



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (6)**

Meeting Date: **Thursday 7th June, 2018**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**

Melvyn Caplan
Jim Glen

Shamim Talukder

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Kisi Smith-Charlemagne, Senior Committee and Governance Officer.

Email: kscharlemagne@westminster.gov.uk Tel: 020 7641 2783

Corporate Website: www.westminster.gov.uk

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Committee and Governance Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

Licensing Applications for Determination

1. GROSVENOR SQUARE GARDENS, GROSVENOR SQUARE, W1K 6LD

(Pages 1 - 58)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward /not in cumulative impact area	Grosvenor Square Gardens, Grosvenor Square, W1K 6LD	New Premises Licence	18/03517/LIPN

2. 13A BATEMAN STREET, W1D 3EB

(Pages 59 - 102)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	West End Ward /	Regulation , 13A Bateman Street, W1D 3EB	Application for New Sex Establishme nt Licence	18/04355/LISE XN

3. 1A BEDFORD STREET, WC2E 9HD

**(Pages 103 -
174)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / West End Cumulative Impact Area	Mr Fogg's Society of Exploration 1A Bedford Street London WC2E 9HD	New Premises Licence	18/03242/LIPN

4. 59 GREEK STREET, W1D 3DZ

**(Pages 175 -
228)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	West End Ward / West End Cumulative Impact Area	Soho Ltd 59 Greek Street London W1D 3DZ	New Premises Licence	18/03674/LIPN

**Stuart Love
Chief Executiv
01 June 2018**

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Item No:	
Date:	7 June 2018
Licensing Ref No:	18/03517/LIPN - New Premises Licence
Title of Report:	Grosvenor Square Gardens Grosvenor Square London W1K 6LD
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:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	3 April 2018		
Applicant:	Grosvenor West End Properties		
Premises:	Grosvenor Square Gardens		
Premises address:	Grosvenor Square Gardens	Ward:	West End
	Grosvenor Square London W1K 6LD	Cumulative Impact Area:	No
Premises description:	According to the application Grosvenor Square is one of London's most attractive public spaces, with nearly 2.5ha of lawns, planting and mature trees. It is open to the public from dawn to dusk. The Square also hosts the Memorial to the victims of 9/11 and other important heritage assets which require sensitive consideration and management.		
Premises licence history:	This is a new premises licence application and therefore no licence history exists.		
Applicant submissions:	<p>The applicant has clarified the types of events as follows:</p> <p>Broadly speaking there will be 3 types of events</p> <ol style="list-style-type: none"> 1. Free events where the whole square is open. These are open to the general public and have no restrictions. The garden remains fully open to the public whether they are attending the event or not. These take place within usual garden hours and the public can still use the square. These tend to be community based events and are definitely NOT festivals! No numbers limit because the square remains open. 2. A limited number of ticketed events open to the public who can buy tickets, with ticket prices ranging from £16.50 to £100 for events such as ballet, theatre and jazz. All in the evening in a specially sectioned area of the square with limited access to ticket holders only. All evening performances ending by 22.00. Maximum capacity 850. 3. A limited number of private events, not open to the public – corporate hospitality, product launches etc. Limited capacity of 850 maximum. <p>Following agreement with DCMS we are not allowed to use the square for this type of activity for more than 115</p>		

	<p>days per year. The reality is that it is likely to be less than that.</p> <p>A further document has been submitted by the applicant and can be found in Appendix 1.</p>
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.

1-B Proposed licensable activities and hours							
Regulated Entertainment:							
Performance of Dance Exhibition of a Film Performance of Live Music Playing of Recorded Music Anything of a similar description				Indoors, outdoors 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:	22:30	22:30	22:30	22:30	23:00	23:00	21:30
Seasonal variations:		From the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.					
Non-standard timings:		Sundays immediately prior to Bank Holidays: 09:00 to 23:00.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	22:00	22:00	22:00	22:00	22:30	22:30	21:00
Seasonal variations:		From the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.					
Non-standard timings:		Sundays immediately prior to Bank Holidays: 09:00 to 23:00.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:00	23:00	23:00	23:00	23:30	23:30	22:00
Seasonal variations:		From the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.					
Non-standard timings:		Sundays immediately prior to Bank Holidays: 09:00 to 23:00.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Mrs Sally Fabbricatore
Received:	23 April 2018

I refer to the application for a new Premises Licence for the above premises.

This representation is based on the Operating Schedule and the submitted plans, drawing number Grosvenor Sq-001 and dated 15 Nov 17.

The applicant is seeking the following in the Gardens:

1. To allow the Supply of Alcohol both 'on and off' the premises Monday to Thursday 10:00-22:00 hours, Friday and Saturday 10:00-22:30 hours and Sunday 12:00-21:00 hours.
2. To allow the provision of Regulated Entertainment 'indoors and outdoors' of Plays, Films, Live Music, Recorded Music, Performance of Dance and anything similar Monday to Thursday 09:00-22:30 hours, Friday and Saturday 09:00-23:30 hours and Sunday 09:00-21:30 hours.
3. To allow the above provisions from the end of New Year's Eve to the start of New Year's Day and on Sundays prior to bank holidays to operate 09:00-23:00 hours.

I wish to make the following representation in relation to the above application:

1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.
2. The provision of Regulated Entertainment may cause an increase in Public Nuisance in the area.
3. The non-standard timings may cause an increase in Public Nuisance in the area.

The applicant has proposed conditions within the operating schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.

The granting of the new 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.

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

A list of proposed conditions were received from Environmental Health on 31 May 2018. These conditions can be found in Appendix 3 of the report.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Bryan Lewis
Received:	20 April 2018
<p><u>Re: A new Premises licence application for Grosvenor Square Gardens, W1</u></p> <p>Our objections relate to the following:</p> <p>Insufficient licence conditions addressing the prevention of crime and disorder</p> <p>I will contact you to discuss this matter.</p> <p>A number conditions have been proposed by the Metropolitan Police Service, which can be found at Appendix 3 of the report.</p>	

2-B Other Persons	
Received:	30 April 2018
<p>2:04 PM on 30 Apr 2018 As a long standing resident of Mayfair I must object to the above proposal. The tranquillity of Grosvenor Square should not be ruined to cater for people from outside the area simply for their entertainment. We already have serious issues with Hyde Park and the winter wonderland event. I would like to remind the powers that be that Grosvenor Square is a park at the end of the day and not a place designed for long running theatre events, music performances etc..</p> <p>Why can we not preserve these areas that provide some peace and quiet in London instead of transorming them into places to generate more noise and pollution?</p> <p>The residents in Mayfair already have to put up with a colossal amount of noise and we do not want out lovely park turned into another place for festivals.</p>	
Received:	30 April 2018
<p>12:29 PM on 30 Apr 2018 We object to this on 2 grounds.</p> <p>First off, it's paramount to protect the character of Mayfair. Residents and the local community are opposed to over-commercialisation; it does away with Mayfair's heritage and history.</p> <p>We need to move away from a tendency to see everything as a source of profit, rather than historic and in need of protection. We opt for the latter approach, not the former.</p> <p>Second, residents are worried about the noise that this will produce - noise from Grosvenor Square Gardens reaches Brown Hart Gardens area, Duke Street, Balderton Street, Lumley Street, Weighhouse Street, and streets around Grosvenor Square too.</p> <p>Pancho Lewis, Patrick Lilley, & Caroline Saville</p>	

West End Labour candidates	
Received:	01 May 2018
<p>10:23 PM on 01 May 2018 I have lived at Three Kings Yard, which is just off Grosvenor Square for 15 years and the noise pollution has become unbearable in the last few years. The noise from building works on every corner, the large work vehicles, noise from the reversing bleeps and, the increase in traffic due to changes from one way to two way traffic on Brook Street has ruined the area. Commercial entertainment in Grosvenor Square will be a "sour" cherry on the top.</p> <ol style="list-style-type: none"> 1. It will deny the local Resident's any quiet enjoyment of their properties in the evening. 2. The noise pollution starts from 6am in the morning, 6 days a week and, Grosvenor are now proposing to deny us any peace in the evening if commercial entertainment is permitted in Grosvenor Square. 3. Commercial entertainment in the Square which has already proved to destroy the grass, does not go hand in hand with Grosvenor's sustainability policies. 4. The destroyed grass areas then have to be cordoned off to allow the grass to grow back which then denies the residents, the wildlife and, the local dogs enjoyment of the park during this time. 5. This proposed commercial venture makes a mockery of Grosvenor's "Living Cities" philosophy . 6. I whole heartedly object to the application 7. Hyde Park already offers commercial entertainment. 	
Received:	16 April 2018
<p>11:24 AM on 16 Apr 2018 We hereby object to application reference number 18/03517/LIPN due to increased traffic, increased noise and disorderly behaviour.</p>	
Received:	27 April 2018
<p>4:29 PM on 27 Apr 2018 This application is not in line with the stated intentions of Grosvenor Estates, as provided in a verbal briefing to myself and others by one of their Directors. The deviations are:</p> <ol style="list-style-type: none"> 1. We were told that in 2018 there would be 17 nights of events - the license application requests 105 days. 2. We were told that events would finish by 22:00 on all days - the license application requests a later finishing time 3. We were told that the number of attendees would be 850 - the license application requests 1500 <p>I think the nuisance that would result from granting a license to allow up to 105 days of events with 1500 attendees, finishing at the hours requested, would be significant and greatly impact the area; I do not believe it is an appropriate use of one of our most important squares.</p> <p>I would ask that the application is refused, and that Grosvenor are invited to submit an application that is in line with their previously stated activities with regard to the number of events, hours of operation and attendee levels, and that this license should be for one year only to allow the impact on the square and neighbouring communities to be understood.</p>	
Received:	30 April 2018
<p>9:24 AM on 30 Apr 2018 The Mayfair Residents Group wished to object to this application. Grosvenor Square is a much valued area of 'green' tranquillity for local</p>	

residents, office workers and indeed visitors to the area, amidst the surrounding noise of this big city.

We are aware that these plans for the Square, submitted by the Grosvenor Estate, are remarkably similar to the ones the company submitted to Westminster Council for 'enlivening' Belgrave Square. Fortunately, the Council listened to the objections of local people and severely restricted the options available for Grosvenor.

The MRG asks the Council to take a similar stance for Grosvenor Square. The square and its regular users does not need large scale organised entertainment. Some small scale events perhaps, but the intrinsic character of this green oasis has to be retained. Any programme of small scale events should

(a) be day time only

(b) not involve alcoholic drinks

(c) not involve loud noise

(b) be discussed with local residents groups before hand.

Received:	30 April 2018
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11:13 PM on 30 Apr 2018 I am writing this email on behalf of licencing for the Resident's Society of Mayfair and St James.

We have in the past, and hope to in the future, support Grosvenor and their events in Grosvenor Sq, however, the current application will see the number of events increase to such a scale that our members and committee have asked that we object to this application as it stands

Received:	01 May 2018
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Residents, office workers, builders, transient public, families, children all look forward to Summer in the Square which has become a great success. It fills me with horror to see the notice by Grosvenor West End Properties to start late night closing activities throughout the year and the New Year Eve details leaves me lost for words.

Grosvenor Square is a wonderful oasis in the centre of Mayfair where people relax for a few hours or a lunch time break. Dogs take the owners for a walk or meet other dogs and have a nice play time while owners can chat. Elderly residents can enjoy relaxing in the sun shine, which does happen occasionally. Children can run around safely and enjoy them selves.

The sale of alcohol concerns me greatly. The noise of people leaving the local public houses, hotels and restaurants is disturbing to the local residential area as they pass along narrow roads on way to taxis or now all night tubes at weekends. If this happens a few times a week throughout the year with or without alcohol being consumed we may end up with many poorly people trying to cope with lack of sleep.

Gardens on the local estate are used as toilets, sometimes people crouch between cars. It is not a pretty site.

Noise levels from Hyde Park concerts are heard around our area, more so when the wind is blowing in our direction. We have had years of putting up with crowds who come down our side streets. Not it seems we will have to suffer noise and rubbish from nearer home.

The Square has two hotels, one either side (and a new one about to get under way). What will visitors staying at the hotels think of the noise, cars, taxis etc and looking over an area with tents and cabins. Taking of cabins - toilet facilities will be required, that will be a nice sight witnessing them being cleaned, and I suspect not free of smells. Also we could have an abundance of pedi-cabs waiting to coax passengers into their cabs at extortionate prices, even joining in the music!

It would be nice to have a concert or film occasionally. I wouldn't like to say "not in my back yard" but if it means we lose the use of our lovely square or have to pay to enter I'm afraid I would have to become a "grumpy nimbby".

Received: 16 April 2018

11:35 AM on 16 Apr 2018 We hereby object to application reference number 18/03517/LIPN due to increased traffic, increased noise and disorderly behaviour.

Received: 01 May 2018

11:00 PM on 01 May 2018 I strongly object to the plans to hold up to 15 public events in Grosvenor Square. I live very close to Grosvenor Square and am very concerned that this will cause a great disturbance for the residents nearby. The noise travels and would be a nuisance. Grosvenor Square is well used as a quiet place to sit and relax if these events go ahead it will deprive the local residents and visitors of this important green space. I think these events will spoil the grassy areas, they will also generate traffic problems and the prospects of litter in the area. Please consider the general well being of the local residents and reject these plans.

Received: 23 April 2018

3:33 PM on 23 Apr 2018 Grosvenor Square is known as an oasis of calm and greenery in a concrete jungle, it is surrounded by mainly business properties including hotels, as well as residential dwellings, Streets leading to and from the square are mainly residential with a very high number of residents of various ages. The American Embassy (now closed) is located on the very edge of Grosvenor Square, there were often demonstrations on the pavement between the square and embassy attended by up to 200 people at a time very often the noise from these demonstrations drifted down the side streets disturbing residents, if the application is granted there will be more than 4 times the amount of people in the same area generating a lot more noise which will cause a lot more disturbance later into the night. The 2 underground stations in the area are Marble Arch and Bond Street both on Oxford Street which is also a busy bus route. People going to and from the events in Grosvenor square are going to be passing through the heavily populated streets to catch their train/bus which will be causing more disturbance. There is a very high risk that people attending events using their own transport are going to be parking in side streets banging car doors and blocking the side streets. If this application is granted there will be a lot of disturbance to residents on these grounds I object to the application being granted.

