll have a look and accept it.

If we still have residents objecting I would rather have you involved anyway as the voice of reason.

Kind Regards

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]



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For more details on our services please click on the links above.

From: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Sent: Wednesday, August 2, 2023 2:48 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: 23/04220/LIPN - 8-10 Grosvenor Gardens

My visits and committee requirements have changed.

Ok lets not do a joint visit then if it's still a building site. I'll just visit the area when I'm next passing.

A works condition would be good.

Thanks [REDACTED]

From: [REDACTED]
Sent: Wednesday, August 2, 2023 2:46 PM
To: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Cc: [REDACTED]
Subject: RE: 23/04220/LIPN - 8-10 Grosvenor Gardens

Hi Sally,

I thought we discussed Thursday the 10th rather than the 11th?

In any event, I've spoken to the client, and I think the venue is still a building site.

I'm happy to arrange something if you would like, but not sure how much merit there will be in seeing it in its current state?

If you wanted to agree a works condition prior to licensable activities taking place then I can't see that we would have any problem with that.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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From: Fabbricatore, Sally: WCC <sfabbricatore@westminster.gov.uk>

Sent: Wednesday, August 2, 2023 2:44 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: 23/04220/LIPN - 8-10 Grosvenor Gardens

Hi [REDACTED]

Following our chat Friday 11th Aug, would be best at 9am, I have to get to the Old War Office by 10.30am.

I'll wait to hear from you.

Thanks

Sally

31/07/23

From: [REDACTED]
Sent: Monday, July 31, 2023 4:30 PM
To: Fabbricatore, Sally: WCC <sfabbricatore@westminster.gov.uk>
Cc: [REDACTED]
Subject: RE: 23/04220/LIPN - 8-10 Grosvenor Gardens

Sure,

I'm around from 9 until 11 and then again from about 3:30ish.

I'm in the process of drafting a response to the residents as we speak.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



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From: Fabbricatore, Sally: WCC <sfabbricatore@westminster.gov.uk>
Sent: Monday, July 31, 2023 4:29 PM

To: [REDACTED]
Cc: [REDACTED]
Subject: RE: 23/04220/LIPN - 8-10 Grosvenor Gardens

Hi Luke

Can I call you on Wednesday about this please?

Thanks

Sally

26/07/23

From: [REDACTED]
Sent: Wednesday, July 26, 2023 9:24 AM
To: Fabbriatore, Sally: WCC <sfabbriatore@westminster.gov.uk>
Cc: [REDACTED]
Subject: FW: 23/04220/LIPN - 8-10 Grosvenor Gardens

Hi Sally,

When is good for us to have a chat about this application, please?

I am speaking with my client this morning in view of the two resident representations.

There's also something else that I want to pick your brain on.

I'm pretty free tomorrow or Friday for a short teams call.

Kind Regards

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



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20/07/23

From: Fabbricatore, Sally: WCC <sfabbricatore@westminster.gov.uk>

Sent: Thursday, July 20, 2023 3:53 PM

To: [REDACTED]

Cc: Licensing: WCC <Licensing@westminster.gov.uk>; Ajose-Adeogun, Ola: WCC <oajoseadeogun@westminster.gov.uk>

Subject: 23/04220/LIPN - 8-10 Grosvenor Gardens

Dear [REDACTED]

I hope you are well, please find my representation attached.

Kind regards

Sally

Sally Fabbricatore

Senior Practitioner – Environmental Health Consultation Team

Regulatory Support Team 2

Public Protection and Licensing

Westminster City Council

City Hall 15th Floor West

64 Victoria Street

London

SW1E 6QP

Tel: 07816 218093

Email: sfabbricatore@westminster.gov.uk

Web: www.westminster.gov.uk



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John Gaunt
& Partners

Licensing Solicitors

Our Ref: LE/XWH1/XWH7/2
Contact: [REDACTED]

[REDACTED]
c/o Westminster City Council Licensing Team

By email only

04 August 2023

Dear [REDACTED],

X & Why Limited – X & Why, 8-10 Grosvenor Gardens, London SW1W 0DH – Application for a Premises Licence (23/04220/LIPN)

I apologise for the slightly impersonal nature of this letter and for sending it via the council. I would have liked to have written direct but the council as a matter of principle do not provide contact details.

