



Licensing Sub-Committee Report

Item No:

Date:

31 October 2024

Licensing Ref No:

24/05331/LIPN - New Premises Licence

Title of Report:

Le Caprice
American Embassy
24 - 31 Grosvenor Square
London
W1K 6AH

Report of:

Director of Public Protection and Licensing

Wards involved:

West End

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Karyn Abbott
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500
Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	4 September 2024		
Applicant:	Caprice Holdings Limited		
Premises:	Le Caprice		
Premises address:	American Embassy 24 - 31 Grosvenor Square London W1K 6AH	Ward:	West End
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises proposes to operate as a restaurant within the ground floor, first floor and basement of the Chancery Rosewood Hotel.		
Premises licence history:	<p>The premises is a new development which proposes to be the Chancery Rosewood Hotel which will contain 137 guest rooms, 5 restaurants, 6 flagship retail units, a spa and a 1,000 person ballroom.</p> <p>This premises has the benefit of another premises licence (24/02275/LIPN) for a restaurant within a different section of the Basement and Ground Floor which was granted at Licensing Sub-Committee on the 11th of July 2024.</p>		
Applicant submissions:	<p>The applicant has proposed twenty two conditions within the operating schedule and these can be found at Appendix 4.</p> <p>The applicant has provided a acoustic report, drinks and food menus and photos of the venue this can be found at Appendix 2.</p> <p>The applicant also sent an email to the interested parties requesting to meet to discuss their representations.</p>		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:00	06:00	06:00	06:00	06:00	06:00	06:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Koduah
Received:	26 September 2024 (Withdrawn 17th October 2024)
Le Caprice, American Embassy, 24 - 31 Grosvenor Square, London, W1K 6AH	
<p>I refer to the new application for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking the following licensable activities:</p> <ol style="list-style-type: none"> 1. Provision of late-night refreshment indoors & outdoors at the following times: <ul style="list-style-type: none"> ▪ Monday – Sunday 23:00 – 00:00 hours ▪ From the end of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day 2. Supply of alcohol for consumption on & off the premises at the following times: <ul style="list-style-type: none"> ▪ Monday – Sunday 09:00 – 00:00 hours ▪ From the end of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day <p>Following consideration of the application and how it may affect the Licensing Objectives meeting the requirements of the Council's Statement of Licensing Policy I wish to make following representations:</p> <p>Core hours are those hours where the provision of licensable activities is assessed to have minimal impact on existing amenities and this represents an appropriate balance between the needs of licenced premises and the residents who live and operate in the local area.</p>	

The application has been presented as a restaurant. As a restaurant, this application is covered under the Restaurants Policy RNT1 of the Council's Statement of Licensing Policy.

The relevant core hours under RNT1 are

- Monday to Thursday: 9am to 11.30pm.
- Friday and Saturday: 9am to Midnight.
- Sunday: 9am to 10.30pm.
- Sundays immediately prior to a bank holiday: 9am to Midnight.

Given that the hours sought are longer than the Council's core hours, I make a representation on ground of public nuisance and public safety risk to the application.

Please contact me if you require further clarification.

Environmental Health withdrew their representation on the 17th October 2024 due to the conditions included in the operating schedule are consistent with the pre-app report.

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or objection:	OBJECTION
Received:	1 October 2024		

[REDACTED]. The licensing objective of "prevention of public nuisance" will be harmed if the application is granted.

The cumulative effect of a large increase in late night and drink led premises and night cafes has led to serious problems of disorder and / or public nuisance affecting residents, visitors, and other businesses in other areas of Westminster. The proposed licensee plans to introduce a large amount of activity, including late night drinking, to a traditionally residential street.

Importantly, the Grosvenor estate prevents residential owners from introducing double pane glass on street facing windows. This is putatively done to maintain the character, heritage, and nature of the neighbourhood. However, this also does not allow the applicant's residential neighbours to have high grade sound insulation and uniquely exposes residents next to the applicant to noise pollution. As such, development in the area must be particularly sensitive to the potential for noise and nuisance risk.

Condition 11 should be modified to restrict customer use of external areas to the time window starting at 08:00 and ceasing at 22:00.

An additional condition should be introduced to specify that "all use" of external areas should cease from 23:00 until 07:00 (to clarify when the licensee can perform set-up, clean-up, etc.).

A condition should be introduced which strictly prohibits the use of outdoor space for large groups (in excess of 4).

The outdoor seating area proposed will likely entail diners [REDACTED]

[REDACTED]. A condition should be introduced whereby the licensee is required to provide a full time valet to facilitate the entrance and departure of loitering guests, smokers, drunk patrons and to manage pick-up/drop-off traffic.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or objection:	OBJECTION
Received:	1 October 2024		
<p>[REDACTED]. The licensing objective of "prevention of public nuisance" will be harmed if the application is granted. The section of Upper Grosvenor Street that the applicant sits on is a highly residential street. Almost all units directly across from the proposed restaurant are residential. The licensee seeks to seat outdoor diners in what is an effective extension of the main building in all directions with the creation of semi-permanent, fully sheltered outdoor areas. This is a significant departure from any precedent in the area, particularly for a highly residential area. There is a relatively large number of covers proposed based on the recent planning application. This substantially increases the risk of nuisance.</p> <p>Condition 11 should be modified to restrict customer use of external areas to the time window starting at 08:00 and ceasing at 22:00. An additional condition should be introduced to specify that "all use" of external areas should cease from 23:00 until 07:00 (to clarify when the licensee can perform set-up, clean-up, etc.). A condition should be introduced which strictly prohibits the use of outdoor space for serving standing guests, gatherings, parties, marquees, and events. It should also include enforceable language that prevents the seating of groups larger than 5 anywhere in outdoor bays, as large groups prevent by far the largest risk for noise pollution and nuisance (and can be seated indoors without detriment to the restaurant's economic activity). The outdoor seating area proposed will likely entail diners regularly [REDACTED]. [REDACTED]. A condition should be introduced whereby the licensee is required to provide a full time valet to clear loitering guests, smokers, drunk patrons, and pick-up/drop-off traffic.</p>			

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played.

	<p>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.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>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.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
Policy RNT1 applies	<p>A. Applications outside the West End Cumulative Impact 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

	<p>and/or Late-Night Refreshment Policy DEL1.</p> <p>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</p> <p>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</p> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <p>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</p> <p>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</p> <p>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.</p> <p>4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</p> <p>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</p> <p>C. For the purposes of this policy a restaurant is defined as:</p> <p>1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.</p> <p>2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.</p> <p>3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.</p> <p>4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> <p>5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.</p>
--	--