Received: 16 April 2018

11:28 AM on 16 Apr 2018 We hereby object to application reference number 18/03517/LIPN due to increased traffic, increased noise and disorderly behaviour.

Received: 01 May 2018

I am emailing to you my objections to the Grosvenor Square license application 18/03517/LIPN.

I live close to Grosvenor Square, and often go there for enjoyment of the greenery and quiet.

The online comment submission system is not working (it gives a message saying there is an error when I click on 'submit').

I wish to object to this application as it will cause noise nuisance to residential areas nearby, and will bring loss of a valuable peaceful green space through the summer, to the public.

Grosvenor Square should be open to the public - not to be used for the costly and closed evening/night events, which can be attended only by some to generate income for Grosvenor Estate.

Grosvenor Square is much needed and loved green area to rest and relax not only for the office workers during lunch time (this is very popular usage of the square especially from late spring to early autumn during lunchtime), but most of all, the Square serves well at anytime of the day visitors and residents including families with young children. There is no need to change it.

No alcohol should be available at Grosvenor Square whatsoever. Westminster council should be more in control of what is allowed and what is not in their Borough, including imposing restrictions on alcohol distribution; we have enough crime in London and alcohol unfortunately frequently brings about unpleasant behaviour and in long run possibly promotes crime.

Grosvenor Square will not be an exception. For weeks on end we can hardly see police in the area . With the closure of the American Embassy, the area is not as safe as it use to be and it can only get worse with the further cuts to Police resources.

Enough is enough. Where can we have the rest outdoors? Hyde Park holds ridiculous events along the year making a part of its open space (eastern part) unavailable to the public in excess of more than a half of the year (due to preparations for the events and the cleaning up afterwards - e.g. closure from December to April for the Winterland, for instance). This means residents only have Grosvenor Square as their local green space to enjoy.

The same might happen with the Grosvenor Square in the future if once permission is granted for the events. In addition, the proposed events will bring noise not only to the Square itself but in the adjacent residential areas at late evenings and night-time. Summertime in the Square music is heard in surrounding areas. It will also attract pedicabs with blaring sound systems to the Square.

Westminster council should allow public to enjoy a bit of a still natural and tranquil Square, with unspoiled nature. Do not spoil it with the commercialisation, which will serve Grosvenor's finances only. Last year Grosvenor made a propaganda stance

claiming that the Square is unknown to the public (ignoring the fact that the thousands and thousands of American visa applicants had to have a contact with the Square anyway). Now we learn that in fact Grosvenor wants the Square for some, rather than for the public. Shame. Small decent toilets are needed at the Square instead, so visitors to the area can really enjoy the Square. I have frequently been asked by desperate visitors to the Square where there is a toilet.

This proposed commercialisation of Grosvenor Square is too intensive, and it is contrary to Westminster Council policies for preservation of tranquil green areas, that are needed for health and relaxation in such a very busy and crowded part of London.

Please list the points I have made to the licensing committee members. Please do not display my name or contact information in public.

Received:	01 May 2018
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Below are my comments on and objections to the Grosvenor Square license application being granted. I am a local resident whose family has enjoyed the beautiful, green, Grosvenor Square for over 20 years.

There is no acoustics report with this application

There is no indication of how many non-commercial events will be held, or of how many longer events there will be and how the events will be timetabled. Grosvenor has not consulted with the local residents themselves, so they have had no information about what different kinds of events are planned, how many of each type will be held, how many events there will be for each month. The application only covers commercial events, so the total intensity of use of this green space for events, and overall impacts, are unknown despite being relevant to those who use this green open space.

I object to the grant of this license application on the following grounds:

1. The proposals will damage residential amenity in adjacent and other nearby streets, against WCC Noise Strategies including Core Strategy CS31 and City Plan Policy S32.

Evening and night time noise from events at this location will cause nuisance to residents in surrounding streets, even several streets away from the Square itself. Residents of Grosvenor Square, whose number is increasing with the development of 1 and 20 Grosvenor Square, may also suffer from noise nuisance from commercial events with amplified sound, and from noisy event-goers and the traffic they will generate. This has been the experience of residents of other Squares where Grosvenor holds commercial and private events.

Summer in the Square noise reaches as far as Brown Hart Gardens.

Furthermore, before the US Embassy closed, there were many demonstrations at the hedge at the western end of Grosvenor Square Gardens. The noise from even small demonstrations here reached Balderton Street and the northern section of Brown Hart Gardens. As the conformation of buildings at this location comprises an amplifier, this noise was loud enough to cause nuisance to residents. Demonstrations

restricted to the eastern end of Grosvenor Square similarly caused noise nuisance to residents along Duke Street, Brown Hart Gardens, and Weighhouse Street.

There will be few or no noise complaints about these noise nuisance incidents on the WCC database because residents know full well that the noise officers cannot prevent noise from demonstrations, so rarely bother to call the noise hotline about them.

This noise occurred during the day when background noise levels are much higher than during late evenings. Noise of evening events will cause noise nuisance to residents in Grosvenor Square, in the adjacent side streets, and in the Brown Hart Gardens area.

While the hours for events are within the WCC core licensing hours, this is an open air location. It should be noted that the Grosvenor Film Festival, held along with Summer in the Square, typically ends at 11pm, but the screenings are silent with wifi headsets provided. It is unlikely that people at commercial events will be using wifi headsets. Summer in the Square music ends at 8pm, not 10.30pm, and does not usually feature the much louder music often played at private and commercial events.

2. The proposed number, frequency, size and length of events in the warmer months of the year, and the numbers attending large events, will detract from the 'green and tranquil' values of this open space, contravening WCC City Plan policy S35 ('Protecting all open spaces, and their quality, heritage and ecological value, tranquillity and amenity') and Core Strategy on noise policy CS31 ('Securing improvements to Westminster's sound environment, including protecting open spaces of particular value for their relative tranquillity').

Grosvenor Square is a highly valued relatively tranquil green space, open to all members of the public. For much of the year, including the summer months, it is the only tranquil green space available to local residents and visitors to Oxford Street. This is because the eastern end of Hyde Park is used for concerts. This puts a sizeable area at the eastern end of Hyde Park out of bounds to the public for many months of the year, as the turf takes so long to recover from the concerts. Residents in this area who are less-able due to age, disability or illness cannot get to Hyde Park at all.

Some who can get to Hyde Park cannot walk further into the park. They therefore rely on Grosvenor Square as their local park, for relaxation and to be in a tranquil green space. While Summer in the Square has a welcome variety of events and workshops, it runs for three whole weeks and when it is busy it can be hard for anyone seeking some tranquility to find it in the Square.

The relative tranquility of the Square is needed throughout the spring and summer, not just in winter and autumn. It might be considered whether an event every week during the spring and summer begins to contravene the London Squares Preservation Act 1931.

3. Inclusivity

GLA London Plan, Chapter 7, Policy 7.5 Public realm: Strategic Policy "London's public spaces should be secure, accessible, inclusive, connected, easy to understand

and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces."

Commercial events will either be invitation-only, or will be ticketed and beyond the price range of many local residents and ordinary visitors. For example, the Grosvenor Film Festival tickets were priced between £15 and £30 in 2017. There is no suggestion in the application that these events will only take place after dark when the Square is usually closed to the public.

They will require part of the Square to be closed to the general, uninvited or unticketed, public.

Holding too many events, too often, in public green spaces and parks from which ordinary local residents and visitors are excluded, or which close off areas of the green space, has negative effects on local communities.

"... the negative impacts of events, for example noise, disruption and damage, are "usually temporary and can be managed, but the symbolic effects of exclusive events are more significant and enduring".⁸⁵ The Open Spaces Society highlighted an increase in the number of events being held in parks, and the impact on local communities who may be unable to access large areas in the park during set up, the event, and clear up. If multiple events are held during the summer period, for example, this can result in significant disruption."

(House of Commons Communities and Local Government Committee Public parks: Seventh Report of Session 2016-17, page 3, point 40 - written evidence submitted by Dr. Andrew Smith, Faculty of Architecture and Built Environment, University of Westminster. Online at:

<https://publications.parliament.uk/pa/cm201617/cmselect/cmcomloc/45/45.pdf>).

Summer in the Square is an inclusive event, usually running for three weeks during July, but the Grosvenor programme of 15 commercial licensed events and other commercial events that require tickets or invitations should not be allowed to dominate the months of May, June, August and September in the Square.

4. The after-dark lights and noise may disturb wildlife.

Grosvenor has a policy for 'greening' its London estate, which is hoped will include improving the planting in Grosvenor Square to improve the ecology and wildlife, including birds. Night time noise and lighting may disturb wildlife.

5. Safety

No glass on the grass

Drinks should not be served or sold as off-sales in glass containers.

Occasional breakages are unavoidable. On grass, especially after dark, it is impossible to find every little shard of broken glass. Adults, children, pets and wildlife will be at risk of being cut by glass hidden in the grass.

6. Conditions should be applied as follows:

The number of medium and large licensed events should be reduced to 6.

The number of small commercial events should be restricted.

So that there are event-free weeks every month, and fewer large events

The maximum number of attendees should be restricted to 850.

No noise should be audible outside the boundaries of Grosvenor Square between 9pm and 9am on weekdays and Saturdays, and between 11am and 8pm on Sundays.

No bottling out between 9pm and 8am on weekdays and Saturdays, and between 11am and 8pm on Sundays.

All deliveries and collections relating to events should take place between 8am and 7pm

These last four to prevent noise nuisance to residents of Grosvenor Square and the surrounding area.

Received:	01 May 2018
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I am writing to object to the above application for a new premises licence. Grosvenor Square is a vital refuge in an increasingly frenetic landscape, a precious jewel which is highly valued by residents, workers, visitors and wildlife. Grosvenor is currently on a mission to "liven up" Mayfair, but Mayfair is already awash with life and indeed alcohol as the ever increasing number of licences attests to. Grosvenor have stated as a comparison that Grosvenor Square is larger than Trafalgar Square, but Trafalgar Square is a concrete roundabout surrounded by buildings of national importance. Grosvenor Square is a green oasis surrounded by residences leading onto residential streets. It is the centre of a living, breathing neighbourhood. Grosvenor have characterised this project as just an "extension of Summer in the Square". It is not. Summer in the Square is like a small village fair. It is very low-key. Whilst it is running, you can walk anywhere within or across the Square. You are not barred from part of the Square, nor are any of the exits affected. It finishes early on summer evenings while it is still light. The other main event in the Square, the silent cinema, is in fact "silent", unlike the commercial events being proposed. The silent cinema also has a very limited run and has not attracted huge crowds, unlike the 15 proposed commercial events, each up to 7 days in length (presumably without the rig/derig time?), catering for up to 1500 people.

With regard to noise nuisance, amplified music or voices, PA systems and instruments such as drums should not be allowed late in the evening. These sounds in particular have a quality that can be very unpleasant and/or penetrating. These types of sound have a habit of escaping and shooting down side streets, positioning and directionality notwithstanding. As the ambient noise level drops in the evening, such sounds are more distinctive, particularly to properties above street level.

Moreover, the bottling out hours are totally unreasonable. One of the worst noises you ever have to put up with is the sound of glass on glass. 7:00 - 23:00 is not acceptable.

With regard to the serving of alcohol in the Square, particularly in the evening, why would you want to let people drink later in the evening in an area which does not have enough toilets. Even when there are toilets available, people have a habit of only remembering that they need to relieve themselves just before they get into/on their transport home, e.g. in Peabody's gardens or someone's doorway. Also, why would you want to allow the sale of alcohol for consumption off the premises? Does this mean that Grosvenor Square will in effect act as an off-licence? This is also an area with a very limited police presence at night.

With regard to the proposed numbers, 1500 is a crazy number of people to allow in the Square at night given that this venue is in the middle of a residential neighbourhood and not on a main road. Even managed dispersal will incur noise nuisance. If you had 1500 (or 1000 or even 500) people leaving a commercial event in the evening, how do you think they will get home? Some will head to the underground station in groups under the Peabody Estate windows, but many will use taxis, private hire vehicles or their own cars, thereby increasing the traffic in the area with all of its attendant problems (car doors slamming, idling, radios etc.) late into the evening.

Berkeley Square and Hyde Park have had chunks taken out of them already. It would be a shame if this was allowed to happen to Grosvenor Square as well. There are plenty of venues in the West End and indeed, further afield, for people to go to. It is hard to understand why Grosvenor Square also has to be cannibalised in such a manner.

Received:	01 May 2018
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I wish to comment on New Premises Licence Application 18/03517/LIPN for Grosvenor Square Gardens.

My hope is that the Gardens will remain as they are, free for the public to R&R. The proposed categories are Performance of Dance. The hours are far too long. Seasonal details also too long Dancing possibly damaging to the ground itself. Don't want anything similar to the problems of Hyde Park.

Exhibition of a Film : Perhaps in summer but Grosvenor Square is not a cinema. Disturbing for people visiting for R&R.

Performance of Live Music; Playing of Recorded Music; Anything of a similar description to Live Music, Recorded Music or Performance of Dance. Reservations about all the above including New Year's Eve, Sundays prior to Bank Holidays. The hours demolish relative peace and quiet for which the London Squares are renowned and for which local people and tourists are grateful.

Performance of a Play: OK if quiet and seating does not extend far into the Square.

Sale by Retail of Alcohol, plus Seasonal Details. These could have an unpleasant effect on the Square and on the neighbourhood. Sales of alcohol have in the past proved to be unpleasant and even dangerous. Corks Night Club for example and tend to encourage anti-social behaviour.

The hours that the Application is seeking are far too extended and will contribute little to the environment. Noise will be a particular problem for residents who already suffer from noise pollution from traffic and ongoing building works.

The Square is a green Hub and should be kept as it is.

Received:	23 April 2018
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1:00 PM on 23 Apr 2018 I have owned a property in Grosvenor Square since 1972 overlooking the garden. This is a unique and ideal garden in the centre of Mayfair enjoyed by residents of all ages, in particular children and elderly residents. It is a peaceful and serene garden in the midst of a populated and noisy area which already has a vast number of premises which sell food and alcohol (North and South Audley Street, Mount Street, Duke Street). Allowing the sale of alcohol in the Garden will spoil the serenity of the place and could lead to rowdy behaviour. There are plenty of

places nearby where people can enjoy a drink. Please leave the Garden alone and do not spoil it.