My name is [REDACTED], and I am the Licensing Solicitor for X & Why Limited. I am supporting them with their application for a Premises Licence at 8-10 Grosvenor Gardens, London SW1W 0DH ("the Premises").

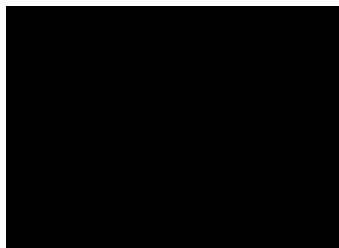
I thought it would be helpful to write to you in relation to your representation regarding my client's application. First, to explain who X & Why are. Second, to explain why they are making this application, and third, to address the relevant concerns highlighted in your objection.

Can I stress at the very outset that my client is committed to being a good neighbour to you and that any suggestions that the Premises will be alcohol or entertainment led are just not correct.

X & Why (in their own words) offer flexible workspace with purpose. X & Why's innovative, flexible workspaces support a community of impact-driven leaders, companies, and movements who believe that business should be a force for good. I enclose a brochure explaining more about who X & Why are and the work that they do.

My client does this from a number of locations in London and around the United Kingdom (Birmingham, Milton Keynes, Manchester). These sites

Partners:



Practice Manager:

Tel: 0114 266 8664
Helpline: 0114 266 3400
Fax: 0114 267 9613
Email: info@john-gaunt.co.uk
www.john-gaunt.co.uk

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372 - 374 Cemetery Road
Sheffield
S11 8FT

are not publicly accessible – access is restricted to X & Why members, their guests, and persons attending events. If X & Why are successful in obtaining a licence at Grosvenor Gardens, then this would be a condition of the licence.

It is entirely possible that you will not have seen a copy of the schedule of conditions that I drafted with my client, so I am pleased to enclose a copy herewith. The conditions will, I would hope, deal with a lot of the concerns that you have expressed in your letter.

X & Why are making this application to add value to their primary business, which is the provision of flexible workspace. The very first condition within my client's schedule of conditions is that Licensable Activities must be ancillary to the use of the Premises as members' workspace. There is no chance that the Premises could be used by my client, either now or in the future, as a bar or entertainment venue. I hope that is of comfort to you.

X & Why seek licences at their venues to support and benefit members. Licences are held at multiple sites around London and the rest of the country and there have never been any issues whatsoever with the operation of those venues – not a crossed word with residents (some of whom are our biggest supporters) or local councils.

Turning to the concerns expressed in your letter, I thought it might help if I deal with them one by one. Please note that I will only deal with concerns that are relevant to the Licensing Act 2003.

Hours of Operation

The hours of operation (in Licensing Terms) are entirely consistent with Westminster City Council's Statement of Licensing Policy.

As a workspace provider, my client was conscious not to apply for later hours e.g. past midnight.

Light Pollution

We think it is unlikely that you will suffer light pollution from the Premises, but if you do, in the first instance, we would ask that you contact us and we will take appropriate steps to remediate the issue for you.

Noise Pollution

Grosvenor Gardens will not be an entertainment led venue. The only form of entertainment applied for is the ability to show films and this would only take place within a meeting room or function space. It would never, for example, take place outdoors.

In relation to the terrace area, this will close at 5pm each day. We had allowed for use of that area by smokers after this time, but we are happy to agree that it won't be used after 5pm at all.

My client has offered numerous conditions dealing with the prospect of noise pollution and these can be found at conditions 15 – 26 of my client's schedule of conditions.

Smells

These are dealt with at condition 17 of my client's schedule of conditions.

Drunkenness and ASB in [REDACTED]

Except in an emergency evacuation scenario there will be no egress from my client's venue into [REDACTED]

There will be no access to the venue via [REDACTED] at any time. All access and egress (save in an emergency) will take place via Grosvenor Gardens.

X & Why aren't the kind of operation that are associated with rowdy and drunken behaviour. For the most part, Licensable Activities will be provided to those who are members and who have paid a fee to use the venue. That gives my client a significant degree of control over their behaviour. Were someone to misbehave then please be assured that they would be dealt with swiftly.

I said at the outset that my client is committed to being a good neighbour and to that end they will make sure that there is a number that you can call should you experience any issues with the operation of the venue.