4. Equality Implications

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

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

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

5. Appendices

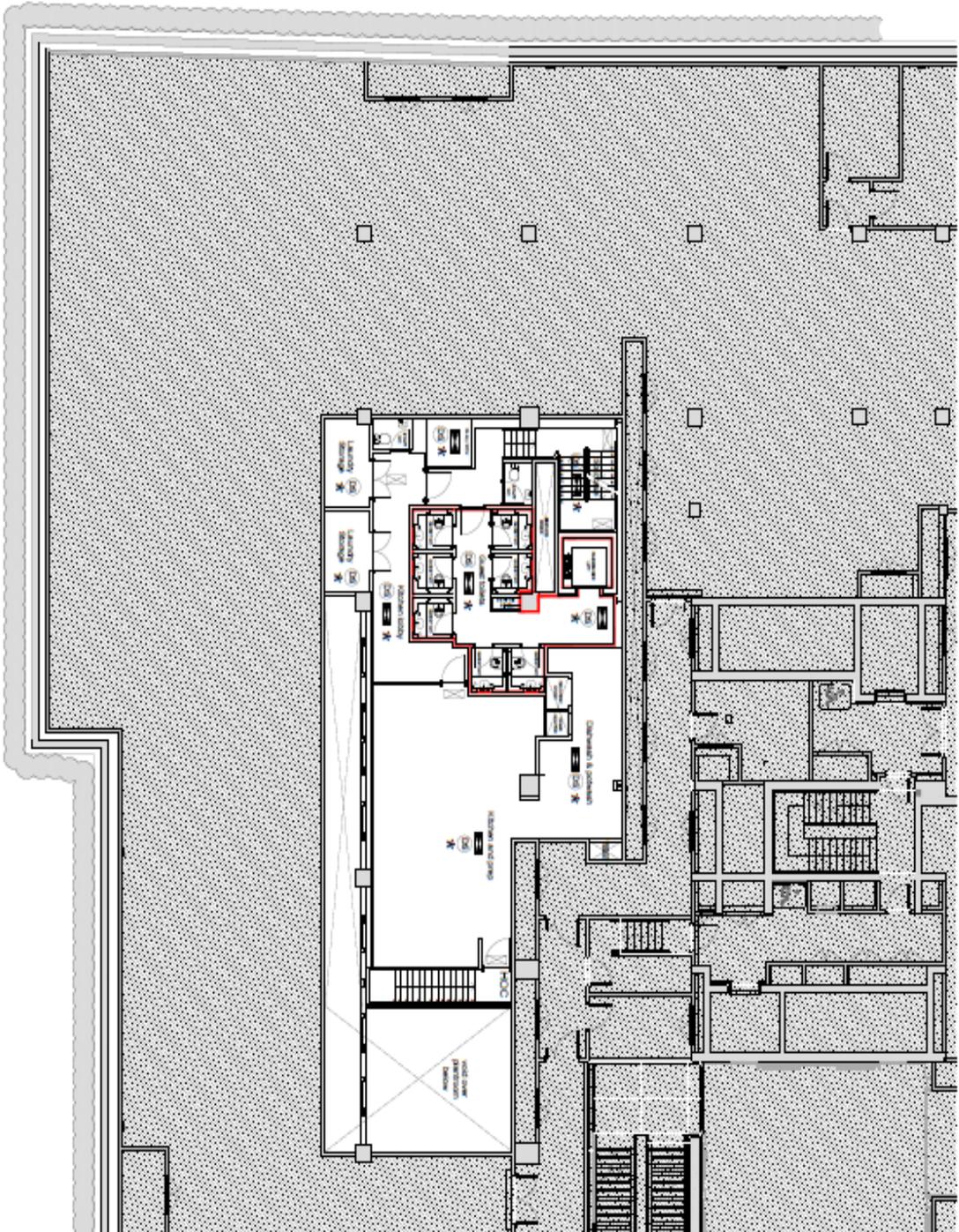
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: kabbott@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 2023
4	Cumulative Impact Assessment	04 December 2023
5	Environmental Health Service (Withdrawn 17th October 2024)	26 September 2024
6	Representation 1	1 October 2024
7	Representation 2	1 October 2024

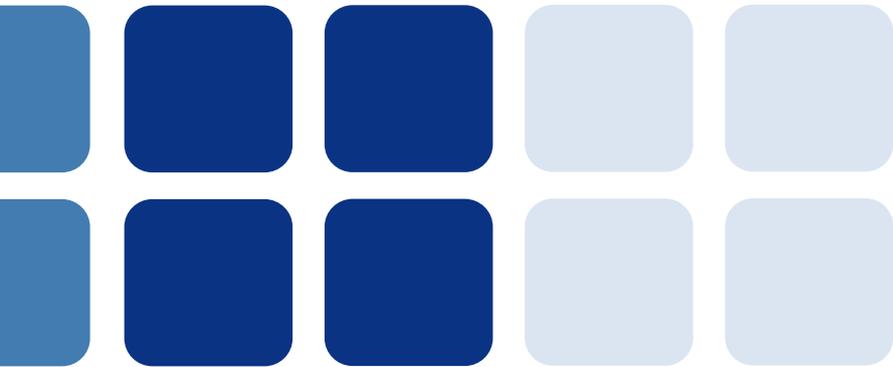


NOTES TO THE CONTRACTOR AND ARCHITECT
 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

Scale: 1/8" = 1'-0"

- Room (shaded area)
- ▨ Room (hatched area)
- ▧ Room (cross-hatched area)
- ▩ Room (diagonal hatched area)
- Room (diagonal hatched area)
- Room (diagonal hatched area)
- ▬ Room (diagonal hatched area)
- ▭ Room (diagonal hatched area)
- ▮ Room (diagonal hatched area)
- ▯ Room (diagonal hatched area)
- ▰ Room (diagonal hatched area)
- ▱ Room (diagonal hatched area)
- ▲ Room (diagonal hatched area)
- △ Room (diagonal hatched area)
- ▴ Room (diagonal hatched area)
- ▵ Room (diagonal hatched area)
- ▶ Room (diagonal hatched area)
- ▷ Room (diagonal hatched area)
- Room (diagonal hatched area)
- Room (diagonal hatched area)
- Room (diagonal hatched area)
- ▻ Room (diagonal hatched area)
- ▼ Room (diagonal hatched area)
- ▽ Room (diagonal hatched area)
- ▾ Room (diagonal hatched area)
- ▿ Room (diagonal hatched area)
- ◻ Room (diagonal hatched area)
- ◼ Room (diagonal hatched area)
- ◽ Room (diagonal hatched area)
- ◾ Room (diagonal hatched area)
- ◿ Room (diagonal hatched area)
- ◊ Room (diagonal hatched area)
- ◈ Room (diagonal hatched area)
- ◉ Room (diagonal hatched area)
- ◊ Room (diagonal hatched area)
- ◈ Room (diagonal hatched area)
- ◉ Room (diagonal hatched area)

DATE: 10/15/2024
 DRAWN BY: J. SMITH
 CHECKED BY: M. JONES
 PROJECT: 2024-01-01-001
 SHEET: 001
 FIRM: palmer lynn architects
 1234 Main Street, Suite 500
 New York, NY 10001
 Tel: (212) 555-1234
 Fax: (212) 555-5678
 Email: info@palmerlynn.com
 Website: www.palmerlynn.com



LE CAPRICE,
ROSEWOOD HOTEL,
GROSVENOR SQUARE,
LONDON

Acoustic Assessment Report

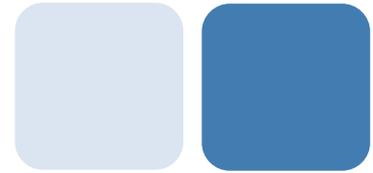
Reference: 13987.RP01.NAR.1

Prepared: 18 October 2024

Revision Number: 1

Caprice Holdings Ltd.

Acoustic Assessment Report



LE CAPRICE, ROSEWOOD HOTEL, GROSVENOR SQUARE, LONDON

Reference: 13987.RP01.NAR.1

Prepared: 18 October 2024

Revision	Comment	Date	Prepared By	Approved By
0	First issue of report	17 October 2024	Doug Shearer	Torben Andersen
1	Updated to note withdrawal of WCC EHO's objection.	18 October 2024	Doug Shearer	Torben Andersen

Terms of contract:

RBA Acoustics Ltd shall not be responsible for any use of the report or its contents for any purpose other than that for which it was provided. Should the Client require the distribution of the report to other parties for information, the full report should be copied. No professional liability or warranty shall be extended to other parties by RBA Acoustics Ltd without written agreement from RBA Acoustics Ltd.

The recommendations within this report relate to acoustics performance only and will need to be integrated within the overall design by the lead designer to incorporate all other design disciplines such as fire, structural integrity, setting-out, etc. Similarly, any sketches appended to this report illustrate acoustic principles only and again will need to be developed in to full working drawings by the lead designer to incorporate all other design disciplines.



LONDON
44 Borough Road
London SE1 0AJ
T. +44 (0) 20 7620 1950

MANCHESTER
Bloc, 17 Marble Street
Manchester, M2 3AW
T. +44 (0) 161 661 4504

Contents

1.	INTRODUCTION.....	1
2.	SITE DESCRIPTION	1
3.	ENVIRONMENTAL NOISE SURVEY	1
4.	NOISE IMPACT ASSESSMENT CRITERIA	3
5.	PATRON NOISE ASSESSMENT	9
6.	CONCLUSION	12

APPENDIX A – ACOUSTIC TERMINOLOGY

APPENDIX B – INSTRUMENTATION

APPENDIX C – GRAPHS AND SITE PLANS

1. INTRODUCTION

Caprice Holdings will intend to operate a high-quality restaurant venue to be known as “Le Caprice” from Unit R1 of the Chancery Rosewood Hotel, 24-31 Grosvenor Square, London.

As part of the licensing application process, representations have been made by two local residents, whose key concerns relate to potential noise impact from use of the external seating area which is proposed to be used for up to 73 seated diners until 23:00 hours.