Received:

26 April 2018

3:17 PM on 26 Apr 2018 There are three areas where I believe this application will not meet licensing objectives, all related to nuisance.

Hours

I believe that the hours sought are too late. An argument has been put forward that these are shorter than core hours. That may be the case but is a bit of a red herring for outdoor events of the size and frequency sought.

Numbers attending

1500 is simply too many. Dispersing that number, that late will inevitably cause problems for neighbours despite the best intentions of any agreed dispersal policy.

Number of events

The application is for 15 events, each one of which can last for up to 168 hours. That would mean up to 105 days of events plus days for setting up and derigging. That is simply too much and would change the nature of the space from what it should be ie an oasis of calm and space for rest and relaxation into something more akin to an entertainment venue.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies</p>
Policy COMB1 applies	<p>(i) Where a premises proposes to operate as a 'combined use premises' applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1, CH1, CIP1 and HRS1.</p> <p>(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies. It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).</p> <p>(iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1 & PB2, FFP1 & FFP2, MD1 & MD2.</p>
Policy MD1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy PVC1 applies:	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

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, 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:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	23 April 2018
5	Metropolitan Police Service	20 April 2018
6	Representation	30 April 2018
7	Representation	30 April 2018
8	Representation	01 May 2018
9	Representation	16 April 2018
10	Representation	27 April 2018
11	Representation	30 April 2018
12	Representation	30 April 2018
13	Representation	01 May 2018
14	Representation	16 April 2018
15	Representation	01 May 2018
16	Representation	23 April 2018
17	Representation	16 April 2018
18	Representation	01 May 2018
19	Representation	01 May 2018
20	Representation	01 May 2018
21	Representation	01 May 2018
22	Representation	23 April 2018
23	Representation	26 April 2018

On 31 May 2018, the Applicant's solicitor provided further information relating to the Grosvenor Square Gardens. He elaborated that "Grosvenor Square was laid out from 1720 and the garden and the buildings which form its setting have remained one of the defining spaces of Mayfair ever since. The garden, like the surrounding buildings, has seen numerous changes to its design and layout over the centuries as it has successfully transformed itself from a private to a public space.

The current appearance of the garden is largely the result of the decision taken immediately after the Second World War to erect a statue of President Roosevelt, celebrating not only the statesman but the strong wartime association of Grosvenor Square with the American war effort. The Roosevelt Memorial Act saw responsibility for the Square (but not ownership) pass from Grosvenor to The Ministry of Works and its successor body, DCMS. This Act removed Grosvenor Square from the London Squares Act. Management of the Square was the responsibility of The Royal Parks until May this year when it was assumed by Grosvenor.

Grosvenor have negotiated a ten year licence from DCMS which includes a number of prescriptive clauses to prevent commercialisation of the Square, with which Grosvenor are in entire agreement. We see this as a wonderful opportunity to enhance the rather tired appearance of the Square and our Call for Ideas should allow the Square to reclaim its position as one of the most significant and attractive open spaces at the heart of Westminster.

We are seeking not only the physical enhancement of this Grade II Registered Landscape but also, as part of our cultural strategy for Mayfair, the provision of a summer festival in a part of Westminster which, with the exception of the Royal Academy lacks a permanent or temporary cultural centre. We believe that the proposals now before you will help to achieve these ambitions and benefit greatly residents, workers and those who visit and cherish Mayfair."

Additionally, the applicant has submitted a presentation and a Frequently Asked Questions document, which are enclosed.



We Are **Placemaking.**

GROSVENOR SQUARE

Ballet, Theatre & Jazz

SUMMER IN THE SQUARE

TRANSITION

BALLET IN THE SQUARE

THEATRE IN THE SQUARE

LIVE IN THE SQUARE

page 21

DATE	No. Days	EVENT	TIMINGS
2nd - 14th July	3	Community: Summer in the Square (park open 8am)	12:00 - 20:00
15th - 16th July	1	De-rig from Summer in the Square	08:00 - 20:00
16th July - 20th August	34	Transition	10:00 - 18:00
18th - 27th July		Build and rehearsals (TBC exact dates)	08:00 - 20:00
27th - 29th July	3	Ballet In The Square	17:00 - 22:00
30th - 31st July		Change over	08:00 - 20:00
1st - 5th August	5	Theatre In The Square: Exploded Circus	17:00 - 22:00
6th - 7th August		Change over	08:00 - 20:00
8th - 12th August	5	Theatre In The Square: Wondrous Strange	17:00 - 22:00
13th - 15th August		Change over	08:00 - 20:00
15th August	1	Live In The Square	17:00 - 22:00
16th August	1	Live In The Square	17:00 - 22:00
17th August	1	Live In The Square	17:00 - 22:00
18th August	1	Live In The Square	17:00 - 22:00
19th - 23rd August		De-rig	08:00 - 20:00

Summer In The Square



Community Program

		MAIN STAGE 12:00 - 14:00	MAIN STAGE 17:00 - 20:00	THE NOOK 12:00 - 14:00	THE NOOK 17:00 - 19:00
MON 2 JULY		Music by pianist Piers Sherwood	Music by Alice Phelps Band	SRA Food Demonstration	Creative Writing Workshop with The Shadow Travellers
TUES 3 JULY	Alice in Wonderland	Music by The Birch Trio, Hang Drum Performance	Music Performance by Cuban Band Son Yambu	Yoga Class with Sophia Theodosiou	Photobooth Flower Wall by Wild Things
WED 4 JULY	Alice in Wonderland	Music by Hatie Erwan	Doctor Dolittle By Illrya Theatre Productions	Pilates Class with Lucy Potucek	Salsa Dancing Class with Sophia Theodosiou
THURS 5 JULY	Alice in Wonderland	Music with Rockabilly Singer Miss Jones	Storytelling by The Embers Collective	Mindfulness Class with Kelly Robson	Yoga Class with Sophia Theodosiou
FRI 6 JULY	Mad Hatters Tea Party	Music by the Old Hat Band	Music by Crinkle Cuts	MHTP	MHTP
SAT 7 JULY	Family Circus Day	Clowning performance with Stumble Trip Theatre Company	Music from Koko Collective	Circus Skills with Mimbre	Clowning Workshop with Stumble Trip Theatre Company
SUN 8 JULY					
MON 9 JULY		Storytelling by The Embers Collective	Performance by HandleBards	Mindfulness Class with Kelly Robson	Bollywood Dancing Workshop with Sophia Theodosiou
TUES 10 JULY	Tea Dance	Westcombe Brass Band	Mayfair Community Choir	Yoga Class with Sophia Theodosiou	Zumba Class with Natalie Nicoll
WED 11 JULY			National Youth Jazz Orchestra	Tai Chi Class with Stuart Thomas	NWEC Evening
THUS 12 JULY	Arts Day	Talk by Artist Liz West	Music by Matthew Van Kan's Jazz band	Flower Crown Workshop with Wild Creations	

SUMMER IN THE SQUARE

PERFORMERS

Matthew Van Kan



Crinkle Cuts



The Handlebards



Yoga & Meditation Classes



Miss Jones



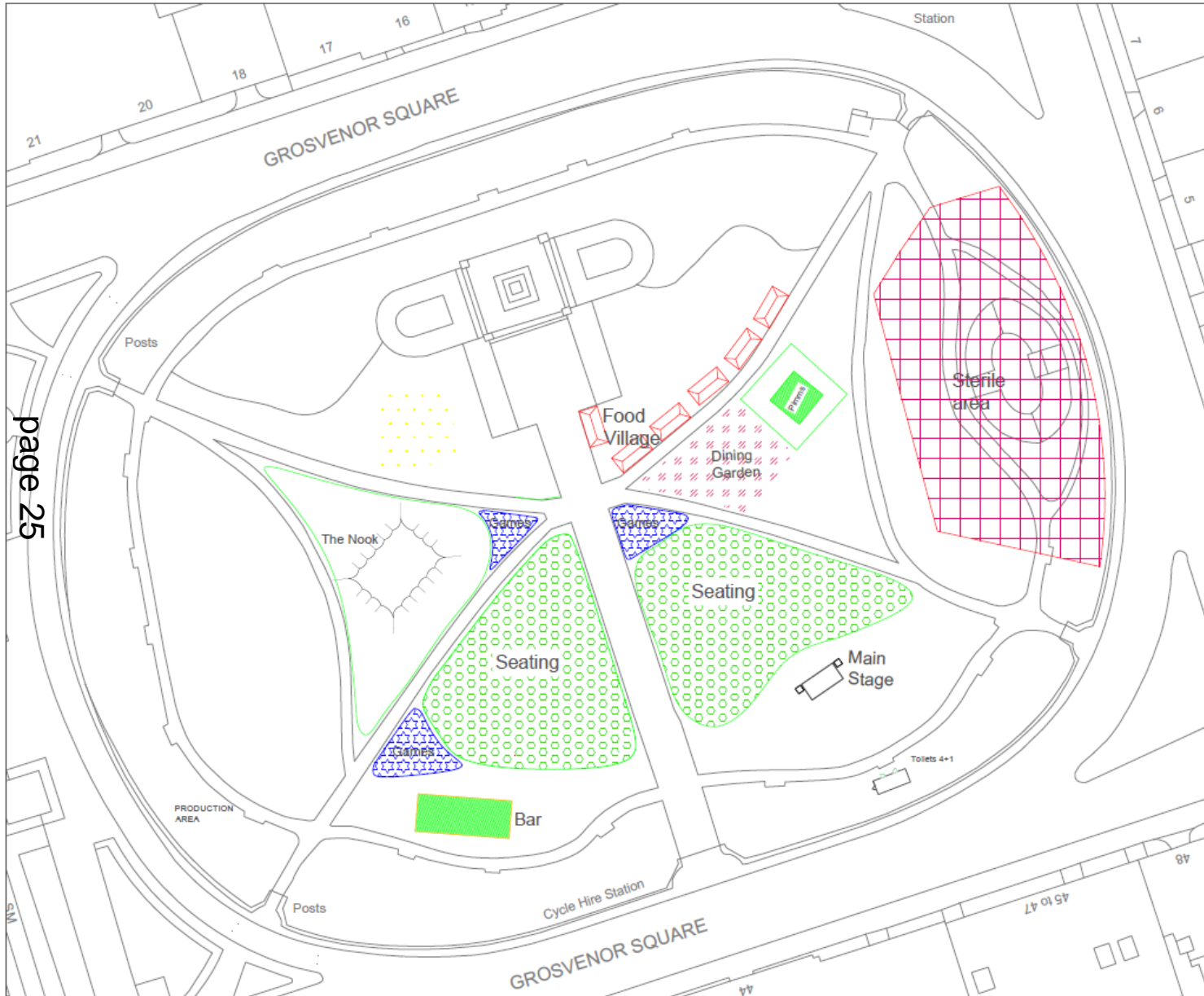
The Birch Trio



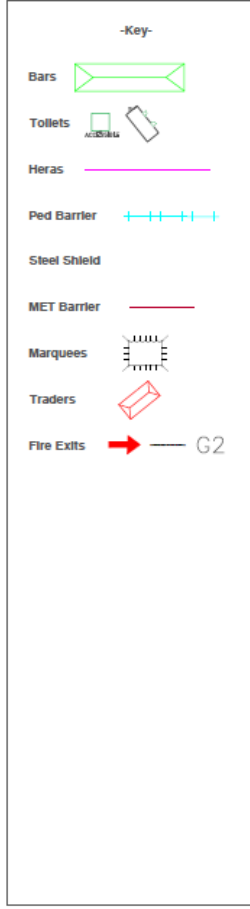
Son Yambu



SUMMER IN THE SQUARE: SITE PLAN



WE ARE PLACEMAKING
 Summer In The Square 2018
GROSVENOR SQUARE
 Mayfair, London, W1K 4AG
 C- 51.511388, -0.152239
 25m GRID



Drawn by: Louise Ford
 Checked by: Adam Murphy
 Version: v.5.0| Date: 24.05/2018

TRANSITION

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SUMMER IN THE SQUARE TRANSITION





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Cultural Event

Live in the Square

Grosvenor Square

27 July - 18 August 2018

Mayfair's Grosvenor Square will spark to life
with music, dance and theatre this summer.

With performances from English National Ballet, to MIMBRE's
immersive theatre spectaculars - The Exploded Circus and
Wondrous Strange - to a show-stopping line-up from legendary
London jazz institution, Ronnie Scott's. And more ...