Summary

My client understands and appreciates the concerns that you have raised in relation to its application but sincerely hopes that this letter, together with the previously unseen schedule of conditions, will leave you feeling

empowered to withdraw your objection, which you can do by emailing licensing@westminster.gov.uk.

If concerns remain, then I would ask that you please contact me direct, and we can look to address them moving forwards.

My client is keen to work with you to ensure a harmonious and mutually beneficial relationship moving forwards.

With my best wishes.

Yours sincerely,

A large black rectangular redaction box covering the signature area.A small black rectangular redaction box covering the name of the sender.

Partner
John Gaunt & Partners Licensing Solicitors

Enc.



John Gaunt
& Partners

Licensing Solicitors

Our Ref: LE/XWH1/XWH7/2

Contact: [REDACTED]

[REDACTED]
c/o Westminster City Council Licensing Team

By email only

04 August 2023

Dear [REDACTED],

X & Why Limited – X & Why, 8-10 Grosvenor Gardens, London SW1W 0DH – Application for a Premises Licence (23/04220/LIPN)

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X & Why seek licences at their venues to support and benefit members. Licences are held at multiple sites around London and the rest of the country and there have never been any issues whatsoever with the operation of those venues – not a crossed word with residents (some of whom are our biggest supporters) or local councils.

Turning to the concerns expressed in your letter, I thought it might help if I deal with them one by one. Please note that I will only deal with concerns that are relevant to the Licensing Act 2003.

Hours of Operation

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As a workspace provider, my client was conscious not to apply for later hours e.g. past midnight.

Light Pollution

We think it is unlikely that you will suffer light pollution from the Premises, but if you do, in the first instance, we would ask that you contact us and we will take appropriate steps to remediate the issue for you.

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Smells

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Drunkenness and ASB in [REDACTED]

Except in an emergency evacuation scenario there will be no egress from my client's venue into [REDACTED]

There will be no access to the venue via [REDACTED] at any time. All access and egress (save in an emergency) will take place via Grosvenor Gardens.

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Summary

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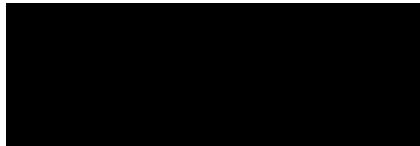
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If concerns remain, then I would ask that you please contact me direct, and we can look to address them moving forwards.

My client is keen to work with you to ensure a harmonious and mutually beneficial relationship moving forwards.

With my best wishes.

Yours sincerely,

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Partner
John Gaunt & Partners Licensing Solicitors

Enc.



John Gaunt
& Partners

Licensing Solicitors

Our Ref: LE/XWH1/XWH7/2

Contact: [REDACTED]

[REDACTED]
By email only to [REDACTED]
[REDACTED]

29 September 2023

Dear [REDACTED],

Our Client: X & Why Limited

Premises: X & Why, 8-10 Grosvenor Gardens, London SW1W 0DH

Application for a Premises Licence

Can I start by thanking you for meeting with us at my offices on 5 September and for explaining your concerns regarding this application.

We apologise for the delay in following up in writing. There are several reasons for that delay but those most important of those is that my client wanted this response to be comprehensive in the hope that you, and the other objectors, will feel empowered to withdraw your objections.

We are going to start by recapping the measures (conditions) that were offered at our meeting and will move on to some additional concessions that my client is willing to make.

Terrace

Having been sent a copy of the planning permission we can see and understand how your concerns about terrace use have arisen.

Although Planning and Licensing are different regimes and whilst it is not strictly necessary to replicate restrictions from Planning in Licensing (or vice-versa), my client will agree to the same restriction being placed on the Premises Licence that exists on the Planning Permission. We therefore propose to amend the wording of our condition 20 as follows:

Partners:

Tel: 0114 266 8664
Helpline: 0114 266 3400
Fax: 0114 267 9613
Email: info@john-gaunt.co.uk
www.john-gaunt.co.uk

Practice Manager:

John Gaunt & Partners
Omega Court
372 - 374 Cemetery Road
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Original Wording

20. All terraces shall close at 17:00 each day except for smokers.

Amended Wording

20. The terrace at second floor level shall only be used between 10:00 – and 17:00 Monday to Friday (excluding bank holidays and public holidays) and access to the terrace (except in emergencies) shall be prevented at all other times.