RBA Acoustics has been appointed to undertake an impact assessment of use of the proposed external seating area and to comment on the implications to local residents.

Noise associated with the external seating area has been assessed and compared with the existing noise levels at the site. This report presents the results of the noise assessment.

In summary, our report suggests that the new premises will not have a detrimental noise impact on the nearby residential properties.

2. SITE DESCRIPTION

The Chancery Rosewood Hotel is located within the Mayfair area of London adjacent to the junction of Grosvenor Square, South Audley Street and Upper Grosvenor Street.

During our time on site, the prevailing noise environment to the front of the building was noted to be dominated by traffic noise from passenger vehicles along Grosvenor Square, South Audley Street and Upper Grosvenor Street. At the time of our survey, construction activities associated with the hotel saw the Western side of Grosvenor Square being closed to traffic.

3. ENVIRONMENTAL NOISE SURVEY

3.1 General

Doug Shearer of RBA Acoustics was in attendance over the period of 21:00 hours to 00:00 hours Monday 14 October 2024, to undertake measurements of the prevailing noise climate along with observations of local activities, vehicle and pedestrian movements at three locations close to the site.

During the survey period the weather conditions were appropriate for the noise measurement exercise, being dry with light winds.

Measurements were made of the L_{A90} , L_{Amax} and L_{Aeq} noise levels over sample periods of 15 minutes duration. In addition to the noise measurements, a count of passing vehicles and pedestrians was undertaken at each position. A sample 15-minute count was undertaken at each location during each hour between 21:00 and 00:00. During the measurement period 21:00 – 00:00 there was a high volume of traffic on all surrounding roads. This high traffic volume did not reduce significantly later in the night beyond operating hours.

3.2 Measurement Location

Measurement Position 1 (Upper Grosvenor Street)

Measurements at this position were undertaken with the microphone positioned on a tripod at a height of 1.5m on the pavement outside 45 Upper Grosvenor Street on the south side of Upper Grosvenor Street around 50m from its junction with South Audley Street and Grosvenor Square.

This measurement position was considered as being representative of the noise climate as experienced at the closest residential receptors on Upper Grosvenor Street overlooking the south side of the site. The prevailing noise climate was noted to be dominated by the traffic and pedestrian activity along Upper Grosvenor Street and surrounding roads.

Measurement Position 2 (South Audley Street)

Measurements at this position were undertaken with the microphone positioned on a tripod at a height of 1.5m on the pavement outside 47 South Audley Street on the east side of the street around 30m from its junction with Upper Grosvenor Street and Grosvenor Square.

This measurement position was considered as being representative of the noise climate as experienced at the closest residential receptors around the junction of Grosvenor Square, South Audley Street and Upper Grosvenor Street overlooking the southeast corner of the site. The prevailing noise climate was noted to be dominated by the traffic and pedestrian activity along South Audley Street and surrounding roads.

Measurement Position 3 (Grosvenor Square)

Measurements at this position were undertaken with the microphone positioned on a tripod at a height of 1.5m on the pavement outside 37 Grosvenor Square on the south side of the square around 30m from its junction with Upper Grosvenor Street and South Audley Street.

This measurement position was considered as being representative of the noise climate as experienced at the residential receptors overlooking Grosvenor Square to the southeast of the site. The prevailing noise climate was noted to be dominated by the traffic and pedestrian activity along Grosvenor Square and surrounding roads.

The measurement positions are illustrated on the site plan in Figure 1 and photographs in Figures 2-4 in Appendix C.

3.3 Instrumentation

Details of the instrumentation used to undertake the survey are provided in Appendix B. The sound level meter was calibrated both prior to and on completion of the survey with no significant calibration drift observed.

3.4 Results

The period averaged L_{Aeq} noise levels measured are summarised in Table 1, along with the corresponding pedestrian and vehicle movements (factored up to represent the full period duration).

Table 1 – Attended Survey Measured Levels

Measurement Position	Measurement Period	$L_{Aeq,T}$ (dBA)	Number of Vehicle Movements/Hour based on 15 minute sample	Number of Pedestrian Movements/Hour based on 15 minute sample
Position 1: Upper Grosvenor Street	21:00 – 22:00	64	576	124
	22:00 – 23:00	66	512	140
	23:00 – 00:00	64	500	84
Position 2: South Audley Street	21:00 – 22:00	62	308	152
	22:00 – 23:00	63	348	96
	23:00 – 00:00	63	208	84
Position 3: Grosvenor Square	21:00 – 22:00	67	684	140
	22:00 – 23:00	66	560	180
	23:00 – 00:00	64	400	52

It can be seen that traffic volumes, and correspondingly, noise levels are high at all measurement positions. Traffic volumes and noise levels do not show significant reduction after 11pm.

4. NOISE IMPACT ASSESSMENT CRITERIA

4.1 General Westminster City Council Requirements

There are no specific WCC requirements with regards to assessing atmospheric noise breakout from patrons external to any particular premises. We therefore consider to criteria in the following sections to be applicable.

For ease of reference Policy 33C of the Westminster City Plan is as follows:

Noise and Vibration

C. Development should prevent adverse effects of noise and vibration and improve the noise environment in compliance with the council's Noise Thresholds, with particular attention to:

- 1. minimising noise impacts and preventing noise intrusion to residential developments and sensitive uses;*
- 2. minimising noise from plant machinery and internal activities;*

3. *minimising noise from servicing and deliveries; and*

4. *protecting the relative tranquillity in and around open spaces*

4.2 Regional Planning Policy – The Mayor’s London Plan

The Mayor’s London Plan, published in 2021, outlines a number of policies in response to environmental issues. With specific reference to noise issues as part of the planning process. Policy D14 provides guidance to all London Boroughs on policies for controlling noise and states:

A In order to reduce, manage and mitigation noise to improve health and quality of life, residential and other non – aviation development proposals should manage noise by:

1) Avoiding significant adverse noise impacts on health and quality of life.

2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change

3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses

4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)

5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation

6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles

7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

4.3 National Planning Policy Framework

The current National Planning Policy Framework (NPPF), July 2021, sets out the Government’s planning policies for England. In respect of noise, Paragraph 185 of the NPPF states the following:

“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life⁶⁵;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. "

4.4 WHO Environmental Noise Guidelines

To put the predicted levels into context, it is important to consider the recommendations stated in the World Health Organisation (WHO) document "Environmental Noise Guidelines for the European Region" 2018. This document sets out to define "recommended exposure levels for environmental noise in order to protect population health". The guidance documents relates specifically to external noise levels, and recommends that "all CNG (WHO Community Noise Guidelines, 1999) indoor guideline values and any values not covered by the current guidelines (such as industrial noise and shopping areas) should remain valid". We therefore make reference to the WHO Community Noise Guidelines for recommendations on internal noise levels.

The WHO document "Guidelines for Community Noise" describes guideline levels that are "essentially values for the onset of health effects from noise exposure". A table of guideline values is included, relating to adverse health effects, referred to as any temporary or long-term deterioration in physical, psychological, or social functioning that is associated with noise exposure. The following is an extract from Table 4.1: Guideline values for community noise in specific environments, as stated in the WHO document.

Table 2 – Guideline Values for Community Noise

Specific Environment	Critical Health Effect(s)	L_{Aeq} (dB)	Time Base (hours)	$L_{Amax,t}$ (dB)
Outdoor living area	Serious annoyance, daytime and evening	55	16	-
	Moderate annoyance, daytime and evening	50	16	-
Dwelling, indoors	Speech intelligibility and moderate annoyance, daytime and evening	35	16	-
Inside bedrooms	Sleep disturbance, night-times	30	8	45
Outside bedrooms	Sleep disturbance, window open (outdoor values)	45	8	60

4.5 Noise Policy Statement for England (NPSE)

The NPSE seeks to clarify the underlying principles and aims in existing policy documents, legislation and guidance that relate to noise. The statement applies to all forms of noise, including environmental noise, neighbour noise and neighbourhood noise.

The statement sets out the long-term vision of the government's noise policy, which is to "promote good health and a good quality of life through the effective management of noise within the context of policy on sustainable development".