TICKETS ON SALE NOW LIVEINTHESQUARE.CO.UK

GROSVENOR SQUARE

Ballet, Theatre & Jazz

SUMMER IN THE SQUARE

TRANSITION

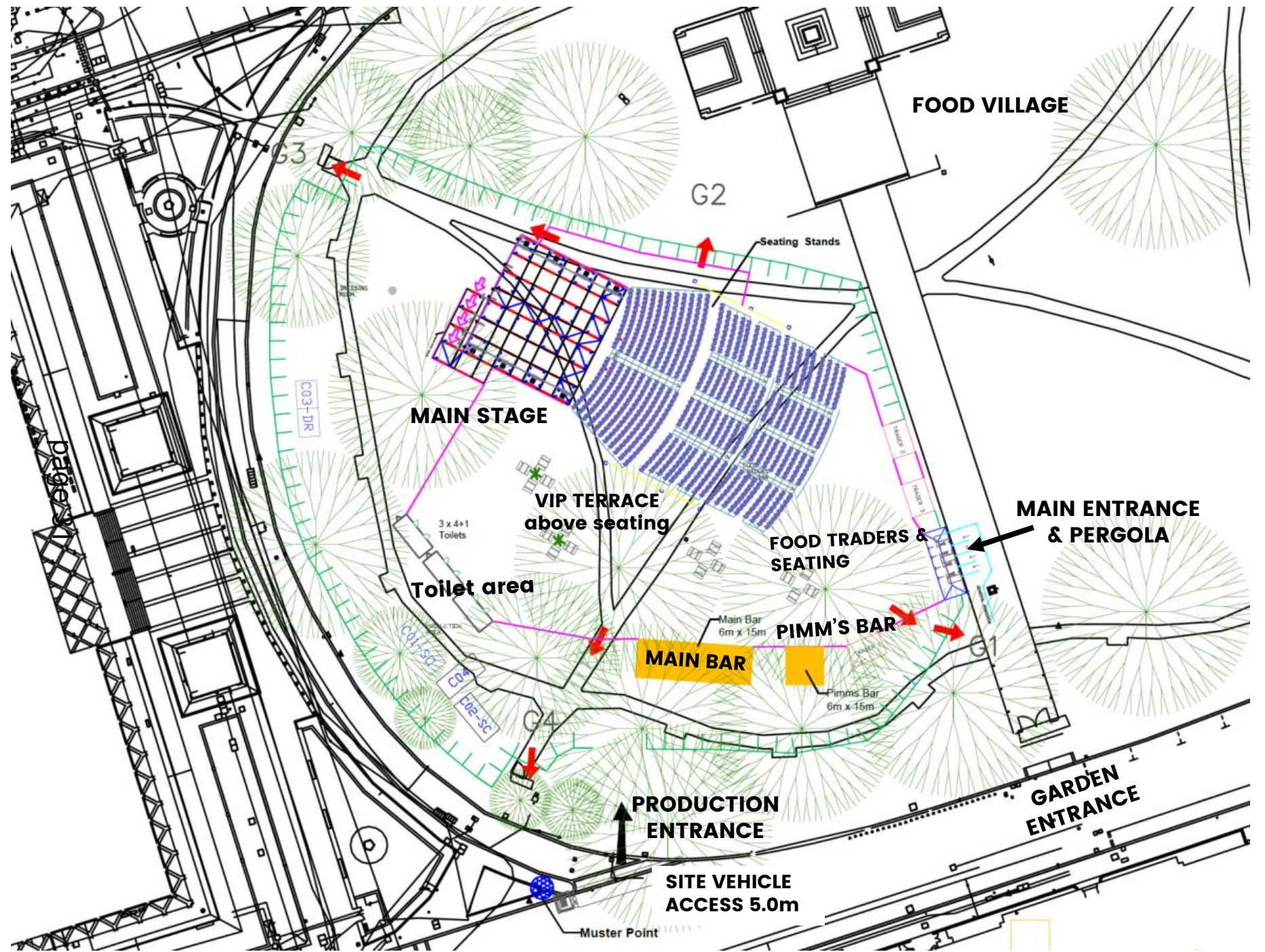
BALLET IN THE SQUARE

THEATRE IN THE SQUARE

LIVE IN THE SQUARE

page 30

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17th August	1	Live In The Square	17:00 - 22:00
18th August	1	Live In The Square	17:00 - 22:00
19th - 23rd August		De-rig	08:00 - 20:00



FOOD VILLAGE

G2

Seating Stands

MAIN STAGE

**VIP TERRACE
above seating**

**MAIN ENTRANCE
& PERGOLA**

**FOOD TRADERS &
SEATING**

Toilet area

3 x 4+1
Toilets

PIMM'S BAR

MAIN BAR

Main Bar
6m x 15m

Pimms Bar
6m x 15m

G1

**PRODUCTION
ENTRANCE**

**GARDEN
ENTRANCE**

**SITE VEHICLE
ACCESS 5.0m**

Muster Point

Overall creative

Woodland stage décor



page 32

Themed décor for each theme



Lighting & Festoon



Natural pergola entrance



Creative wayfinding



Feature trees



Photo Opportunities

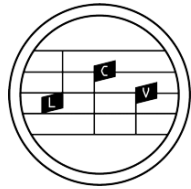


Ballet In The Square

Delighting audiences with the traditional and inspiring them with the new, English National Ballet brings world-class ballet to the widest possible audience.

Act 1 (25 mins)

White Swan
Akram Khan's Giselle



Act 2 (25 mins)

ENB Youth Co
ENB School with **London Contemporary Voices**
ENB Youth Co

Act 3 (25 mins)

Don Quixote
Dust

A ballerina in a white tutu performing a high kick on stage. The background is dark with blue lighting. Other ballerinas in white tutus are visible in the background.

**Ballet
in the
Square**
Grosvenor Square

ENGLISH NATIONAL BALLET
WORLD-CLASS BALLET FOR EVERYONE

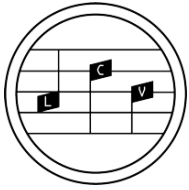
Featuring beautiful classical and contemporary ballet, delighting you with the traditional and inspiring you with the new

27 - 29 JULY

GATES OPEN 5PM | PERFORMANCE 7.30PM

 English National Ballet

 GROSVENOR



London Contemporary Voices

London Contemporary Voices is London's leading alternative choir and is renowned for its unique collaborations with pioneering artists - including 11 Grammy winners and nominees. The choir is regularly seen at festivals across the UK, as well as TV and Radio. Previous collaborators include Imogen Heap, U2, Alt-J, Orlando Weeks (Maccabees), Nitin Sawhney, Laura Mvula, Sam Smith, Manu Delago and Eska. The choir is in high demand after a string of successes in 2017 which include performing at the BBC Proms (Songs of Scott Walker) with Heritage Orchestra, John Grant, Susanne Sundfor, Jarvis Cocker and Richard Hawley.

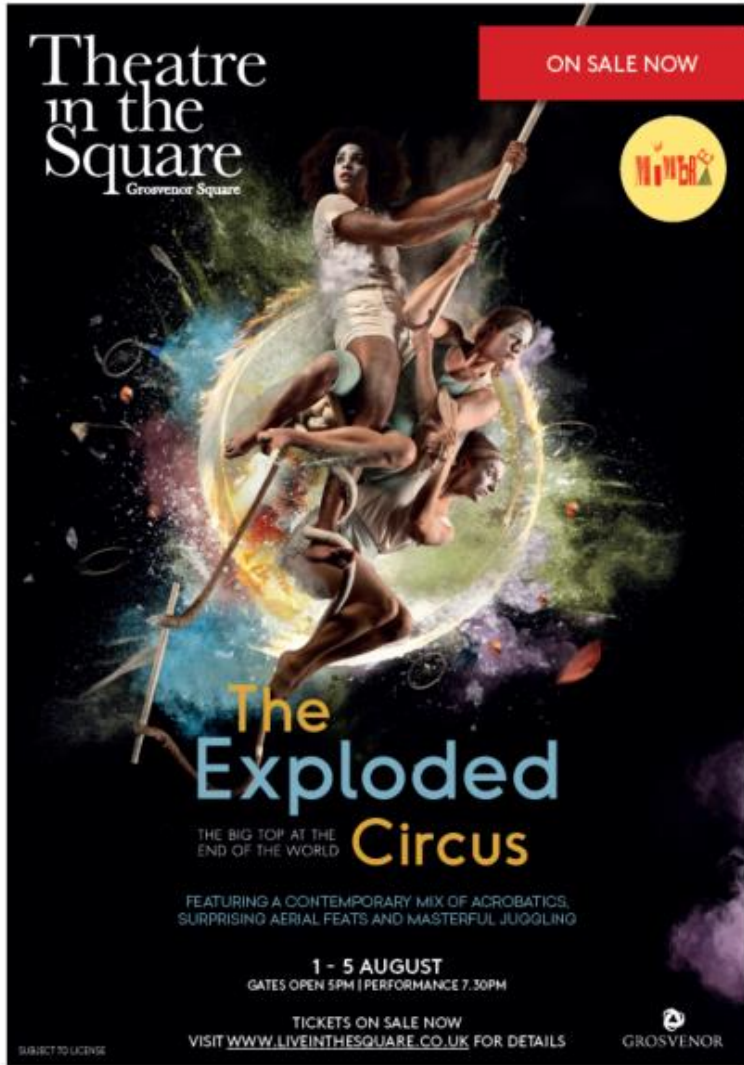
London Contemporary Voices will be performing **Hide & Seek by Imogen Heap** and supporting ENB with **Bon Iver's The Wolves (Act I And II)**

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Theatre In The Square

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Theatre in the Square
Grosvenor Square

ON SALE NOW

The Exploded Circus

THE BIG TOP AT THE END OF THE WORLD

FEATURING A CONTEMPORARY MIX OF ACROBATICS, SURPRISING AERIAL FEATS AND MASTERFUL JUJGLING

1 - 5 AUGUST
GATES OPEN 5PM | PERFORMANCE 7.30PM

TICKETS ON SALE NOW
VISIT WWW.LIVEINTHESQUARE.CO.UK FOR DETAILS

GROSVENOR

PHOTO BY ERIC RICHMOND, DESIGN BY LOWEARTH



Theatre in the Square
Grosvenor Square

ON SALE NOW

WONDROUS STRANGE

INDULGE IN THE PHYSICAL AND VISUAL IMAGERY FROM SHAKESPEARE'S PLAYS

8 - 12 AUGUST
GATES OPEN 5PM | PERFORMANCE 7.30PM

TICKETS ON SALE NOW
WWW.LIVEINTHESQUARE.CO.UK

GROSVENOR

PHOTO BY ERIC RICHMOND

Mimbre – Creative Team



Lina Johansson | Director

Lina Johansson founded Mimbre together with Silvia Fratelli and Emma Norin in 1999 with a vision of creating strong acrobatic choreographies with women. As Joint Artistic Director of Mimbre, Lina leads on the company's vision and artistic programme, including Mimbre's programme for local young people.



Loren Elstein | Production Designer

Loren Elstein is an international designer for theatre, opera and film. She trained at NIDA in Sydney where her design for *Loot* secured the Australian Production Design Guild Award for Best Design and the William Fletcher Foundation Grant for Excellence in Design 2013.



Quinta | Composer

Quinta is a London-based experimental music-maker and multi-instrumentalist, with particular interests in improvisation, non-conventional scoring, electronic interfacing and new instruments. She explores extended techniques (mainly for strings) and graphic notation.

Membre – Performers



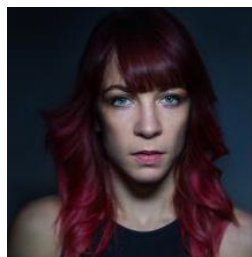
Alice Allart | Performer



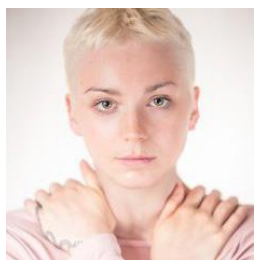
Arielle Lauzon | Performer



Farrell Cox | Performer



Rebecca Rennison | Performer



Ruby Gaskell | Performer



Lynn Scott | Performer

Live In The Square

Live in the Square
Grosvenor Square

by RONNIE SCOTT'S



ST GERMAIN
PETE JOSEF

ronnie scott's
GROSVENOR

15 AUGUST

Live in the Square
Grosvenor Square

by RONNIE SCOTT'S



SUBMOTION ORCHESTRA
HIDDEN ORCHESTRA

ronnie scott's
GROSVENOR

17 AUGUST

Live in the Square
Grosvenor Square

by RONNIE SCOTT'S



SISTER SLEDGE
CRAIG CHARLES

ronnie scott's
GROSVENOR

16 AUGUST

BRITISH COUNCIL

Live in the Square
Grosvenor Square

by RONNIE SCOTT'S



MATTHEW HERBERT BREXIT BIG BAND
RONNIE SCOTT'S HOUSE BIG BAND

ronnie scott's
GROSVENOR

18 AUGUST



We Are **Placemaking.**

GROSVENOR SQUARE – SUMMER 2018

What are the dates and times for each event?

Build: 28 – 30 June (8am – 8pm)

Summer in the Square: 2 – 14 July (12pm – 8pm, park opens at 8am)

De-rig: 15-16 July (8am – 8pm)

Transition (food, drink & deckchair seating): 16 July – 20 August (10am – 6pm)

Build and rehearsals for In the Square: 18 - 26 July (8am – 8pm within restricted area)

LIVE: Ballet in the Square: 27 - 29 July (5 – 10pm within restricted area)

Change over: 30-21 July (8am – 8pm within restricted area)

LIVE: Theatre in the Square (The Exploded Circus) 1 - 5 August (5 – 10pm within restricted area)

Change over: 6 - 7 August (8am – 8pm within restricted area)

Theatre in the Square (Wondrous Strange) 8 - 12 August (5 – 10pm within restricted area)

Change over: 13 - 14 August (8am – 8pm within restricted area)

Live in the Square: 15 - 18 August (5 – 10pm within restricted area)

De-rig: 20 – 22 August (8am – 8pm within restricted area)

What proportion of Grosvenor Square will have restricted to the public?

During Summer in the Square the gardens are completely accessible to the general public. From 16 July to 20 August, 35% of the square will be restricted for build, rehearsals and ticket holders only for the In the Square events. During that transition period the remaining 65% of Grosvenor Square will remain open to the public and accessible during the standard opening hours for the gardens. Grosvenor Square is London's second largest Garden Square, at 25,000 square metres. During the Live in the Square events 16,250 square metres of the gardens will remain open to the public.

What are the times of the ticketed event? Doors to the ticketed area will open for the bar and a selection of food at 5pm. Live performances will start at 7:30pm and end at 10pm.

What are the shows' prohibited items? All glass will be decanted into plastic containers before serving for safety reasons. Food and drink will not be allowed to be brought onto the site. Drinking water will be available at the bar. A security search will be in operation, and none of the following items will be allowed on site: illegal substances, nitrous oxide AND/OR whippers, portable laser equipment and pens, unauthorised professional film or video equipment, audio recorders, megaphones, air horns, spray cans, marker pens, fireworks, flares, Chinese or Sky Lanterns, any item which may reasonably be considered for use as a weapon, animals (other than registered guide or hearing dogs), sound systems, unofficial tabards or reflective jackets, unauthorised items for trading, including any goods using unauthorised event logos.

What is access like for wheelchair users? There will be disabled access for wheelchair users and specific seats suitable for wheelchair use.

Will there be an increase in traffic? As we are based in central London, there is limited parking around site. We will recommend attendees to use public transport to attend the events. The nearest tube station is Bond Street (6 minute walk), Marble Arch (9 minute walk) or Green Park (13 minute walk). Parking is also available at several locations nearby.