Whilst we do not believe that use of the terrace between 10am and 5pm Monday to Friday will undermine Licensing Objectives in any way, my client is prepared to supplement the above with the following additional conditions:

The Premises Licence Holder shall display a suitable sign or signs on the terrace reminding users to respect the needs of residents and use the area appropriately.

The Premises Licence Holder shall not permit smoking on the second-floor terrace. Smoking shall only be permitted at ground floor level on Grosvenor Gardens.

The Premises Licence Holder shall not play Live or Recorded Music or use an amplified public address system on the second-floor terrace.

We hope that these changes meet with your approval.

Deliveries

My client appreciates your concerns regarding the use of [REDACTED] and my client is committed to ensuring that you are not disturbed by deliveries relating to its activities.

My client has never intended to use [REDACTED] for deliveries, but hopes that the following condition reinforces the point:

There shall be no deliveries of goods or services relating to Licensable Activities at the Premises via Grosvenor Gardens

Mews North. All deliveries of good or services relating to Licensable Activities shall be via Grosvenor Gardens.

Fire Safety Meeting Point

You expressed concern regarding my client's fire safety arrangements.

My client explained at our meeting that the fire exit into [REDACTED] is precisely that, a fire exit, and it will only be used in emergencies. It is not a means of access to the Premises.

My client agrees with you that [REDACTED] is not a suitable location for an evacuation point and expects that, once finalised, the evacuation point will be Grosvenor Gardens opposite the building. My client is happy to agree a condition that:

The fire evacuation meeting point shall not be in Grosvenor Gardens Mews North unless that is directed by the London Fire Brigade.

We do not expect that the London Fire Brigade will recommend a meeting point in [REDACTED] but wish to retain the caveat in the unlikely event that they do.

Noise Breakout

My client has already proposed a condition that:

All windows and external doors shall be kept closed after 22:00 hours except for the immediate access and egress of persons.

My client is happy to bring the time forward to **20:00**, which we believe is reasonable.

Lighting and Blinds

My client has considered your concerns about light breakout from the rear of the venue, including the photo provided to us.

As a workspace, it is possible that lights will be on when people are working regardless of whether Licensable Activities are taking place or

not. Light breakout is also only a public nuisance so far as it is excessive and/or intrusive, for example lights directed outwards from a building into neighbouring properties.

My client does not wish for light breakout from its premises to be a problem for anyone and will be adopting a series of measures to address your concerns.

First, the lighting system is movement based, which means that lights will be off when areas are not being used and lights will only come on when they are being used.

Second, the lighting system has been set to deactivate after 45 minutes of no movement, which we feel is reasonable.

Thirdly, my client will be installing blinds to the rear windows of the venue. These are due to be installed in the coming weeks and members will be educated in their use.

Finally, my client is willing to agree a condition that:

The Premises Licence Holder shall ensure that any lights either inside or outside the Premises shall not cause a nuisance to nearby properties.

We are of the view that those measures, coupled with the condition, will promote the Licensing Objectives and should you ever feel that light is a problem, we invite you to discuss your concerns with my client directly.

Hours for Licensable Activities

My client has considered your request to cut back the hours that it is applying for in respect Licensable Activities and proposes the following changes:

Day of Week	Applied for	Proposed
Monday	10:00 – 23:30	10:00 – 22:00
Tuesday	10:00 – 23:30	10:00 – 22:00
Wednesday	10:00 – 23:30	10:00 – 22:00
Thursday	10:00 – 23:30	10:00 – 22:00
Friday	10:00 – 00:00	10:00 – 22:00
Saturday	10:00 – 00:00	Removed

Sunday	10:00 – 22:30	Removed
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As you can see, my client has removed all Licensable Activities at weekends and scaled them back during the week to 10pm. We believe this strikes a balance between the venue and the needs of residents.

Summary

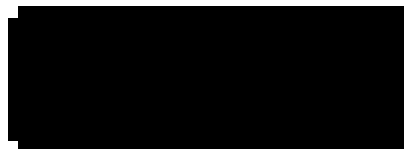
We hope that this letter addresses your concerns regarding the application and the promotion of the Licensing Objectives by X & Why Limited at 8-10 Grosvenor Gardens.

We have reflected on the feedback that you have provided and believe the above represents a sensible compromise, which we hope enables you to withdraw your objection.