This long-term vision is supported by three aims:

- *Avoid significant adverse impacts on health and quality of life;*
- *Mitigate and minimise adverse impacts on health and quality of life; and*
- *Where possible, contribute to the improvements of health and quality of life.*

The long-term policy vision and aims are designed to enable decisions to be made regarding what is an acceptable noise burden to place on society.

The Explanatory Note within the NPSE provides further guidance on defining “significant adverse effects” and “adverse effects” using the following concepts:

- *No Observed Effect Level (NOEL) – the level below which no effect can be detected. Below this level no detectable effect on health and quality of life due to noise can be established.*
- *Lowest Observable Adverse Effect Level (LOAEL) – the level above which adverse effects on health and quality of life can be detected; and*
- *Significant Observed Adverse Effect Level (SOAEL) – the level above which significant adverse effects on health and quality of life occur.*

The three aims can therefore be interpreted as follows:

- The first aim is to avoid noise levels above the SOAEL;
- The second aim considers situations where noise levels are between the LOAEL and SOAEL. In such circumstances, all reasonable steps should be taken to mitigate and minimise the effects. However, this does not mean that such adverse effects cannot occur; and
- The third aim considers situations where noise levels are between the LOAEL and NOEL. In these circumstances, where possible, reductions in noise levels should be sought through the proactive management of noise.

The NPSE recognises that it is not possible to have single objective noise-based measures which define the SOAEL, LOAEL and NOEL and that are applicable to all sources of noise in all situations. The levels are likely to be different for different noise sources, receptors and at different times of the day.

4.6 Planning Practice Guidance (2014)

The national Planning Practice Guidance (PPG) “advises on how planning can manage potential noise impacts in new development” and provides guidelines that are in line with the NPPF.

The PPG states that local planning authorities should take account of the acoustic environment and in doing so consider:

- Whether or not a significant adverse effect is occurring or likely to occur;
- Whether or not an adverse effect is occurring or likely to occur; and
- Whether or not a good standard of amenity can be achieved.

(Paragraph: 003 Reference ID: 30-003-20190722 Revision date: 22 07 2019)

This guidance introduced the additional concepts of NOAEL (No Observed Adverse Effect Level), and SOAEL (Significant Observed Adverse Effect Level) which can be seen in Table 3 below.

Factors to be considered in determining whether noise is a concern are identified including the absolute noise level of the source, the existing ambient noise climate, time of day, frequency of occurrence, duration, character of the noise and cumulative effects (004 Reference ID: 30-004-20190722 Revision date: 22 07 2019).

With particular regard to mitigating noise effects on residential development the PPG highlights that effects may be partially offset if residents have access to a relatively quiet façade as part of their dwelling or a relatively quiet amenity space (private, shared or public) (011 Reference ID: 30-011-20190722 Revision date: 22 07 2019).

Table 3 – Planning Practice Guidance

Perception	Examples of Outcomes	Increasing Effect Level	Action
No Observed Effect Level			
Not noticeable	No effect	No Observed Effect	No specific measures required
No Observed Adverse Effect Level			
Noticeable and not intrusive	Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.	No Observed Adverse Effect	No specific measures required
Lowest Observed Adverse Effect Level			
Noticeable and intrusive	Noise can be heard and causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.	Observed Adverse Effect	Mitigate and reduce to a minimum
Significant Observed Adverse Effect Level			
Noticeable and disruptive	The noise causes a material change in behaviour and/or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area.	Significant Observed Adverse Effect	Avoid through use of appropriate mitigation whilst taking into account the social and economic benefit
Unacceptable Observed Adverse Effect Level			
Noticeable and very disruptive	Extensive and regular changes in behaviour and/or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non- auditory.	Unacceptable Adverse Effect	Prevent through use of appropriate mitigation

4.7 Institute of Environment Management & Assessment (IEMA) and Institute of Acoustics Guidelines on Noise Impact Assessment

When assessing the subjective impact of any development it is important to consider the specific circumstances of the site. The characteristics of the various sources must therefore be considered in addition to factors common to all noise impact assessments such as existing background noise level comparisons.

The Institute of Environmental Management and Assessment (IEMA) document "Guidelines on Noise Impact Assessment" gives guidance as to how basic noise changes may be categorised.

Table 4 has been adopted to categorise the difference between the measured levels as identified in the guidelines published jointly by the IOA and IEMA. This identifies the impact of different levels of noise above the prevailing background noise.

Table 4 - Significance of Noise Level Change

Noise Change (dBA)	Category
0	No Impact
0.1-2.9	Slight Impact
3.0 – 4.9	Moderate Impact
5.0 – 9.9	Substantial Impact
10.0 and above	Severe Impact

4.8 Subjective Impact

In addition to the comparison of the difference in background noise levels in line with the above guidelines, it is important to understand the potential subjective effect of such changes in the noise level. Table 5 compares the generally accepted subjective response of typical subjects to variations in sound pressure level.

Table 5 – Subjective Response to Noise Levels

Change In Sound Level (dB)	Change in Power		Apparent Change in Loudness
	Decrease	Increase	
3	1/2	2	Just Perceptible
5	1/3	3	Clearly Noticeable
10	1/10	10	Half or Twice as Loud
20	1/100	100	Much Quieter or Louder

4.9 Summary

Based on the above guidance, we consider it appropriate that the following increases of the existing measured background noise levels due to activities as a result of the change of use of the premises will fall in the following effect level categories.

Table 6 – Categorisation of Effect Level Categories

Background Noise Level Increase $L_{eq, T}$ (dBA)	Effect(s)	NPSE Assessment	Subjective Response
0.1 – 2.9	Slight/Not Significant	No Observed Adverse Effect	Imperceptible
3.0 – 4.9	Moderate	Lowest Observed Adverse Effect	Perceptible
5.0 – 9.9	Substantial	Significant Observed Adverse Effect	Clearly Noticeable
10.0 and above	Very Substantial	Unacceptable Adverse Effect	Twice as Loud

5. PATRON NOISE ASSESSMENT

In order to determine whether an increased noise impact occurs due to patrons using external seating areas, predictions have been made which utilise human speech noise levels and use an IEMA assessment against the L_{Aeq} ambient background noise levels over the proposed operational hours.

As such, our assessment utilises a noise model to predict the patron noise level, based on the proposed maximum capacity of the terrace. Published noise data for normal voice source noise levels have been extrapolated to correspond with the maximum number of patrons allowed in the external seating areas, which has been confirmed as 73No. in total, and patrons were evenly distributed around the terrace area, both on the Grosvenor Square and Upper Grosvenor Street facades.

The assessment also assumes that 1 person is speaking at any one time in a conversation between 2 people.

5.1 3D Environmental Noise Model

A 3-dimensional environmental noise model has been created to assess external noise levels at the site using CadnaA environmental noise prediction software, a calculation tool for the prediction and assessment of environmental noise. The software calculates the propagation of noise using the methods set out in ISO 9613-2: 1996 Attenuation of sound during propagation outdoors. It allows the computation of noise levels taking into account effects such as edge diffraction, reflections, barrier attenuation and atmospheric conditions.

A render showing the CadnaA noise model is provided in Figure 5 in Appendix C.

5.2 Assumptions Used in Assessment

Assessment Locations

The nearest residential properties receptors to the front of the Le Caprice premises are understood to be the windows belonging to 33 Grosvenor Square. Given that the terrace is to be slightly sunken, and hence some screening is afforded to neighbouring lower storeys, we have assessed for a third-floor window as a worst case.

We have also assessed for a receptor on Upper Grosvenor Street, the third floor of 47, and a receptor on Grosvenor Square, 37 Grosvenor Square, also at 3rd floor.

The attached Site Plan shown in Figure 1 shows the location of the assessment location. These are also shown on the 3D render of the environmental noise model in Figure 5 in Appendix C.

Acoustic Model Settings

Our environmental noise model has assumed the following:

- Customer speech noise has been modelled at a 1.2m height which is considered typical of a person sitting.
- Ground absorption has been set as acoustically hard ground for the surrounding site for a worst- case assessment
- Individual point sources, representative of each person, have been used for the extent of the designated terrace at the site.

Noise Level Data Used in Assessment

The following noise data has been used to assess the cumulative noise impact generated by future activities associated with the new premises:

Patron Speech Noise

The speech noise levels used in the acoustic model are based on a single person speaking at normal conversation level and the source of the noise data is also presented below. We have also considered raised voice levels but consider that, given the nature of the venue, this scenario is unlikely to occur.