Can attendees bring food & drink? No food and drink will be allowed onto site but can be purchased at the bar and food stalls around site.

What profit is being made from the event and will the money go back into Grosvenor Square? No profit is being made from the events in 2018, in fact Grosvenor are funding the event substantially with the support of our sponsorship partners. If any profit is made in future years, this would be invested directly back into the garden.

PRODUCTION MANAGEMENT

Who is producing the show? Grosvenor have appointed We Are Placemaking and We Are The Fair to produce the full production and health and safety for Live In The Square. We Are Placemaking are a specialist Creative Placemaking agency, powered by over 16 years' worth of award-winning event production experience in our sister agency, The Fair. The Fair specialise in Festival production and have produced shows with 25,000 capacity.

We Are Placemaking are experts in Creative Placemaking, working alongside public & private sector organisations within the property, retail and public realm, animating spaces through live experiences. The agency deliver world class experiences for customers and communities, supporting our clients from the initial planning stages through to feasibility, event concepts and programming to Creative Production, Production and measurement.

We Are Placemaking are working with Grosvenor Estates to work towards the 2020 vision. Grosvenor's 20 year vision is of Mayfair & Belgravia evolving together with an ever-changing London: playing a leading role in its remarkable success story, becoming more active, open and integrated.

WASTE MANAGEMENT

How will Grosvenor keep Grosvenor Square and the surrounding areas free of litter? We will have a dedicated team of event cleaners on site that will be looking after Grosvenor Square but also making sure the surrounding streets are kept clean as well. This will include a post event deep clean of the site before handing the square back to full, unrestricted public use.

NOISE CONTROL

How will you control the noise at the event? We have a team of noise specialists who have been monitoring the current noise levels and the expected increase in noise over the main event days. Westminster Council and Environmental Health are involved in all conversations to monitor the noise. More studies are being carried out to ensure we have taken all precaution for surrounding retailers, residents and hotels. On the days of the live events, there will be an independent noise consultancy team on site ensuring that all decibel levels are being abided to and if residents have any issues or concerns there will be a hotline which the public can ring to speak to one of the noise consultants.

SECURITY

Will there be security on site? Yes, we will be working with our preferred security supplier who works across the Grosvenor London Estate. We will be carrying out searches and security controls on the entry points to the live events - this is only for safety precautions.

What will you do to prevent anti-social behaviour on site? The on-site security will ensure that anti-social behaviour within the square and in the surrounding streets is managed appropriately and with the support of the local police if deemed necessary.

ENVIRONMENT

What precautions are being taken to look after Grosvenor Square? The live site has been designed around the trees of Grosvenor Square and the team have been careful to cause as little disruption to the garden as possible. We have tree and ground specialists (Tim Moya Associates) on board to help protect the environment and the garden.

Will there be recycling facilities on site? There will be recycling bins on site for plastic which will be recycled by a team of specialists throughout the event.

What sustainability have you taken into consideration for this event? Grosvenor Sustainability team and the production team are working closely to ensure that together they do their best to produce a sustainable event. We will be selling reusable cups at the bar and encouraging attendees to recycle their rubbish at the event.

HEALTH & SAFETY

Will there be Health & Safety on site? A specialist team of health and safety will ensure the site abides all regulations and is safe for the public to use. The health and safety team will be on site throughout the event to ensure the event is safe and all structures will be signed off by specialists of that department.

Will there be first aid on site? There will be a medical first response team on site, who will be on hand if the need arises.

WEATHER

What happens if the weather is bad? This is an outside event taking place in the British Summer, please be mindful that the weather may not be as hoped for and therefore guests will need to bring suitable clothing, layers and a waterproof jacket. The event would only be cancelled if we were facing weather conditions that could be considered dangerous. The British weather can change instantly, and will be constantly monitored by the production team. It may be raining in the afternoon but clear by the evening so we wouldn't want to make the call to soon.

Will smoking be permitted at the live events? As this is an outdoor event, ticketholders can smoke but we ask that they be considerate of others. Smoking will not be allowed in the seating stands.

CHILDREN

Are there age restrictions for each performance? Ages 6+. All children aged 16 and under need to be accompanied by a responsible adult over the age of 18. A maximum of two children can be escorted per responsible adult under the age of 25. Please be aware there will be a door search policy and bars will operate a challenge 25 policy.

PHOTOGRAPHY AND FILMING

Will there be photography and filming on site at the event? There will be no photography or filming permitted during the actual show. This includes camera and recording equipment. The event may be filmed for promotion and press purposes and shared with the public if needed.

FOOD & DRINK

Will there food and drink on site? Yes, there will be a selection of food traders at the event. There will be food and drink served before the show and if there is a scheduled interval at the performance then there will be time to visit the food and drink vendors then too. No there will be no food or drink allowed on site. We are encouraging no single use plastic on site and will sell re-usable cups the bar.

TALENT INFORMATION

BALLET IN THE SQUARE

English National Ballet

Delighting audiences with the traditional and inspiring them with the new, English National Ballet brings world-class ballet to the widest possible audience. Guests will have the unique chance to see a selection of some of the best classical and contemporary work in the company's repertoire featuring leading talent from around the world. Also included are inspiring performances by our young talent ENBYouthCo. There promises to be something for everyone delivering a dynamic discovery of dance!

THEATRE IN THE SQUARE

Mimbre Theatre Production

Mimbre is a **female-led company** creating nuanced, breath-taking and highly-skilled acrobatic theatre. They use circus and dance innovatively as a physical language to illuminate human connections and promote a **positive image of women**.

“With an artistic voice that is physical and accessible, Mimbre build relationships with broad, non-traditional audiences and participants, creating unexpected moments in unusual spaces and reclaiming some beauty within the urban environment.

Our performances and participation programme reach beyond social, financial and cultural boundaries and find fresh ways to engage, encourage and inspire people, showing that the impossible can be possible on a local, national and international level.”

The Exploded Circus

Step into the moment where an explosion has been frozen in time, the remnants of a big top caught mid-air – with everything from circus ring, sequins and fairground horses suspended above ground.

Featuring a breath-taking mix of acrobatics, surprising aerial feats and masterful juggling, The Exploded Circus weaves a story told without words, where six female performers have to come together to seek order in the chaos and create a new normal. With striking imagery and subtle humour, the show explores themes around change, hope and belonging.

Wondrous Strange

Wondrous Strange indulges in the physical and visual imagery from Shakespeare's plays, expanding on fleeting moments and bringing into focus action which is usually just alluded to. Get drawn into a chaotic play by a colourful troupe of Elizabethan performers and be introduced to a host of well-known characters: cheeky fairies taunt Bottom in a raucous dance, Romeo and Juliet court each other on a balancing ladder, multiple Hamlets manipulate a stream of skulls, Kings fight and die at a relentless pace, and Ophelia slowly floats by on a bed of flowers.

LIVE IN THE SQUARE

St Germain

An uncontested and respected figure in the world of electronic music for the past two decades, a pioneer of the "French Touch" and a creator of intelligent, sensual and original deep house, St Germain has always stood out. His consummate art thrives on a subtle mixture of machines and instruments, of authentic roots and modern influences.

Pete Josef

A heartfelt, genre-bending combination of jazz, soul, pop, and electro, UK singer, songwriter and multi-instrumentalist Pete Josef releases his debut album "Colour" this fall via Sonar Kollektiv.

Sister Sledge

In the history of recorded music, there have been only a handful of musical groups which have managed to transcend time, genre, and culture...and Sister Sledge is indisputably one of these. As the pages of the Chicago Tribune have asserted, Sister Sledge "has the stuff legends are made of." Performing jazz, soul, gospel, disco, and R&B, flourishing both in-studio and onstage, the sisters built a formidable reputation, dazzling audiences and impressing critics from the start.

Craig Charles

Asked by The Independent to define himself in six words, Mostly Jazz, Funk and Soul stalwart and curator Craig Charles said "Late to bed, early to rise". One look at his vast and wide-ranging CV and you'd agree that has to be true. The Liverpool-born actor, poet, comedian, author, presenter and DJ has starred in Red Dwarf and Coronation Street, helmed shows such as Takeshi's Castle, Ripley's Believe It or Not, and Robot Wars, made numerous other appearances as an actor, star guest and presenter, and has most importantly been the UK's most prominent champion of Funk and Soul music.

Submotion Orchestra

Since their inception in 2009, the genre-defying Submotion Orchestra have moved seamlessly between deep electronica, jazz, soul and ambient downtempo, mesmerising audiences from Iceland to India. Their unique music is at once delicate and heavy, spacious and dense, highly atmospheric but firmly rooted.

Matthew Herbert Brexit Big Band

Following two acclaimed big band albums, Matthew Herbert announces a third in response to Brexit. This time though, it's being put together differently. It is a two year collaborative project right across Europe celebrating artistic and musical collaboration and communities across national borders.

Ronnie Scott's Big House Band

The U.K.'s finest Big Band teeming with first-call players and appearing under the Musical Directorship of award winning band leader Pete Long. The Ronnie Scott's Big Band is comprised of some of the greatest talents on the UK jazz scene and presents countless themed shows featuring the music of Count Basie, Duke Ellington, Woody Herman, Stan Kenton, The RatPack and Benny Goodman just to name a few. The band can often be experienced in the club and have performed at countless festivals and outdoor events across the country.

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. All events taking place in the Gardens will be subject to individual Risk Assessment.

Condition also requested by Environmental Health

10. All events taking place in the Gardens will have been reviewed by the Grosvenor Square Management Group (which comprises local stakeholders including amenity societies, residents, businesses, The Royal Parks and relatives of the memorial to the victims of 9/11) and will have been approved in writing by Grosvenor.
11. Once events have been Risk Assessed they will be categorized as either Small Scale (no alcohol and attendance below 499) or Medium Scale (alcohol included, attendance below 499) or Large Scale (alcohol included and attendance in excess of 499).
12. Large Scale events will be notified to the Licensing Authority and Met Police at least 28 days prior.

Condition also requested by Environmental Health

13. There will be a maximum of 15 commercial events featuring licensable activities per year.

Amended condition proposed by Environmental Health

- 13a.** *Licensable activities shall only be permitted when an event takes place at the premises. Events may only take place on a maximum of 5 days per calendar year.*
14. Each event will not exceed a duration of 168 hours.
15. The maximum capacity for attendees at events will be 1500.
16. For Year One of the Premises Licence operation (July 2018 - June 2019), all events will operate with a maximum capacity of 850.

Amended condition proposed by Environmental Health

- 15a. & 16a.** *The number of persons permitted on the premises at any one time (excluding staff) shall not exceed 850 persons for the year 2018/2019 and 1500 thereafter.*
17. Once risk assessed, events deemed necessary will feature an appropriate number of SIA staff.

Condition also requested by Environmental Health

18. Following Risk Assessment, where relevant, a separate Security Risk Assessment will be carried out and specialist advice sought from Grosvenor's approved security consultant.

Condition also requested by Environmental Health

19. Alcohol for sale for consumption off the premises will only be made in sealed containers and customers will not be permitted to consume these products on the premises.

Condition also requested by Environmental Health

20. Non-intoxicating beverages, including drinking water, shall be available to patrons throughout the permitted hours for the sale or supply of alcohol.

21. All instances of crime and disorder shall be reported to the police.
22. An incident book shall be used to record all instances of public disorder.
23. Events involving glassware on site will feature the following measures:
 - Cleaning/Back Bar staff to be on duty to clear any breakages promptly.
 - Spot Sweep (long handled dustpan and broom) to be available to facilitate safe clearing of breakages.

Amended condition proposed by Environmental Health

- 23a.** *Where such exemption has been gained, events involving glassware on site will feature the following measures:*
- i: Cleaning/Back Bar staff to be on duty to clear any breakages promptly*
 - ii: Spot Sweep (long handled dustpan and broom) to be available to facilitate safe clearing of breakages.*
24. Following Risk Assessment, certain events (Large Scale) will operate with a Safety Officer (NEBOSH) on duty.
 25. All contractors, suppliers, concessions and caterers will be audited for their suitability to provide services with the premises.

Condition also requested by Environmental Health

26. In the absence of daylight there will be sufficient lighting installed whilst the premises are open to the public.

Condition also requested by Environmental Health

27. When disabled people are present, there must be sufficient numbers of staff and adequate arrangements must be in place to ensure their safe evacuation in the event of an emergency. Disabled people on the premises must be made aware of such arrangements by staff and by the use of appropriate signage.
28. In the absence of adequate daylight, the lighting in any area accessible to the public shall be fully in operation when they are present.

Duplicate of condition 26.

29. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
30. Events featuring amplified music will give consideration to the positioning and directionality of PA systems and loudspeakers within the Gardens.

Condition also requested by Environmental Health

31. Music shall not emanate from the premises so as to cause nuisance to nearby properties.

Amended condition proposed by Environmental Health

- 31a.** No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises which gives rise to a nuisance, including the setting up and breaking down of an event.
32. There shall be no bottling out between the hours of 23:00 – 07:00.

33. All deliveries and collections relating to events will be scheduled to take place between 07:00 - 19:00. Should it be necessary for any deliveries to take place outside of these hours, prior notification will be made to the Grosvenor Square Management Group and residents in Grosvenor Square.
34. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
35. A Dispersal Plan will be developed and agreed WCC EH and implemented.
36. Unaccompanied children will not be permitted on site after 21:00 during any event.

Condition also requested by Environmental Health

37. Challenge 25 will be in operation at all events featuring the supply of alcohol and only approved ID will be accepted: Passport, Photo Driving Licence, Prove It Card with PASS hologram.

Amended condition proposed by Environmental Health

- 37a. In relation to the sale of alcohol, a Challenge 25 will be in operation at all events featuring the supply of alcohol and only approved ID will be accepted: Passport, Photo Driving Licence, Prove It Card with PASS hologram.
38. Challenge 25 signage will be on display at all alcohol service points.

Condition also requested by Environmental Health

39. The Premises Licence Holder (PLH) shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The PLH shall keep records of training and instruction given to staff.
40. The PLH and staff should note any refusals to sell to young people in a refusals log. The refusal log shall be checked and signed monthly by the Designated Premises Supervisor (DPS). The refusals log shall be made available for inspection by the licensing team, police or trading standards.
41. A 'Lost and Found Child Policy' will be prepared and all key staff on duty will be aware of the policy.