We have copied the Senior Licensing Officer, Jessica Donovan, into this letter and if you are minded to withdraw, we ask that you please notify her by email to jdonovan@westminster.gov.uk.

Thank you for taking the time to read this letter.

Yours sincerely,



Partner
John Gaunt & Partners Licensing Solicitors

cc. Jessica Donovan – Senior Licensing Officer, Westminster City Council
cc. Sally Fabbriatore – Environmental Health Officer, Westminster City Council



John Gaunt
& Partners

Licensing Solicitors

Our Ref: LE/XWH1/XWH7/2

Contact: [REDACTED]

[REDACTED]
c/o Westminster City Council Licensing Team

29 September 2023

Dear [REDACTED]

Our Client: X & Why Limited

Premises: X & Why, 8-10 Grosvenor Gardens, London SW1W 0DH

Application for a Premises Licence

I write further to my letter of 4 August.

On 5 September I met with some [REDACTED] that have objected to my client's application for a Premises Licence at my office in Kings Cross. I promised that I would follow-up in writing and having done so today, I wanted to offer you the courtesy of seeing where we have gotten to.

I am going to start by outlining the measures (conditions) that were offered at the meeting and will move on to some additional concessions that my client is willing to make.

Terrace

I have now had sight of the planning permission for 8-1) Grosvenor Gardens and understand how concerns about the terrace have arisen.

Although Planning and Licensing are different regimes and whilst it is not strictly necessary to replicate restrictions from Planning in Licensing (or vice-versa), my client will agree to the same restriction being placed on the Premises Licence that exists on the Planning Permission. We therefore propose to amend the wording of our condition 20 as follows:

Partners:

Tel: 0114 266 8664
Helpline: 0114 266 3400
Fax: 0114 267 9613
Email: info@john-gaunt.co.uk
www.john-gaunt.co.uk

Practice Manager:

John Gaunt & Partners
Omega Court
372 - 374 Cemetery Road
Sheffield
S11 8FT

Original Wording

20. All terraces shall close at 17:00 each day except for smokers.

Amended Wording

20. The terrace at second floor level shall only be used between 10:00 – and 17:00 Monday to Friday (excluding bank holidays and public holidays) and access to the terrace (except in emergencies) shall be prevented at all other times.

Whilst we do not believe that use of the terrace between 10am and 5pm Monday to Friday will undermine Licensing Objectives in any way, my client is prepared to supplement the above with the following additional conditions:

The Premises Licence Holder shall display a suitable sign or signs on the terrace reminding users to respect the needs of residents and use the area appropriately.

The Premises Licence Holder shall not permit smoking on the second-floor terrace. Smoking shall only be permitted at ground floor level on Grosvenor Gardens.

The Premises Licence Holder shall not play Live or Recorded Music or use an amplified public address system on the second-floor terrace.

We hope that these changes meet with your approval.

Deliveries

My client appreciates concerns regarding the use of [REDACTED] and my client is committed to ensuring that residents are not disturbed by deliveries relating to its activities.

My client has never intended to use [REDACTED] for deliveries, but hopes that the following condition reinforces the point:

There shall be no deliveries of goods or services relating to Licensable Activities at the Premises via Grosvenor Gardens Mews North. All deliveries of good or services relating to Licensable Activities shall be via Grosvenor Gardens.

Fire Safety Meeting Point

Concerns were raised about my client's fire safety arrangements.

My client explains that fire exit into [REDACTED] is precisely that, a fire exit, and it will only be used in emergencies. It is not a means of access to the Premises.

My client agrees that [REDACTED] North is not a suitable location for an evacuation point and expects that, once finalised, the evacuation point will be Grosvenor Gardens opposite the building. My client is happy to agree a condition that:

The fire evacuation meeting point shall not be in Grosvenor Gardens Mews North unless that is directed by the London Fire Brigade.

We do not expect that the London Fire Brigade will recommend a meeting point in [REDACTED] but wish to retain the caveat in the unlikely event that they do.

Noise Breakout

My client has already proposed a condition that:

19. All windows and external doors shall be kept closed after 22:00 hours except for the immediate access and egress of persons.

My client is happy to bring the time forward to 20:00, which we hope is reasonable.

Lighting and Blinds

My client has considered concerns about light breakout from the rear of the venue, including a photo provided.