It should be noted, the speech noise data used correlates well with noise data published in other documents and is widely used for these types of assessment. In addition, we would note the data used in our assessment correlates well with speech noise levels previously measured by RBA Acoustics.

Of the 73No. patrons at capacity, we assume that half of them, i.e. 37 customers, will be speaking at any one time, as not all people are expected to talk simultaneously. This is based on the fact that one person would typically be listening to another during a conversation.

Table 7 – Noise Data of Speech Used in Acoustic Model

Parameter	Sound Power Level (dB) at Octave Band Centre Frequency (Hz)								Overall L_{WA} (dB)
	63	125	250	500	1k	2k	4k	8k	
1No. person speaking at normal conversation level ⁽¹⁾	61	61	65	69	63	56	50	45	68
1No. person speaking at raised conversation level ⁽¹⁾	65	65	70	75	72	64	57	49	78

REFERENCE USED FOR NOISE DATA:

⁽¹⁾ANSI 3.5-1997 (1997). American National Standard – Methods for Calculation of the Speech Intelligibility Index

5.3 Results of Assessment

The results produced by our 3D environmental noise model, predicted at the nearby receptors, are presented in the table below:

Table 8a – Predicted Noise Increase at Residential Receptors due to Normal Voice Level Patrons

Receptor	Existing $L_{Aeq,T}$ (dB) (22:00 – 23:00 hours)	Predicted L_{Aeq} (dB) due to External Seating Area	Resultant L_{Aeq} (dB)	Noise Level Increase (dB)
47 Upper Grosvenor Street 3 rd Floor	64	47	64	0.1
33 Grosvenor Square 3 rd Floor	63	48	63	0.3
35 Grosvenor Square 3 rd Floor	64	46	64	0.1

Table 8b – Predicted Noise Increase at Residential Receptors due to Raised Voice Level Patrons

Receptor	Existing $L_{Aeq,T}$ (dB) (22:00 – 23:00 hours)	Predicted L_{Aeq} (dB) due to External Seating Area	Resultant L_{Aeq} (dB)	Noise Level Increase (dB)
47 Upper Grosvenor Street 3 rd Floor	64	54	64	0.4
33 Grosvenor Square 3 rd Floor	63	55	63	0.8
35 Grosvenor Square 3 rd Floor	64	50	64	0.2

5.4 Discussion of Results

Significance of Noise Level Change and Noise Policy Statement for England Effect Level

When comparing the increase in noise level change to the IEMA guidelines summarised in Table 4 of this report, the worst-case subjective significance with the worst-case 'raised voices' scenario of 0.8 dBA change at 33 Grosvenor Square is considered a "Slight Impact". However, this would fall into the "No Observed Adverse Effect Level" NPSE category which can be seen in Table 3.

Subjective Response to Apparent Change of Loudness

When assessing the worst-case 0.8 dBA noise level increase to the subjective response of the apparent change of loudness as shown in Table 5 of this report, the change in loudness should be 'Imperceptible'.

6. CONCLUSION

RBA Acoustics have undertaken an assessment of potential patron noise sources to the prevailing background noise levels measured at the nearby noise sensitive premises. Predicted noise levels have then been determined at the nearest residential receptors and subsequently compared against a series of criteria proposed as being appropriate for the assessment of noise from licensed premises.

As a worst-case assessment, a comparison of a fully occupied terrace with half of the patrons speaking with raised voices (a scenario which is unlikely to occur in practice) with the existing evening background noise levels during the last hour of proposed trading has been adopted.

The results of our assessment can be summarised as follows:

Noise impact associated with patron activities at Le Caprice at Chancery Rosewood on the worst-affected premises on Upper Grosvenor Street and Grosvenor Square will lead to:

- 'Slight Impact' under IEMA guidelines.
- 'No Observed Adverse Effect' under NSPS guidance.
- Is considered Imperceptible.

With the above in mind, our assessment demonstrates that, subject to appropriate conditions and management control measures, the proposed operation of the Le Caprice at The Rosewood Hotel scheme will not lead to any adverse noise impact on nearby residents.

Appendix A – Acoustic Terminology

A-weighting (e.g. dB(A))	A correction applied across the frequency bands to take into account the response of the human ear, and therefore considered to be more representative of the sound levels people experience.
DeciBel (dB)	Unit used for many different acoustic parameters. It is the logarithmic ratio of the level being assessed to a standard reference level.
L_{eq}	The level of a notional steady sound which, over a stated period of time, T , would have the same acoustic energy as the fluctuating noise measured over that period. Typically used to represent the average or ambient noise level.
$L_{Aeq,T}$	The A-weighted level of a notional steady sound which, over a stated period of time, T , would have the same acoustic energy as the fluctuating noise measured over that period. Typically used to represent the average or ambient noise level.
L_{An} (e.g. L_{A10} , L_{A90})	The sound level exceeded for n% of the time. E.g. L_{A10} is the A-weighted level exceeded for 10% of the time and as such can be used to represent a maximum level. Similarly, L_{A90} is the level exceeded for 90% of the measurement period, and is often used to describe the underlying background noise.
$L_{Amax,T}$	The instantaneous maximum A-weighted sound pressure level which occurred during the measurement period, T . It is commonly used to measure the effect of very short duration bursts of noise, e.g. sudden bangs, shouts, car horns, emergency sirens etc. which audibly stand out from the ambient level.
Octave band	A frequency band in which the upper limit of the band is twice the frequency of the lower limit.
1/3 Octave band	A frequency band which is one-third of an octave band.

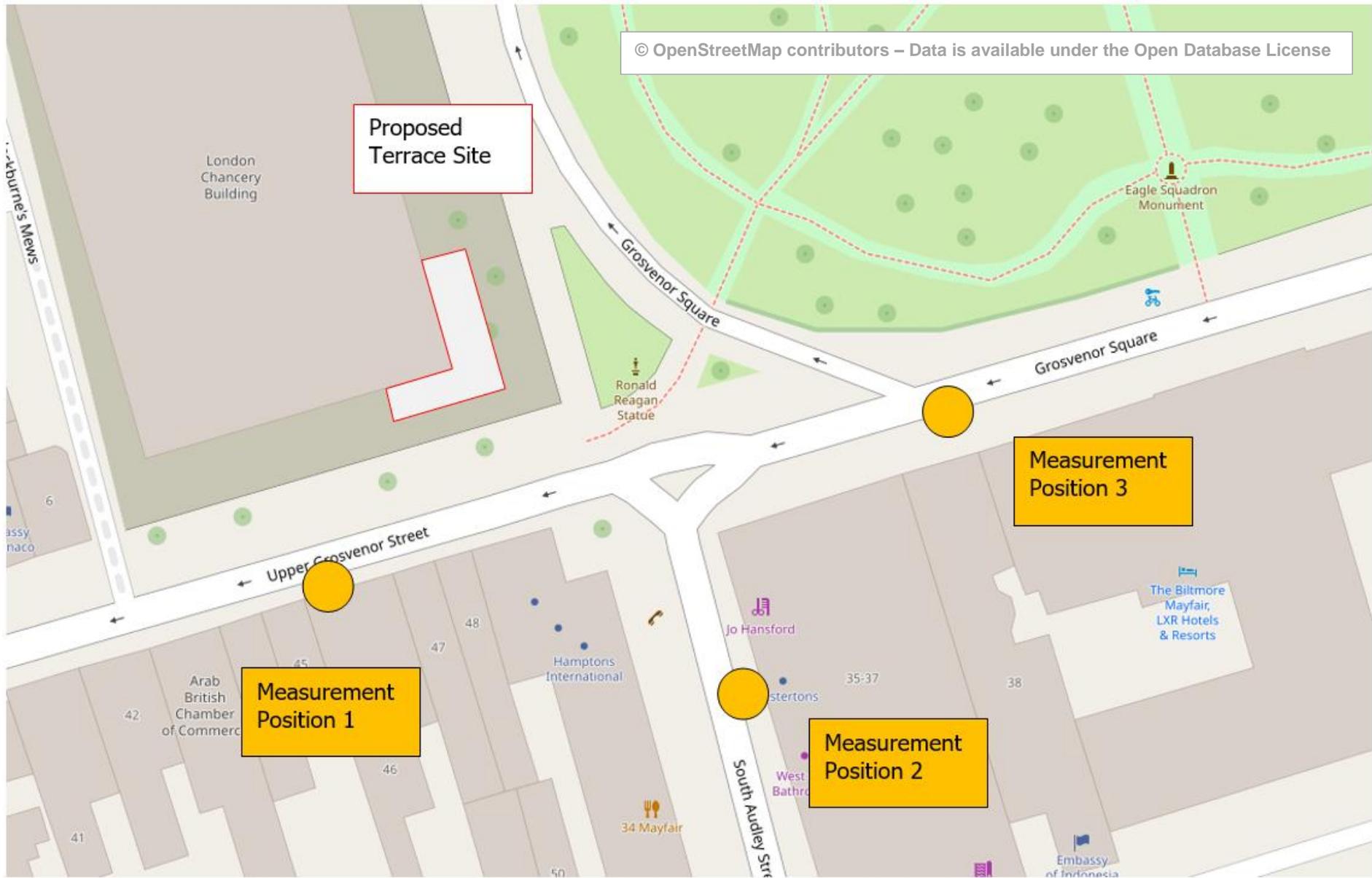
Appendix B – Instrumentation

The following equipment was used for the measurements.