Condition also requested by Environmental Health

42. Events operated by Grosvenor with children on site will feature an appropriate number of DBS checked staff. For events operated by approved third parties, similar assurances will be sought.

Condition also requested by Environmental Health

Conditions proposed by the Police

43. A personal licence holder must be on site at all times during licensable activity.
44. The Westminster Police Event Planning Office and Westminster Police Licensing Team shall be notified 14 days in advance of any event involving a minimum of 150 attendees,

during which licensable activities will be provided. The Police have the right to veto any event following notification

45. A communication system shall be provided to ensure the effective operation of the site under both normal and emergency evacuation conditions. The Premises Licence Holder must provide an adequate incident control centre and a rendezvous point for the Police and other emergency services.
46. The Westminster Police Event Planning Office and Westminster Police Licensing Team shall have the right to veto any event following notification. Full details to be agreed 14 days in advance as part of the event management plan given under public safety.
47. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points to the event shall be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period. Contact details will be provided by the licensee for post event CCTV requests by the responsible authorities.
48. 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 licensable activities are taking place. 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. This is in addition to the operator of the CCTV system.
49. Door supervisors: Events involving a minimum 150 attendees
 - An agreed minimum number of SIA licensed door supervisors shall be on duty at the premises. The minimum number of SIA site security shall be agreed with the Westminster Police Event Planning Office and Westminster Police Licensing Team 14 days in advance of the event.
 - All SIA Door Supervisors shall wear yellow high visibility tabards or jackets at all times they are on duty and have their SIA licences on display at all times on the outside of their upper arm.
50. It shall be agreed with the Westminster Police Event Planning Office and Westminster Police Licensing Team 14 days in advance of all events if a search policy is required for both customers and staff. The search policy will set out the extent of the search i.e. bags or bags and full outer clothing pat down. Male and female Security will conduct searches of customers of the same gender. Notices shall be displayed stating that a refusal to be searched will result in a refusal of entry. Any such refusals will be noted a refusal log.
51. On request of a Police Officer supervisor, the premises shall cease all licensable activities and only resume licensable activities when authorised by a Police Officer supervisor.
52. 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

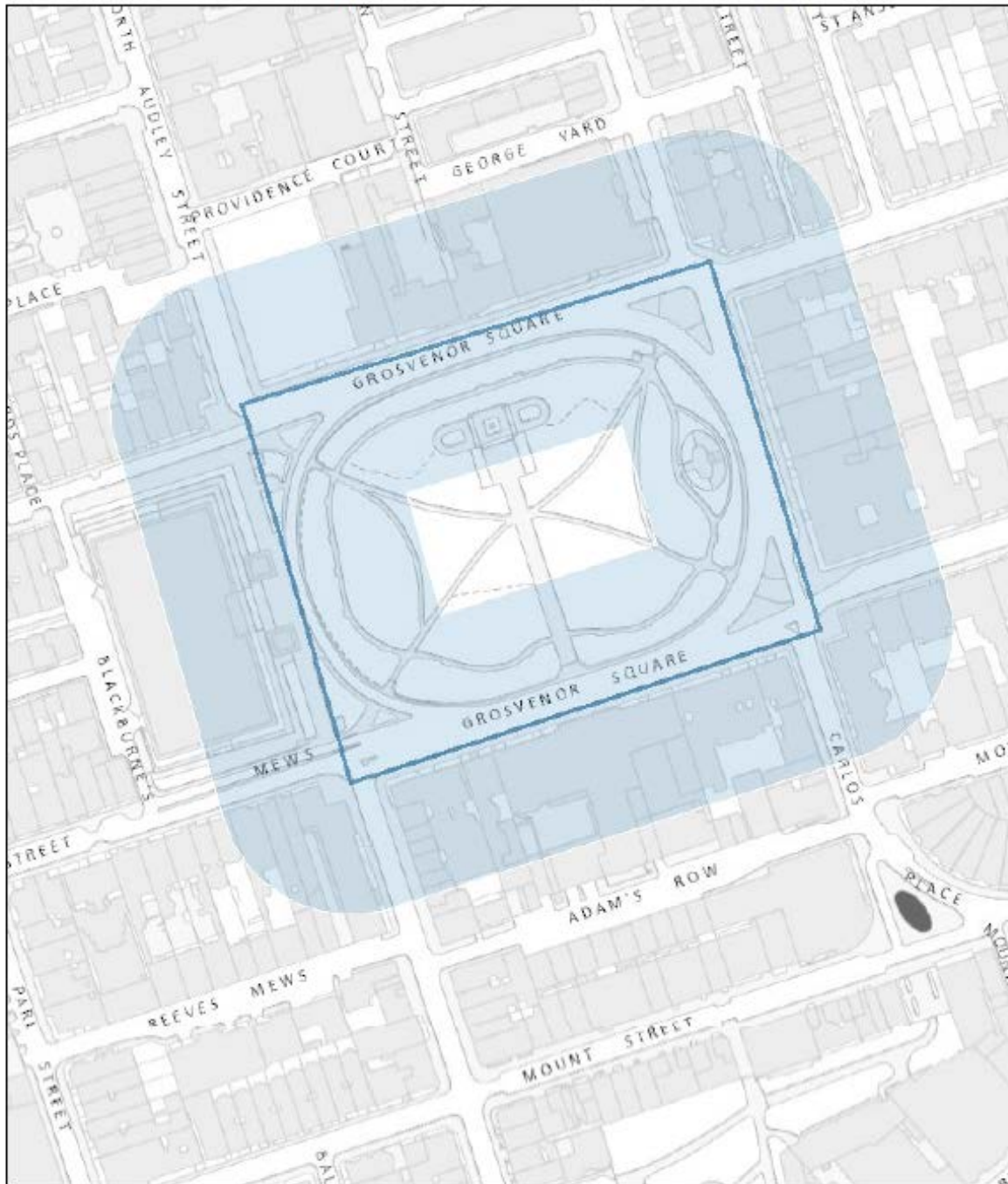
- (c) Any complaints received concerning crime and disorder
- (d) Any incidents of disorder
- (e) Any faults in the CCTV system, searching equipment or scanning kit
- (f) Any refusal of the sale of alcohol
- (g) Any visit by a relevant authority or emergency service.

Conditions proposed by Environmental Health

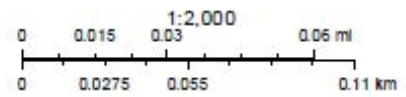
53. Licensable activities and the consumption of alcohol at the premises shall only be provided ancillary to the primary use of the premises as a Garden Square.
54. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
55. A suitable and sufficient Event Management Plan shall be drawn up prior to an event ('Large Scale') and submitted to the Licensing Authority, Environmental Health and Police a minimum of 10 working days prior to the event. This shall be kept for at least one year and shall include where necessary, as a minimum, details on the following aspects:
 - i) Emergency and evacuation procedures
 - ii) Crowd management and stewarding arrangements
 - iii) Overnight security arrangements
 - iv) A detailed site plan showing all permanent and temporary structures and all access and egress points
 - v) Capacity at any one time
 - vi) Certificates from competent persons on Structures, Electrical Power Supply and Gas equipment (including LPG)
 - vii) First Aid and Lost Children arrangements
 - viii) Noise Management Plan
 - ix) Risk Assessments
 - x) A waste management plan
 - xi) Sanitary accommodation
 - xii) Public Liability Insurance
 - xiii) The setup and break down arrangements for the event
 - xiv) the dispersal of customers at the end of the event.
56. When creating the Event Management Plan, reference will be made to the following publications: The Technical Standards for Places of Entertainment - District Surveyor's Association, The Event Safety Guide (purple guide), Guide To Safety At Sports Grounds (green guide), FRSA - Open Air Events and Venues.
57. The premises Licence holder shall comply with all reasonable requirements of Westminster Police Licensing Team, the London Fire and Emergency Planning Authority and Westminster City Council's Environmental Health Consultation Team and Filming & Events Team.
58. All sales of alcohol for consumption off the premises will cease at 23:00 Monday to Saturday and 22:30 on Sunday.
59. All drinks sold, supplied or consumed shall only be in open polycarbonate or crushable vessels unless prior exemption has been obtained from the Environmental Health Consultation Team for a specific event in writing or by email.

60. A direct telephone number for the manager at the premises shall be publicly available at all times licensable activities are taking place at the premises. This telephone number is to be made available to residents and businesses in the vicinity.

Grosvenor Square Gardens, Grosvenor Square



May 22, 2018



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Resident count: 263

Licence Number	Trading Name	Address	Premises Type	Time Period
15/00363/LIPDPS	Millennium Britannia Hotel	39-44 Grosvenor Square London W1K 2HP	Hotel, 4+ star or major chain	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:30
16/12376/LIPDPS	34	34 Grosvenor Square London W1K 2HD	Restaurant	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 23:30 Sundays before Bank Holidays; 08:00 - 01:00
13/03942/LIPDPS	The London Marriott Hotel	Marriot Hotel 84 - 86 Duke Street London W1K 6JP	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
13/03939/LIPDPS	London Marriott Hotel Pre- Function Rooms	Marriot Hotel 84 - 86 Duke Street London W1K 6JP	Hotel, 4+ star or major chain	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:30
17/14024/LIPDPS	Maze Restaurant	10-13 Grosvenor Square London W1K 5AE	Restaurant	Monday to Sunday; 10:00 - 03:30
16/03326/LIPD	Nicky Clarke Salons	Basement And Ground Floor 11 Carlos Place London W1K 3AX	Hairdresser or beauty salon	Monday; 09:00 - 18:00 Tuesday to Wednesday; 08:30 - 19:00 Thursday to Friday; 08:30 - 20:00 Saturday; 08:30 - 19:00

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City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>7th June 2018</i>
Classification:	<i>General Release</i>
Premises:	<i>Regulation, 13A Bateman Street, London W1D 3EB</i>
Wards Affected:	<i>West End</i>
Financial Summary:	<i>None</i>
Report of:	<i>Director of Public Protection and Licensing</i>

1. Executive Summary

- 1.1 The Council has received an application for a new sex establishment licence from Mr Peter James Cooke (“the Applicant”) for a sex shop to be known as Regulation, 13A Bateman Street, London W1D 3EB. (“the Premises”)
- 1.2 This report sets out the application details, objections, policy and legal context along with other considerations that the Licensing Sub-Committee (“The Committee”) requires to determine this application under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (“The 1982 Act”) as amended by section 27 of the Policing and Crime Act 2009.

2. Options

- 2.1 That following consideration of the information given orally at the hearing and in writing by the applicants and objectors Members may;
 - 2.1.1 Grant the licence in full
 - 2.1.2 Grant the licence with additional special conditions which the Licensing Sub- Committee deem appropriate; or
 - 2.1.3 Refuse the application

3. Application

- 3.1 On 20th April 2018 the Applicant, applied for a new sex establishment licence for the Premises. (see **Appendix A1**).
- 3.2 The Premises has not held a Sex Establishment licence to operate as a Sex Shop since the year 2000 (when the Councils electronic records begin).
- 3.3 The licence is subject to the Standard Conditions for Sex Establishments, attached at **Appendix B**.
- 3.4 Please note that the letters sent to the residents in the vicinity had an administrative error in the title heading stating that the application was for a renewal application. However, in the body of the letter the text stated a new application had been received. The Licensing Service has since confirmed to the two local residents who raised this issue that the application received is for a new sex establishment. An inspection was carried out by the City Inspectors and the notice was displayed correctly. A copy of the notice can be found in **Appendix C**.

4. Objections

- 4.1 On 16th May 2018, the application received a holding objection from Mrs Sally Fabbicatore on behalf of the Environmental Health Service, attached in **Appendix C**. The holding objection requests that, should the application be granted, a works condition is added to the licence.
- 4.2 On 17th May 2018 the application received an objection from the Ms Roxsana Haq on behalf of the Licensing Service, attached in **Appendix D**. The licensing service objection states that during a site visit the applicant had stated that no restricted DVDs or magazines will be sold at the premises. However, in the application form, the applicant has stated that screens playing promotional brand videos will be displayed in the basement level. The Licensing Authority have concerns over the type of material that may be displayed on this screen and require the applicant to provide further information as to how these videos will be controlled. The applicant has provided YouTube video links relating to the type of videos that will be displayed in the basement. These videos will be available to view at the committee hearing if requested.
- 4.3 On 30th April 2018 the application received an objection from PC Caroline Cockshull on behalf of the Metropolitan Police Service, attached in **Appendix E**. The Metropolitan Police Service require further information on the running of the company.
- 4.4 In addition, a further eight objections were received from interested parties, attached as **Appendices F – M**. As permitted by paragraph 10(17) of Schedule 3 to the 1982 Act, personal details of the objector have been redacted. At the time of publication, two objectors have waived their right to anonymity their objections can be found at **Appendices L-M**. The remaining six objectors have not waived their right to anonymity. No further submissions have been received.
- 4.5 After the consultation two objectors have entered into a process of mediation with the applicant. Copies of the documentation from the applicant to the objectors can be found in **Appendix N**.
- 4.6 On 30th May 2018 the Metropolitan Police Service proposed conditions which were agreed with the applicant. Following the agreement of these conditions the Metropolitan Police Service have withdrawn their representation. On 31st May 2018, the applicant agreed the proposed work condition and subsequently the Environmental Health Service have withdrawn their objection. A copy of the agreed conditions can be found in **Appendix O**.