As a workspace, it is possible that lights will be on when people are working regardless of whether Licensable Activities are taking place or

not. Light breakout is also only a public nuisance so far as it is excessive and/or intrusive, for example lights directed outwards from a building into neighbouring properties.

My client does not wish for light breakout from its premises to be a problem for anyone and will be adopting a series of measures to address concerns.

First, the lighting system is movement based, which means that lights will be off when areas are not being used and lights will only come on when they are being used.

Second, the lighting system has been set to deactivate after 45 minutes of no movement, which we feel is reasonable.

Thirdly, my client will be installing blinds to the rear windows of the venue. These are due to be installed in the coming weeks and members will be educated in their use.

Finally, my client is willing to agree a condition that:

The Premises Licence Holder shall ensure that any lights either inside or outside the Premises shall not cause a nuisance to nearby properties.

We are of the view that those measures, coupled with the condition, will promote the Licensing Objectives and should you ever feel that light is a problem, we invite you to discuss your concerns with my client directly.

Hours for Licensable Activities

My client has considered requests to cut back the hours that it is applying for in respect Licensable Activities and proposes the following changes:

Day of Week	Applied for	Proposed
Monday	10:00 – 23:30	10:00 – 22:00
Tuesday	10:00 – 23:30	10:00 – 22:00
Wednesday	10:00 – 23:30	10:00 – 22:00
Thursday	10:00 – 23:30	10:00 – 22:00
Friday	10:00 – 00:00	10:00 – 22:00
Saturday	10:00 – 00:00	Removed
Sunday	10:00 – 22:30	Removed

As you can see, my client has removed all Licensable Activities at weekends and scaled them back during the week to 10pm. We believe this strikes a balance between the venue and the needs of residents.

Summary

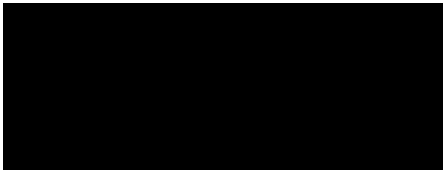
We hope that this letter addresses your concerns regarding the application and the promotion of the Licensing Objectives by X & Why Limited at 8-10 Grosvenor Gardens.

We have reflected on the feedback that you have provided and believe the above represents a sensible compromise, which we hope enables you to withdraw your objection.

We have copied the Senior Licensing Officer, Jessica Donovan, into this letter and if you are minded to withdraw, we ask that you please notify her by email to jdonovan@westminster.gov.uk.

Thank you for taking the time to read this letter.

Yours sincerely,

A large black rectangular redaction box covering the signature area.A small black rectangular redaction box covering the name of the signatory.

Partner
John Gaunt & Partners Licensing Solicitors

cc. Jessica Donovan, Senior Licensing Officer, Westminster City Council

From: [REDACTED]
Sent: Fri, 29 Sep 2023 13:18:09 +0000
To: [REDACTED]
Cc: [REDACTED]
Subject: X & Why Limited - X & Why, 8-10 Grosvenor Gardens - Application for a Premises Licence
Attachments: X & Why Limited - 4 August Letter Redacted.pdf, X & Why Limited - 29 August Letter Redacted.pdf, X & Why Ltd - X & Why Victoria - Proposed Conditions.docx
Importance: High

Dear [REDACTED],

I represent X & Why Limited who are the applicant for a Premises Licence at the above address.

At the very outset, can I wholeheartedly apologise for not having contacted you sooner.

Although you made a representation regarding my client's application during the consultation period, that representation wasn't forwarded to us (others were, however) by Westminster Council after the last date for representations. The council have only latterly informed us of your involvement. No discourtesy is intended by not having corresponded sooner, or indeed, not having involved you in the discussions that I have had with other objectors.

Rather than try to shut the gate after the horse had bolted, I attach two letters. These were sent to the objectors we were aware of on 4 August and today respectively. I also had a meeting with one of the objectors at my offices on 5 September. The other objector did not respond.

In summary, in addition to the conditions proposed with the application (a copy of which I attach for ease of reference), my client has agreed to scale back the hours that it is applying for as well as proposing further conditions to promote the licensing objectives. I don't propose to take you through each measure one by one, but they cover all of the concerns that have been raised with us.

I am told we have a committee date of 19 October, but if it would help to discuss the application in the meantime then I am more than happy to speak with you and my details are below.