Table B1 – Equipment Calibration Details

Manufacturer	Model Type	Serial No.	Calibration	
			Certificate No.	Valid Until
Norsonic Type 1 Sound Level Meter	Nor140	1406971	U45246	31 August 2025
Norsonic Pre Amplifier	1209	21571		
GRAS ½" Microphone	40AF	207393	45245	31 August 2025
Norsonic Sound Calibrator	1251	35016	U45244	31 August 2025

Appendix C – Graphs and Site Plans



LE CAPRICE, ROSEWOOD HOTEL, GROSVENOR SQUARE, LONDON
 Site Map Showing Measurement Postions
 Project 13987

Figure 1
 18 October 2024
 Not to Scale





LE CAPRICE, ROSEWOOD HOTEL, GROSVENOR SQUARE, LONDON
Photograph Showing Measurement Position 1: Upper Grosvenor Street
Project 13987

Figure 2
18 October 2024
Not to Scale





LE CAPRICE, ROSEWOOD HOTEL, GROSVENOR SQUARE, LONDON
Photograph Showing Measurement Position 2: South Audley Street
Project 13987

Figure 3
18 October 2024
Not to Scale

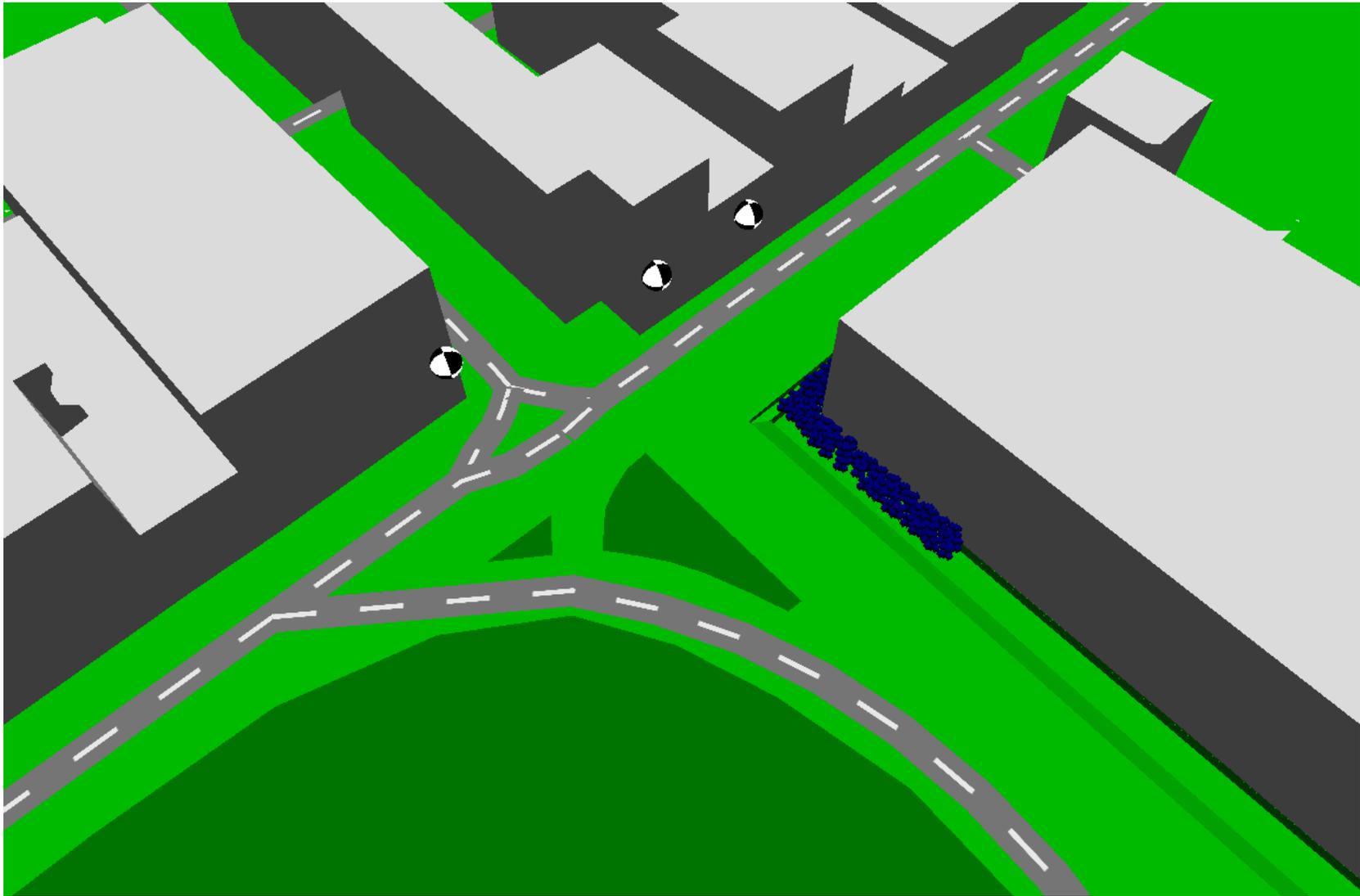




LE CAPRICE, ROSEWOOD HOTEL, GROSVENOR SQUARE, LONDON
Photograph Showing Measurement Position 3: Grosvenor Square
Project 13987

Figure 4
18 October 2024
Not to Scale





LE CAPRICE, ROSEWOOD HOTEL, GROSVENOR SQUARE, LONDON

Render of Noise Model

Project 13987

Figure 5

18 October 2024

Not to Scale



RBA ACOUSTICS

W. www.rba-acoustics.co.uk

E. info@rba-acoustics.co.uk

London:

44 Borough Road

London SE1 0AJ

T. +44 (0) 20 7620 1950

Manchester:

Bloc, 17 Marble Street

Manchester M2 3AW

T. +44 (0) 161 661 4504



Le Caprice

RED

French

Berry Bros. & Rudd Good Ordinary Claret 2014	31.00	Gigondas La Gille 2013, Famille Perrin Rhone	74.00
Côtes du Rhône Rouge, 2014 Domaine Perrin	36.50	Bandol Rouge, 2012 Domaine de Terrebrune	95.00
Chateau des Antonins, Bordeaux Supérieur, 2014	38.00	Sarget de Gruaud Larose, St Julien 2008, Bordeaux	130.00
Chateau Lucas 2012 Lussac St Emilion, Bordeaux	45.00	Chambolle-Musigny 2013 Premieres VV Digioia Royer Burgundy	160.00
Bourgogne Pinot Noir, 2013 Domaine Digioia-Royer, Burgundy	52.00	Nuits St Georges 1er Cru Argillieres 2011 M & P Rion, Burgundy	200.00
Brouilly 2015 Domaine Alain Michaud, Beaujolais	53.00	Nuits-St George, Vieilles Vignes 2010 Partice et Michele Rion, Burgundy MAGNUM	280.00
Fleuris 'Les Moniers' 2014 Domaine Michel Chignard, Beaujolais	56.00	Châteauneuf-du-Pape, Chateau de Beaucastel, 2010 Rhône	350.00
Vacouyras 'Pavane', 2014 La Bastide St Vincent	61.00	Chateau Grand Puy Lacoste 1985 Pauillac, Bordeaux	450.00
St Aubin 1er Cru Les Rouges Gorges, 2013 Domaine Henri Prudhon	70.00	Clos Vougeot, 2010 Domaine Méo-Camuzet, Burgundy	470.00