5. Policy Considerations

- 5.1 On 15 June 1999 the Planning and Transportation Committee decided that, for the purposes of licensing sex establishments (excluding Sexual Entertainment Venues) under the provisions of Schedule 3 to the 1982 Act, one of the relevant locations should be Soho and the appropriate maximum number of sex establishments within that locality should be 18.
- 5.2 Within Soho locality as defined there are currently 10 licensed sex establishments. These are:

Licence Holder:	Premises Name:	Address:
Heart of Soho Ltd	Prowler Soho	5-7 Brewer Street
Mr Timothy Hemming	Simply Pleasure.Com	31 Brewer Street
Alan Poulton Ltd	Super Mags	33 Brewer Street
Harmony Limited	Harmony	99A Charing Cross Road
Simply Pleasure Ltd	Fifty & Dean	50 Old Compton Street
Mr James Poulton	Soho Original Bookshop	121-125 Charing Cross Road
Mr Nigel Moon	British Sex Shop	8 Green's Court
Unique Mood Limited	Adult World	5 Walker's Court
Mr David Edwards	Clone Zone	35 Old Compton Street
Harmony Limited	Harmony Adult Centre	103A Oxford Street

6. Legal Implications

- 6.1 The Committee using its powers as aforesaid may determine to:
- Grant the application in full
 - Grant the application with additional special conditions which the Licensing Sub-Committee deem appropriate; or
 - Refuse the application.
- 6.2 Before refusing to grant the licence, the Licensing Authority shall give the licence holder an opportunity to appear before and of being heard by the Committee under Para 10(19) to Schedule 3.
- 6.3 In considering this application, the Committee shall have regard to any observations submitted to them by the Chief Officer of Police and any objections that have been received in writing within the 28 day consultation period under Para 10(18) Schedule 3. The Metropolitan Police Service have made an objection which can be found in **Appendix C(iii)**.
- 6.4 The Committee may refuse to renew the licence for the following reasons:
- that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
 - that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
 - that the number of sex establishments in the relevant locality at the time the

- application is *made* [determined] is equal to or exceeds the number which the authority consider is appropriate for that locality;
- (d) that the grant or renewal of the licence would be inappropriate, having regard—
- (i) to the character of the relevant locality; or

- (ii) to the use to which any premises in the vicinity are put; or
- (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

- 6.5 If the Committee determine to grant the Sex Establishment licence, the licence will be subject to the Standard Conditions for Sex Establishment licences, unless the Committee determines that certain Standard Conditions should be expressly excluded or otherwise varied pursuant to Para 13(4) to Schedule 3.
- 6.6 Should the Committee determine to refuse the application for the new sex establishment licence under Paragraph 12(3)(a) or (b) Schedule 3, the applicant may appeal to The Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application under Paragraph 27(1) to Schedule 3.
- 6.7 Should the Committee determine to refuse the application for a grant or the renewal of a licence under either Paragraph 12(3)(c) or (d) of Schedule 3, shall not have a the right to appeal under Paragraph 27 (3) of Schedule 3.

7. Human Rights and Equalities Implications Act

- 7.1 In making a decision consideration will need to be given to the applicants rights under the Human Rights Act 1998 (incorporating the European Convention on Human Rights). The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. The Home Office Guidance suggests that "local authorities would be well advised to consider whether any interference with the applicants rights under Article 10 or Article 1, Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of other, or in the case of Article 1, Protocol 1, can be justified in the general interest".
- 7.2 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for Sex Establishments are dealt with in accordance with its public sector duty under section 149 of the Equalities Act 2010 ("The 2010 Act"). In summary section 149 provides:-
- (1) "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 of equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).....”

- 7.3 Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.4 This duty places an obligation on the Committee to ensure that the need to promote equality is taken into consideration with regard to every aspect of its decision making, this will include the circumstances of each individual application, the findings of fact once the application has been considered, including the taking into account of any objection and response the applicant may choose to make.

Appendices

- A1 – Application Form
- B – Standard Conditions for Sex Establishments
- C – Environmental Health Service Objection
- D – Licensing Service Objection
- E – Metropolitan Police Service Objection
- F – Objection
- G – Objection
- H- Objection
- I – Objection
- J – Objection
- K – Objection
- L – Objection
- M – Objection
- N – Map of the locality
- O – Conditions proposed by Environmental Health Service and the Metropolitan Police Service and agreed by the Applicant

If you have any queries about this report or wish to inspect any of the Background Papers, please contact: Sam Eaton on 020 7641 2700 or at seaton@westminster.gov.uk.

BACKGROUND PAPERS

- Local Government (Miscellaneous Provisions) Act 1982
- Report to Planning and Transportation Committee of 15 June 1999
- Rules of Procedure governing Sex Establishment Licensing
- Standard conditions for Sex Establishment Premises

Application for a Sex Shop Licence

Applicant Details

Title

Surname

Forenames

Under what name is or will the business be known?

Address of premises (or details of where a vehicle, vessel or stall is to be operated from).

Postcode

Email address all correspondence should be sent to

1. Is the application being made by -

An individual

A Partnership or other unincorporated body

A Body Corporate

If the applicant is an individual give the following information is to be supplied -

Date of Birth

Place of Birth

2. Give the full name of the applicant (i.e. the individual, Body Corporate or Unincorporated Body to whom the licence is to be issued). If the applicant is an individual any former names must also be given.

3. Give the following information on behalf of the applicant -

Telephone Number (during normal office hours)

Address to which communications are to be sent

Postcode

Body Corporate or Unincorporated Body

4. How many directors, company secretaries and other persons responsible for the management of the body? In the case of a partnership include the amount of partners too. 3

	Individual 1	Individual 2
Title	<input type="text" value="Mr"/>	<input type="text" value="Mr"/>
Forename	<input type="text" value="Peter"/>	<input type="text" value="Krishan"/>
Surname	<input type="text" value="Cooke"/>	<input type="text" value="Patel"/>
Former Name (if any)	<input type="text" value="N/A"/>	<input type="text" value="N/A"/>
Address	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>
Postcode	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>
Capacity	<input type="text" value="Company Director"/>	<input type="text" value="Company Director"/>
Date of Birth	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>
Place of Birth	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>
	Individual 3	Individual 4
Title	<input type="text" value="Mr"/>	<input type="text"/>
Forename	<input type="text" value="Graeme"/>	<input type="text"/>
Surname	<input type="text" value="Burnside"/>	<input type="text"/>
Former Name (if any)	<input type="text" value="N/A"/>	<input type="text"/>
Address	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Postcode	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Capacity	<input type="text" value="Company Director"/>	<input type="text"/>
Date of Birth	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Place of Birth	<input type="text" value="[REDACTED]"/>	<input type="text"/>

Application for a sex establishment licence

Company Details

5. This question need only be answered where the applicant is a Company -

Is the applicant a wholly or partly owned subsidiary of another company?

Yes
 No

What type of Company is the applicant (e.g. public, private, limited by share or guarantee etc)?

Limited By Share

In which Country is the Company incorporated?

England

What is the date of incorporation of the Company?

21/05/2007

How many share holders do you have, who have a holding of 5% more than 5%?

3

Shareholder 1	Shareholder 2
---------------	---------------

Title

Mr

Mr

Surname

Cooke

Patel

First Name

Peter

Krishan

Address

[Redacted]

[Redacted]

Share

10

20

Shareholder 3	Shareholder 4
---------------	---------------

Title

Mr

Surname

Burnside

Name

Graeme

Address

[Redacted]

Share

70

Shareholder 5	Shareholder 6
---------------	---------------

Title

Surname

Name

Address

Share

If the applicant is a subsidiary of another company supply a copy of the Memorandum and Articles of Association of the parent company and of any ultimate holding Company and on a separate sheet give the same particulars as are sought in questions 4, 6, 7 and 8.

6. Is the applicant or any person whose name is given in response to questions 4 or 5 concerned in any way financially or otherwise with any manages or supplies sex establishments? No Yes

7. Please give the names of the people concerned, full details of the other business and the nature and extent of the connection

All Company Directors Of Regulation (Gb) Ltd Are Also Directors Of Global Commodities International Ltd Trading As Fetters. This Company Was Purchased By Regulation (Gb) Ltd In 2015 And Manufactures BdsM Furniture And Accessories From It's Base In Warwick.

8. What is the nature of the applicant's interest in the premises? No Yes

If the applicant's interest in the premises is a leasehold one please state -

Whether a head lease or an underlease Headlease Underlease

Title: Mr; Surname: Lee; First name: Stewart; Address of Landlord: Kennington Management Limited, 1417-1419 London Road, Norbury, London; Postcode: SW16 4AH

Title of Superior Landlord: Mr; Surname of Superior Landlord: Ahmad; First name of Superior Landlord: Sajjad; Address of Superior Landlord: Regency Capital Investment Limited, 22 Langley Drive, Crawley, West Sussex; Postcode: RH11 7SY

The amount of the annual rental or where this is not a certain figure describe the method of calculating the rental

The length of the unexpired term: 10

The length of notice required to terminate the tenancy: N/A

9. Has the applicant a financial interest in the business which is the subject of this application? If "yes" to what extent?

- No
- Yes

To what extent -

All directors are shareholders of the business.

10. Is the whole of the business owned by the applicant?

- No
- Yes

THE PREMISES, VEHICLE VESSEL OR STALL TO BE THE SUBJECT OF A LICENCE

11. Is the application in respect of -

- A sex shop
- A sex cinema
- A sex encounter establishment

12. State whether the application is in respect of:-

- Premises
- Vehicle
- Vessel
- Stall

13. Where the licence is sought in respect of a vehicle, vessel or stall state where it is to be used as a sex establishment.

N/A

14. Are the whole of premises to be used under the Licence?

- Yes
- No

15. If the answer to the question above is "no" please state:-

Which part of the premises is to be used for the purposes of the Licence

Lower ground level (Basement)

The use to which the remainder of the premises are put

**Sales counter & the display of men's clothing
club wear & sportswear.**

The names of those who are responsible for the management of the remainder of the premises

**Krishan Patel
Russell Thomson**

17. Are the premises, vehicle, vessel or stall in use as a sex establishment at the date of this application? If "yes" give the name and address of the persons or body who now operate the business, and (where it is known) the date upon which the premises were first used as such.

Yes

No

Title

Surname

First name

Address

Postcode

THE BUSINESS

18. Has the applicant in connection with the business entered into any agreement or Deed other than the Tenancy Agreement or Lease? If 'yes' please supply full details and a copy of the Agreement.

Yes
 No

19. If the whole of the business is not owned by the applicant state the names and addresses of those who will share in the profits of the business. In each case state the percentage share to be taken by each individual.

How many individuals do you need to tell us about?

	Individual 1	Individual 2
Title	<input type="text" value="Mr"/>	<input type="text" value="Mr"/>
Surname	<input type="text" value="Burnside"/>	<input type="text" value="Patel"/>
Name	<input type="text" value="Graeme"/>	<input type="text" value="Krishan"/>
Address	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>
Percentage Share	<input type="text" value="70"/> <input type="text" value="[REDACTED]"/>	<input type="text" value="20"/> <input type="text" value="[REDACTED]"/>

	Individual 3	Individual 4
Title	<input type="text" value="Mr"/>	<input type="text"/>
Surname	<input type="text" value="Cooke"/>	<input type="text"/>
First name	<input type="text" value="Peter"/>	<input type="text"/>
Address	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Percentage Share	<input type="text" value="10"/> <input type="text" value="[REDACTED]"/>	<input type="text"/> <input type="text"/>

	Individual 5	Individual 6
Title	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	<input type="text"/>
First name	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>	<input type="text"/>
Percentage Share	<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/>

20.

State the total turnover of the business during the 12 months immediately prior to this application.

What proportion of the turnover derived from

The sale, hire, exchange, loan, display or demonstration of sex articles as defined in paragraph 4 of Schedule 3 of the Local Govt. (Miscellaneous Provisions) Act 1982.

The use of premises as a sex cinema

The use of the premises as a sex encounter establishment

21.

State the anticipated turnover of the business for the next 12 months.

The proportion of the turnover expected to be derived from

The sale, hire, exchange, loan, display or demonstration of sex articles as defined in paragraph 4 of Schedule 3 of the Local Govt. (Miscellaneous Provisions) Act 1982.

The use of premises as a sex cinema

The use of the premises as a sex encounter establishment

22. Give the names and addresses of any lenders, mortgagees or others providing finance with the full terms of such loans.

How many individuals do you need to tell us about?

Individual 1 **Individual 2**

Title	<input type="text" value="Mr"/>	<input type="text"/>
Surname	<input type="text" value="Walker"/>	<input type="text"/>
First name	<input type="text" value="Richard"/>	<input type="text"/>
Address	<input type="text" value="REDACTED"/>	<input type="text"/>
Loan Description	<input type="text" value="REDACTED"/>	<input type="text"/>

Individual 3 **Individual 4**

Title	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	<input type="text"/>
First name	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>	<input type="text"/>
Loan Description	<input type="text"/>	<input type="text"/>

Individual 5 **Individual 6**

Title	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	<input type="text"/>
First name	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>	<input type="text"/>
Loan Description	<input type="text"/>	<input type="text"/>

23. Is the business required to purchase merchandise from a particular company, person or body? If 'yes' supply a copy 7 of any Agreement and state what is to be purchased and from whom.

Yes

No

24. If the application is for a licence for a sex shop state whether any part of the premises is to be used for the purposes of displaying films, video recordings or other moving pictures. If 'yes' state whether cubicles are to be used for viewing and if so how many.

Yes

No

Are cubicles used for viewing? Yes

No

How Many?

25. What articles are to be offered for sale?

Fetish wear
Club wear
Sportswear
Sex toys
Restraints
Gay lifestyle products
Playroom furniture pieces.

Restricted DVDs & Magazines will not be sold.

26. If the application is a licence for a sex encounter establishment state the proposed use of the premises and give a short description of the type of proposed performance, service, entertainment or exhibition for which a licence is required.

27. What advertisements or displays are to be exhibited? Please indicated size(s) of proposed displays or advertisements.

Seasonal use of dressed mannequins decals or display boards will be displayed in both of the 1.3 x 1.7m front facing windows.

Screens playing promotional brand videos will be displayed in the basement level. These videos will not display R-rated content.

28. Give details of the times during which it is proposed to open the premises -

Days of the week

Monday - Sunday

Hours of the day

**Monday 11:00 – 21:00
Tuesday 11:00 – 21:00
Wednesday 11:00 – 21:00
Thursday 11:00 – 22:00
Friday 11:00 – 22:00
Saturday 11:00 – 22:00
Sunday 12:00 – 19:00**

29. In respect of each individual who is to be responsible for the management of the premises in the absence of the licence holder please supply the following details.