Best wishes and once again, apologies for the delay in contacting you.

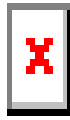
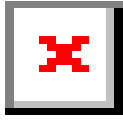
Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]

JG&P

John Gaunt
& Partners

Licensing Solicitors



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Email correspondence between the applicant and interested party

From: [REDACTED]

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: X & Why Limited - X & Why, 8 - 10 Grosvenor Gardens - Application for a Premises Licence

Date: 04 October 2023 16:19:57

Dear [REDACTED]

I have now located the General Conditions document, which addresses all of the matters contained in your letter of 29 September.

I don't see a condition for blinds being installed (and used) on the back windows. However, we are happy to accept the assurance of your client that these will be installed imminently (by end October 2023?).

On this basis, we can confirm that we will withdraw our objection to the Premises License.

Regards,

[REDACTED]

[REDACTED]

On 3 Oct 2023, at 14:06, [REDACTED] wrote:

Dear [REDACTED]

Further to my email yesterday, please find attached two documents.

The first (X & Why Limited – Amended Hours) are the salient parts of my clients application reduced as discussed.

The second (X & Why Limited – Amended Conditions) are our conditions updated with the amendments and additional conditions proposed in my letter of 29/09.

I trust that all is in order and that you are now able to confirm the withdrawal of your objection to Ms Donovan (cc'd), but if I have missed anything, please let me know.

Kind Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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From: [REDACTED]

Sent: Monday, October 2, 2023 1:26 PM

To: [REDACTED]

Cc: Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; [REDACTED]

Subject: RE: X & Why Limited - X & Why, 8 - 10 Grosvenor Gardens - Application for a Premises Licence

Dear [REDACTED],

Thank you for this. I know that my client will be pleased. What I'll do is pop everything in a revised schedule of conditions and send that across as soon as I am able.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

John Gaunt and Partners

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Premises Licences | **Personal Licences** | DPS Changes | **Temporary Event Notices**

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For more details on our services please click on the links above.

From: [REDACTED]

Sent: Monday, October 2, 2023 1:22 PM

To: [REDACTED]

Cc: Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; [REDACTED]

Subject: RE: X & Why Limited - X & Why, 8 - 10 Grosvenor Gardens - Application for a Premises Licence

Dear [REDACTED]

Thank you for your well-considered and constructive letter. We agree that your proposed amended application fully addresses our concerns about the impact on [REDACTED] of Licensable Activities at 8-10 Grosvenor Gardens (the

"Premises").

If you send us a complete copy of your revised application, including the new conditions as described in your letter, we will be pleased to withdraw our objection.

Could we please also have full contact details for the X & Why Limited Premises Manager (is this [REDACTED], who we met at our meeting)?

Sincerely

[REDACTED]

[REDACTED]
[REDACTED]
From: [REDACTED]

Sent: Friday, September 29, 2023 1:56 PM

To: [REDACTED]
[REDACTED]

Cc: Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; [REDACTED]
[REDACTED]

Subject: X & Why Limited - X & Why, 8 - 10 Grosvenor Gardens - Application for a Premises Licence

Dear both,
With apologies for the delay, my letter of today's date.

Kind Regards
[REDACTED]

Mediation documents sent to interested parties

From: [Donovan, Jessica: WCC](#)

Bcc: [REDACTED]

Subject: 23/04220/LIPN-8-10 Grosvenor Gardens, London, SW1W 0DH

Date: 03 October 2023 15:59:00

Attachments: [image001.png](#)

[image002.png](#)

[X Why Limited - Amended Conditions 03 10 23.pdf](#)

[X Why Limited - Amended Hours 03 10 23.pdf](#)

Good afternoon,

Further to your representation, the applicant's representative has asked the Licensing Service to forward on the attached documents for your consideration.

If the attached information satisfies your concerns and you wish to withdraw please let us know as soon as possible.