Fine Red Wine

Barolo Cru Cannubi Boschis, Sibi e Paucis, Luciano Sandrone, Piedmont 2006	400.00	Chateau Margaux, 2004 Margaux, Bordeaux	900.00
Clos de la Roche, 2001 Vieilles Vignes, Domaine Ponsot	550.00	Chateau Latour 1994 1er Cru Classé Pauillac	1000.00
Bodegas Vega Sicilia 2004 Unico	650.00	L'Ermita, Alvaro Palacios, Priorat, Spain 2009	1100.00
Barbaresco, 2006 Cichèti Pajò, Roagna	700.00	Chateau Haut-Brion 1990 1er Cru Classé, Pessac-Leognan	1250.00

Austrian, German, Italian and Iberian Peninsula

DouRosa Tinto 2013 Quinta de la Rosa, Pinhão	40.00	Bierzo Vila de Corullán, 2011 Descendientes de J Palacios, Spain	100.00
Dolcetto d'Alba, Fontanafredda 2014, Marcarini, Piedmont	41.00	Brunello di Montalcino 2011 Baricci, Tuscany	120.00
Rioja 'Gorrebusto' Crianza 2012 Bodega Torre San Millan	45.00	Amarone Scarnocchio Classico, Lena di Mezzo, Monte del Frà, 2011 Veneto	130.00
Langhe Nebbiolo, 2013 Cascina Fontana, Piedmont	72.00	Sassicaia 2011 Tenuta San Guido	310.00

The Americas

Merlot, Viña Dofia, Javeira 2015, Maipo Valley, Chile	32.00	Domaine Drouhin Pinot Noir, 2013 Willamette Valley, Oregon	72.00
Malbec 'La Flor' 2015 Puleria Estate, Mendoza	37.00	Brichino old vine Grenache, Besson 2013 Vineyard, Central Coast, California	79.00
Gran Reserva Carmenera, 2012 Viña Koyle, Colchagua Valley	40.00	Frog's Leap Rutherford Merlot 2013 Napa Valley	110.00
Zinfandel 'Old Vine' 2014 Bogle Vineyard, Lodi	51.00	Ridge 'Monte Bello' 2011 Cabernet Sauvignon, Santa Cruz	350.00

Australasian and South African

Cape Mentelle Shiraz 2011 Margaret River, Australia	48.00	Waterford Estate Cabernet Sauvignon 2013, Stellenbosch	75.00
The Trinity 2013 Trinity Hill, Hawke's Bay, N.Z.	50.00	Tapanappa 'Foggy Hill' 2010 Pinot Noir, Australia	84.00
Crittenden Estate 2015 Peninsula Pinot Noir	55.00	Hewitson Mad Hatter Shiraz 2010	145.00
Constantia Glen Three, Constantia, South Africa 2012	56.00	McLaren Vale Australia	

Le Caprice

Thai-spiced chicken and coconut soup
7.50

Castelfranco and puntarella salad with grilled pear, Gorgonzola, white balsamic
9.50

Tuna tartare with pickled cucumber and avocado
13.50

Truffled Jerusalem artichoke soup	7.00
Atlantic prawn salad with endive, avocado and grapefruit	10.25
Lamb sweetbreads, crispy fried egg, sautéed wild mushrooms	11.00
Heritage beets, Windrush goat's cheese, ruby leaves, pinenuts	11.00
Partridge salad with pickled grolles, wild cranberry dressing	12.50
Grilled squid with chickpea and chorizo salad	12.50
Crispy duck salad with pomelo and spiced cashew nuts	12.75
Burrata with slow roast tomato, grilled focaccia and pesto	13.50
Tuna and salmon sashimi with black pepper dressing	14.25
Seared scallops with smoked sweetcorn and crispy ham	17.50
Dressed Dorset crab, celeriac rémoulade and watercress	17.50
Steak tartare	10.75 20.50
Spinach and Ricotta tortellini with datterini tomatoes	12.50 18.50
Autumn squash and zucchini risotto with melted Taleggio	12.50 18.75
Seared prawns with cured butter and mango salsa	16.25 22.50
Chicken alla Milanese parsley, lemon and garlic	15.75
Caprice burger club sauce, dill pickle and pommes allumettes	16.75
Deep-fried fish minted pea purée, chips and Tartare	17.50
Blythburgh pork belly with bramley apple mash and autumn roots	19.50
Roasted sea bream datterini tomatoes, Ortiz anchovies and globe artichokes	20.75
Pan-fried slip soles with nut brown butter and capers	22.75
Fillet of cod with crab and sea vegetable risotto	23.25
Roast wild duck with bashed neeps, game and foie gras dumpling	24.00
Glencoe venison fillet with sprout tops, saffron and walnut sauce	24.50
Thai-baked sea bass with fragrant rice	26.75
Fillet of John Dory with creamed artichoke, wild mushrooms, cabernet sauvignon dressing	27.00
Roast rack and confit shoulder of Somerset lamb with heritage carrots and mint	27.00
Bannockburn rib eye pommes allumettes and Béarnaise	34.50
Chips, allumettes or mash	4.25
Brussels sprouts, bacon, chestnuts	4.50
Buttered heritage carrots and Grelot onions	4.50
Spinach: creamed, buttered, olive oil	5.00
Gem heart, blue cheese, walnuts	5.00
Green salad	4.75
Rocket and Parmesan salad	5.75
Caesar salad	7.25

Wild rabbit, leek and grain mustard pie
17.50

Fillet of Cornish plaice, steamed sprouting broccoli and potted clam butter
22.00

Ibérico pork chop with roasted ajete garlic, padrón peppers and Pedro Ximénez
23.50

A discretionary service charge of 12.5% will be added to your bill. Includes 20% VAT
Please inform us of any allergies before ordering. Game may contain shot
Our fish is responsibly caught from sustainable sources. Cover charge 2.00 at table

BRUNCH

COCKTAILS

Bloody Mary
Wyborowa, tomato juice, spices

Glass 8.75 Pitcher 42.50

Buck's Fizz
Champagne & orange juice

Glass 13.00 Pitcher 65.00

EGGS

Fried duck egg charizo, Rosevale potato and padrón peppers	10.75
Hot smoked salmon hash with spinach, poached egg and dill sauce	11.50
Benedict, Arlington, Florentine	8.50 / 16.50
Smoked salmon with scrambled eggs	10.50 / 15.75
Grilled corn bread with tomato and avocado salsa, fried hens egg	7.75
Egg fried brioche with sweet cured bacon and maple syrup	7.50

STARTERS AND SALADS

Mixed bean, artichoke and vegetable broth with kale pesto	7.75
Coconut and shrimp soup with rice noodles and coriander	8.75
Endive & mixed pear salad with Stilton and toasted walnuts	10.75
Bagel with smoked salmon and cream cheese	9.75
Pickled and raw beetroot salad with whipped goats cheese, mixed seed and honey granola	10.50
Burrata with pickled cucumber and Marinda tomatoes	13.75
Chopped salad with smoked chicken, avocado and bacon	11.75
Yellowfin tuna sashimi with ponzu dressing and kizomi wasabi	15.25
Caesar salad with grilled chicken	8.75 15.75
Steak tartare	11.75 / 22.00
Butternut squash tortelloni with pecorino and crispy sage	10.75 / 16.75
Tiger prawns with chilli and garlic butter	16.50 / 24.75
Mockerel and green apple salad with smoked horseradish mousse, nasturtiums	9.75

SUNDAY ROAST

*Roast USDA creekstone NY Strip
with Yorkshire pudding,
roast potatoes
and seasonal vegetables*
26.75