If you still have concerns in relation to this application and you wish to discuss it further with the applicant you can contact the applicant's representative [REDACTED]

Kind Regards

Jessica Donovan

Senior Licensing Officer

Environment, Climate & Public Protection (ECP)

Westminster City Council

15th Floor

Westminster City Hall

64 Victoria Street

London SW1E 6QP

Premises History

Appendix 3

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 the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

Conditions consistent with the operating schedule

11. The provision of Licensable Activities at the premises shall be ancillary to the use of the premises as a members' workspace.
12. Licensable Activities may not be provided other than to:
 - a. Members and their guests (not exceeding 4 guests per member);
 - b. The proprietors, directors, shareholders, and management of the operating company (and their guests);
 - c. Persons attending a private, pre-booked event at the premises.
13. There shall be no externally promoted DJ-led events at the premises at any time.
14. No person shall be admitted to membership of the premises or be entitled to take advantage of any of the privileges of membership without an interval of at least 24 hours between their nomination or application for membership and their admission.
15. No person shall be permitted to host a private, pre-booked event at the premises without an interval of at least 24 hours between the event booking being made and the event taking place.
16. A list of the names and addresses of members of the premises (which may be electronic) shall be kept at the premises at all times together with a list showing the names and dates of attendance of any guests (which may be electronic) introduced by members. Both lists shall be produced on demand for inspection by Responsible Authority officers.
17. The premises licence holder shall keep a register of all private, pre-booked events held at the premises. The register shall (as a minimum) record the following details:
 - d. The full name (first and surname) of the person booking the event;
 - e. The home address of the person booking the event;
 - f. The date of birth of the person booking the event;
 - g. A colour copy of photographic ID (passport, driving licence, or PASS ID card) for the person booking the event;
 - h. A telephone number and/or email address for the person booking the event;
 - i. The nature of the event; and
 - j. The number of persons attending the event.

Details of each event shall be kept for a minimum period of 6 months from the date of the event.

18. Any private, pre-booked events to be held at the premises shall be subject to being risk assessed by the premises licence holder and a written risk assessment produced. A copy of the risk assessment for each event shall be kept at the premises for a period of 6 months from the date of the event and made available to Responsible Authority officers on request.

19. At least one (1) member of staff from the premises licence holder shall be on duty for the duration of any private, pre-booked events. The premises licence holder shall risk assess the need for further staff members to be present at private, pre-booked events.
20. Where indicated by the risk assessment the premises licence holder shall employ a suitable number of SIA registered door supervisors for the duration of any private, pre-booked events.
21. A direct telephone number for the manager at the premises shall be available when the premises is open for licensable activities. This telephone number is to be made available to residents and businesses in the vicinity.
22. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
23. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
24. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder
 - e) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service.
25. Patrons permitted to temporarily leave and then re-enter the premises at ground floor level, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
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. Loudspeakers shall not be located in the entrance lobby or on the terraces.

29. All windows and external doors shall be kept closed after 20:00 hours except for the immediate access and egress of persons.
2. The terrace at second floor level shall only be used between 10:00 and 17:00 Monday to Friday (excluding bank holidays and public holidays) and access to the terrace (except in emergencies) shall be prevented at all other times.
31. The premises licence holder shall display a suitable sign or signs on the terrace reminding users to respect the needs of residents and to use the area appropriately.
32. The premises licence holder shall not permit smoking on the second-floor terrace. Smoking shall only be permitted at ground floor level on Grosvenor Gardens.
33. The premises licence holder shall not play Live or Recorded Music or use an amplified public address system on the second-floor terrace.
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
35. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
36. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
37. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day
38. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 07:00 on the following day
39. No deliveries to the premises shall take place between 23:00 and 07:00 on the following day.
40. There shall be no deliveries of goods or services relating to Licensable Activities at the premises via Grosvenor Gardens Mews North. All deliveries of goods and services relating to Licensable Activities shall be via Grosvenor Gardens.
41. The premises licence holder shall ensure that any lights either inside or outside the premises shall not cause a nuisance to nearby properties.
42. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
43. The edges of the treads of steps and stairways shall be maintained to be conspicuous.
44. The fire evacuation meeting point shall not be in Grosvenor Gardens Mews North unless that is directed by the London Fire Brigade.

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

Conditions proposed by the Environmental Health Service

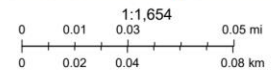
None

8-10 Grosvenor Gardens, London, SW1W 0DH



06/10/2023, 11:31:50

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident count: 73

Licensed premises within 75 metres of 8-10 Grosvenor Gardens, London, SW1W 0DH				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/07242/LIPDPS	Moet Hennessy	14 Grosvenor Gardens London SW1W 0DH	Office	Monday to Sunday; 08:00 - 00:30