MAINS

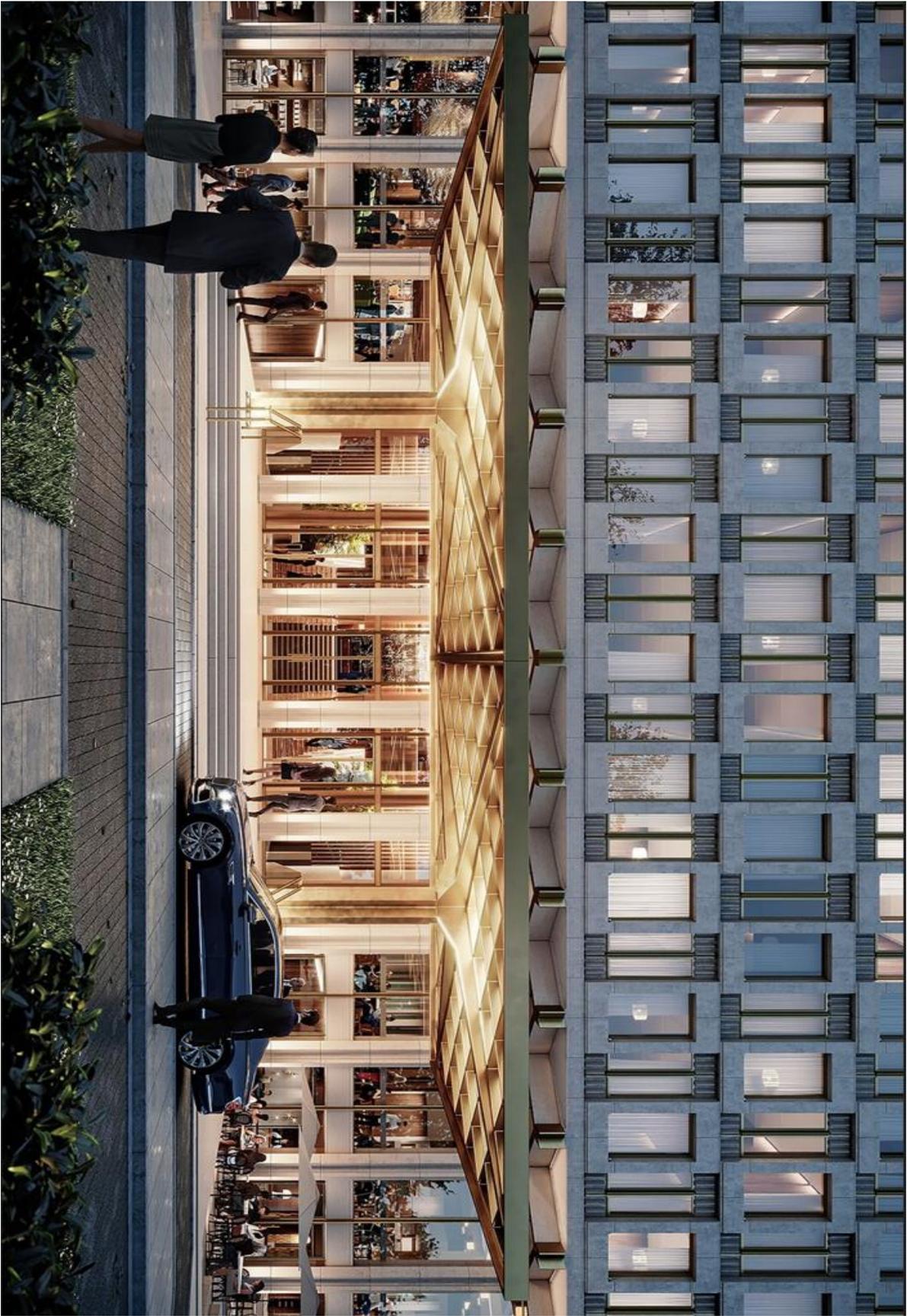
Deep-fried fish, minted pea purée, chips and Tortore	18.25
Caprice burger, club sauce, dill pickles, allumettes	16.75
Extras: crispy bacon, Mayfield Swiss, fried egg	1.50 each
Chicken alla Milanese with rocket and lemon	16.75
Chargrilled yellowfin tuna with spiced squash and pumpkin seed salsa, horissa yoghurt	24.25
Seared calves liver with caramelised onions and crispy pancetta	23.75
Miso marinated salmon with stir fried shitake and pak choi	25.50
Whole roasted sea bream with lemon, caper and parsley butter	19.75
Slow roast suckling pig with winter vegetable hash and caramelised apples	21.50
Thai-baked sea bass with fragrant rice	26.75
Bannockburn rib eye pommes allumettes and Béarnaise	34.50

SIDES

Tender stem broccoli with toasted almonds	5.50
Hash browns	4.00
Chips, allumettes, mash or heritage	4.50
Buttered January king cabbage	4.50
Roast winter roots, puy lentils and thyme butter	4.25
Mixed heritage carrots with orange and parsley crumb	4.25
Cumin spiced quinoa with autumn squash and pomegranate	5.00



Ground Floor Bar





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.

Conditions consistent with the operating schedule

9. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
11. 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.
12. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) hours on the following day.
15. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
16. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.
17. With the exception of the areas shown hatched on the Licensing Plan, the supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

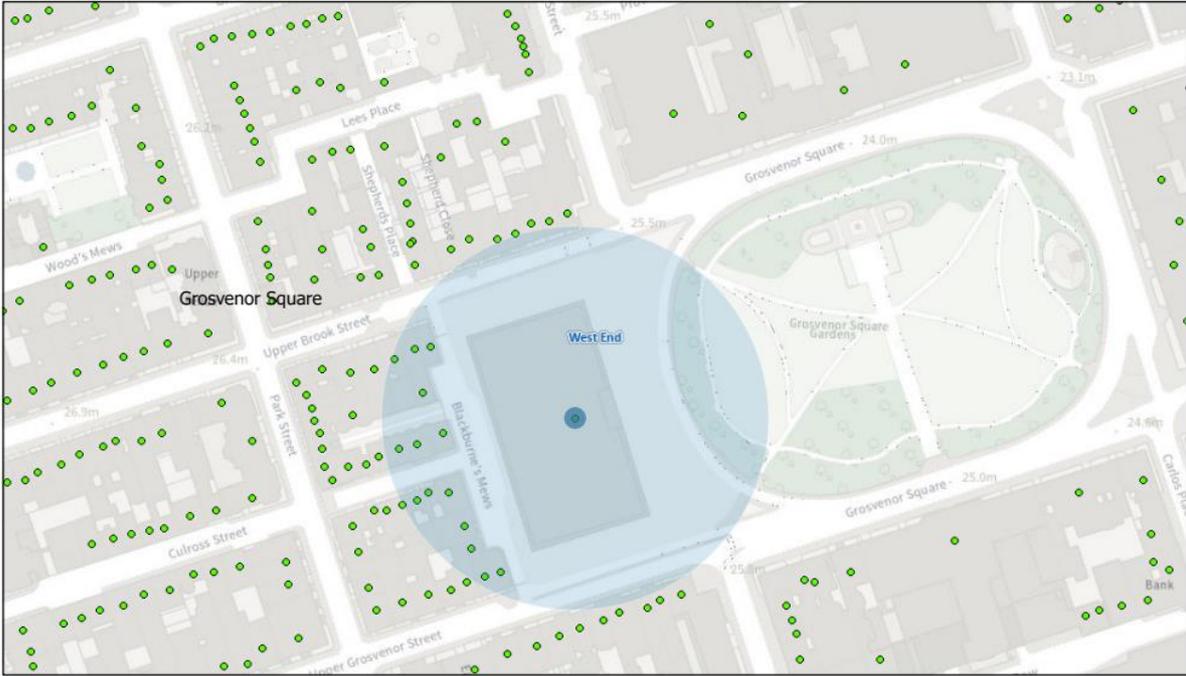
For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
18. With the exception of the areas hatched on the Licensing Plan, the supply of alcohol shall be by waiter or waitress service only.
19. Customer use of external areas shall cease at 23:00 hours each day.

20. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
21. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
22. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
23. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
24. 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.
25. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
26. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
27. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
28. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
29. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence.
30. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Conditions proposed by the Environmental Health

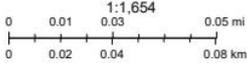
None

24 - 31 Grosvenor Square, London



24/06/2024, 08:44:56

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count: 19

Licensed premises within 75m of American Embassy				
Licence Number	Trading Name	Address	Premises Type	Time Period
24/02275/LIPN	Carbone	American Embassy 24 - 31 Grosvenor Square London W1K 6AH	Restaurant	Monday to Sunday 06:00 to 00:00