2

	Individual 1	Individual 2
Title	Mr	Mr
Forename	Krishan	Russell
Surname	Patel	Thomson
Former Name (if any)		
Permanent Address	[Redacted]	[Redacted]
Postcode	[Redacted]	[Redacted]
Date of Birth	[Redacted]	[Redacted]
Place of Birth	[Redacted]	[Redacted]
	Individual 3	Individual 4
Title		
Forename		
Surname		
Former Name (if any)		
Permanent Address		
Postcode		
Date of Birth		
Place of Birth		

30. In respect of each of the persons whose name are given in response to Questions 2, 4, 5, and 29 give details of their occupations during the 5 years immediately prior to this application. These must include the names and addresses of all employers and the nature and dates of employment.

How many previous employment histories do you need to tell us about?

	Employment 1	Employment 2
Title	<input type="text" value="Mr"/>	<input type="text" value="Mr"/>
Forename	<input type="text" value="Peter"/>	<input type="text" value="Graeme"/>
Surname	<input type="text" value="Cooke"/>	<input type="text" value="Burnside"/>
Former Name (if any)	<input type="text"/>	<input type="text"/>
Permanent Address during period of relevant employment	<input type="text" value="[Redacted]"/>	<input type="text" value="[Redacted]"/>
Postcode	<input type="text" value="[Redacted]"/>	<input type="text" value="[Redacted]"/>
Employers Name	<input type="text" value="Regulation"/>	<input type="text" value="Regulation"/>
Employers Address	<input type="text" value="[Redacted]"/>	<input type="text" value="[Redacted]"/>
Postcode	<input type="text" value="[Redacted]"/>	<input type="text" value="[Redacted]"/>
Description or Nature of Work	<input type="text" value="Marketing Manager"/>	<input type="text" value="Company Director"/>
Period of Employment from / to	<input type="text" value="[Redacted]"/> to <input type="text" value="[Redacted]"/>	<input type="text" value="[Redacted]"/> to <input type="text" value="[Redacted]"/>

	Employment 3	Employment 4
Title	<input type="text" value="Mr"/>	<input type="text"/>
Forename	<input type="text" value="Krishan"/>	<input type="text"/>
Surname	<input type="text" value="Patel"/>	<input type="text"/>
Former Name (if any)	<input type="text"/>	<input type="text"/>
Permanent Address during period of relevant employment	<input type="text" value="[Redacted]"/>	<input type="text"/>
Postcode	<input type="text" value="[Redacted]"/>	<input type="text"/>
Employers Name	<input type="text" value="Regulation"/>	<input type="text"/>
Employers Address	<input type="text" value="[Redacted]"/>	<input type="text"/>
Postcode	<input type="text" value="[Redacted]"/>	<input type="text"/>
Description or Nature of Work	<input type="text" value="Company Director"/>	<input type="text"/>
Period of Employment from / to	<input type="text" value="[Redacted]"/> to <input type="text" value="[Redacted]"/>	<input type="text"/> to <input type="text"/>

31. In respect of the persons or bodies whose names are given in response to Questions 2, 6, 8, and 38 give details of their previous convictions and any previous convictions of any of their spouses -

How many convictions do you need to tell us about?

	Conviction 1	Conviction 2
--	--------------	--------------

Title	<input type="text"/>	<input type="text"/>
Forename	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	<input type="text"/>
Former Name (if any)	<input type="text"/>	<input type="text"/>
Date of Conviction	<input type="text"/>	<input type="text"/>
Place of Conviction	<input type="text"/>	<input type="text"/>
Nature of Conviction	<input type="text"/>	<input type="text"/>
Sentence	<input type="text"/>	<input type="text"/>

	Conviction 3	Conviction 4
--	--------------	--------------

Title	<input type="text"/>	<input type="text"/>
Forename	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	<input type="text"/>
Former Name (if any)	<input type="text"/>	<input type="text"/>
Date of Conviction	<input type="text"/>	<input type="text"/>
Place of Conviction	<input type="text"/>	<input type="text"/>
Nature of Conviction	<input type="text"/>	<input type="text"/>
Sentence	<input type="text"/>	<input type="text"/>

32. Have you any reason to believe that a prosecution may be pending against any of the persons or bodies whose names are given in response to Questions 2, 4, 5 and 29?

- Yes
- No

If 'yes' please give details

33. Has any person named at any place in this application been associated in any way with any other application for a licence for a sex establishment either in the City of Westminster or elsewhere?

- Yes
- No

If 'yes' please give full details (including the address of the premises and the Council's reference)

34. Is there in force against the applicant or any of the persons whose names appear in answer to Questions 4, 5, 29 and 31, a disqualification from holding a licence for a sex establishment under the Local Government (Miscellaneous Provisions) Act 1982.

- Yes
- No

If 'yes' please give details

35. Is there any further information which the applicant would wish the council to take into account when considering this application? This space may be used to amplify any replies to other questions.

- Yes
- No

Please see Annex 1 and Annex 2 in attached document list.

Important

It is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003 to make a false statement in or in connection with this application

Fee

The non-returnable fee for this application is and must be submitted with this application.

Declaration

I hereby declare that the information given on this form is correct to the best of my knowledge and belief.

I understand we are required to send / provide the sum of , being the fee for this application.

<input checked="" type="checkbox"/>	<i>Confirmation</i>	<i>Date</i>	<input type="text" value="20/04/2018"/>	<i>Name</i>	<input type="text" value="Peter James Cooke"/>
				<i>Capacity</i>	<input type="text" value="Company Director"/>

Schedule of Conditions

Standard Conditions relating to all Sex Establishment premises (excluding Sexual Entertainment Venues)

Standard Condition 3:

The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.

Standard Condition 4:

The premises shall not, for any purpose of the licence, be opened before 0900 hours and shall not be kept open beyond 2300 hours.

Standard Condition 5:

- (a) The licensee shall take all reasonable precautions for the safety of the public and employees and except with the consent of the Council, shall retain control over all portions of the premises.
- (b) No poster, advertisement, photograph, sketch, synopsis or programme shall be displayed by or on behalf of the licensee at the licensed premises or at any other public place except in accordance with the Town and Country Planning (Control of Advertisements) Regulations 1992 or any Order amending or replacing the same.
- (c) The premises may not be used under the terms of the licence unless and until any necessary permission and/or consents have been obtained pursuant to the Town and Country Planning Act 1990, the London Building Acts 1930-1939 and the Building Act 1984 or any legislation amending or replacing the same.

Standard Condition 6:

- (a) The licensee or some responsible person over 18 years of age nominated by him in writing for the purpose shall be in charge of, and upon, the licensed premises during the whole time that they are open to the public. Such written nomination shall be continuously available for inspection by a police officer or an officer authorised in writing by the Council.
- (b) The person in charge shall not be engaged on any duties which will prevent him from exercising general supervision and he shall be assisted as necessary by suitable adult persons to ensure adequate supervision. The person in charge should be conversant with these conditions, a copy of which should be held on the premises.
- (c) A notice showing the name of the person in charge of the premises at the time they are open under the licence shall be conspicuously exhibited in a position where it can be easily seen by customers.

- (d) All members of staff shall be easily identifiable as such. If required by the Council in writing the licensee shall ensure that during the hours the premises are open for business every employee or person (apart from, where employed, hostesses or other companions) working in the licensed premises wears a badge of a type approved by the Council indicating his name and that he is an employee or person working in the premises.

Standard Condition 7:

- (a) The licensee shall maintain good order on the premises and in particular shall ensure that none of the following shall take place:
 - (a) Unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971;
 - (b) Indecent behaviour, including sexual intercourse;
 - (c) The offer of any sexual or other indecent service for reward;
 - (d) Acts of violence against person or property and/or the attempt or threat of such acts.
- (b) The licensee shall ensure that the public are not admitted to any part or parts of the premises other than those which have been approved by the Council.
- (c) The licensee or any other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting from the premises, immediately outside the premises or in the vicinity of the premises, nor allow the premises to be used by prostitutes.

Note: Soliciting includes the distribution of leaflets unless authorised by a consent under section 4 of the London Local Authorities Act 1994

- (d) No person under the age of 18 shall be admitted to any part of the premises which is used as a sex establishment or be employed in the business of the sex establishment.
- (e) No poster, photograph, sketch, painting or any form of advertisement or display shall be displayed by or on behalf of the licensee on, outside or within the premises in a position where it is visible to the public if the Council regards it as unsuitable for exhibition to the public. If the licensee is notified in writing that the Council objects under this rule to a poster, photograph, sketch, painting, advertisement or display such poster, photograph, sketch, painting, advertisement or display shall be removed or completely obscured from sight.

Standard Condition 8:

- (a) The entrances to the premises shall be of a material or covered with a material which will render the interior of the premises invisible to passers-by.
- (b) Windows and openings to the premises other than entrances shall either be obscured or with the consent of the Council shall have suspended behind them, in a position and at an

altitude approved by the Council, opaque screens or blinds of a type and size approved by the Council.

Standard Condition 9:

No change of use of any portion of the premises from that approved by the Council shall be made until all necessary consents have been obtained from the Council. For the avoidance of doubt this includes a change from one class of sex establishment (e.g. a sex shop) to a different class of sex establishment (e.g. a sex encounter establishment).

Standard Condition 10:

No alterations (including temporary alterations) shall be made to the premises, without the prior written consent of the Council. This condition shall not require notice to be given in respect of routine maintenance works.

Where works necessitate the premises being closed for a period of time, the premises shall not reopen for the purpose of the licence, until the licensee has been notified in writing by the Council of the satisfactory completion of the work.

Standard Conditions relating specifically to sex shops:

Standard Condition 29:

All sex articles and other things displayed for sale, hire, exchange or loan within a sex shop shall be clearly marked to show to persons who are inside the sex shop the respective prices being charged.

Standard Condition 30:

All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase and a notice to this effect is to be prominently displayed within the sex establishment.

Standard Condition 31:

No film or video shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification or such other authority performing a similar scrutinising function as may be notified to the licensee by the Council, and bears a certificate to that effect and is a reproduction authorised by the owner of the copyright of the film or video film so certified.

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 18/04355/LISEXN

FROM EH Consultation Team
REFERENCE 18/020181/EHCT
BEING DEALT WITH BY Sally Fabbricatore
TELEPHONE 020 7641 2788
DATE 16th May 2018

13A Bateman Street, London, W1D 3EB

Reference is made to the application for a new sex establishment licence for the above premises.

The application is for trading Monday to Wednesday 11:00-21:00 hours, Thursday to Saturday 11:00-22:00 hours and Sunday 12:00-19:00 hours from the basement only.

I am aware that a visit has been made by officers of the Licensing Authority and that the premises are an empty shell. Therefore, I wish to make a holding objection based on Public Safety to enable me to assess the suitability and compliance with current legislation when it is ready.

If a licence is considered for approval then the following works condition is requested to be added to any Licence stating **'This Licence has no effect until the premises have been constructed to the satisfaction of the Environmental Health Service and this condition has been removed'**.

If further information is required please do not hesitate to contact me.

Sally Fabbricatore
Senior Practitioner Environmental Health Consultation Team

From: Haq, Roxsana: WCC
Sent: 17 May 2018 13:06:17 +0000
To: 'pete@regulation.co.uk'
Cc: Pring, Shannon: WCC
Subject: 18/04355/LISEXN - Regulation, 13 Bateman Street, London W1D 3EB

Dear Sirs

I write in relation to the application submitted for a new sex shop licence for Regulation, situated at 13 Bateman Street. As an authorised officer for the Council under the Local Government (Miscellaneous Provisions) Act 1982, please accept this as a formal objection to this application on behalf of the Council.

The application seeks to licence the lower ground level (basement) of the premises only, where articles such as fetish wear, club wear, sportswear, sex toys, restraints, gay lifestyle products and playroom furniture pieces are proposed to be sold.

The application seeks the following opening hours for the premises:

Monday to Wednesday: 11:00 to 21:00
Thursday to Saturday: 11:00 to 22:00
Sunday: 12:00 to 19:00

The Licensing Authority have conducted a very useful site visit with the applicant to discuss this application and its proposed operation. It was discussed that no licensable activities would take place on the ground floor level of the premises, and that no visual signs of the lower ground level (basement) operating as a sex shop would be visible from the ground floor level/street level. The proposed frontage of the premises was discussed at the site visit and it was confirmed that, from street level, the ground floor would appear as a clothing shop only, selling items such as jeans and vests. The applicant confirmed that there would be no visible advertisement of the lower ground level of the premises operating as a sex shop from street level. The only advertisement of the sex shop on the lower ground level will be displayed discreetly in store in a location that should not be visible from street level and those passing by the shop. The applicant has stated they will look into methods to conceal the visibility of these advertisements, such as frosting of the entrance door, should this be needed.

It was also discussed at our site meeting that the premises will operate an over 18s policy for both the ground floor and lower ground floor levels. The applicant has stated that the till counter will be located at the top of the stairs that lead down to the lower ground level of the premises so that the premises operators can control and offer assistance to those who are visiting the sex shop. The applicant had also mentioned that they believed the clientele visiting the premises would be those who have prior knowledge of the brand and would most likely be repeat customers.

The Licensing Authority discussed with the applicant the locality of the premises. The premises is located within Westminster's Central Activities Zone, in which the appropriate maximum number of sex establishments inside the Central Activities Zone is 16. The granting of this application would not exceed this maximum number. Two Sexual Entertainment Venues are located within a 75m radius of this premises. There are 4 homeless hostels and 2 faith groups located within a 200m radius of the premises. The Licensing Authority would encourage the applicant to provide further information into the locality of the premises to highlight that they have considered paragraph 4 of Westminster City Council's Sex

Shop Licence policy which relates to the location of sex shops near schools, places of worship, and community facilities or public buildings.

The applicant had said at our site visit that no restricted DVDs or magazines will be sold at the premises. However, in the application form, the applicant has stated that screens playing promotional brand videos will be displayed in the basement level. The Licensing Authority have concerns over the type of material that may be displayed on this screen and require the applicant to provide further information as to how these videos will be controlled.

Further discussions will be held with the applicants prior to the Licensing Sub-Committee hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal objection.

Kind regards,

Ms Roxsana Haq
Senior Licensing Officer

Licensing Team
Public Protection & Licensing
Westminster City Council
22nd Floor
Portland House
Bressenden Place
Victoria
London SW1E 5RS
Telephone: 020 7641 6500
E-mail: rhaq@westminster.gov.uk
Web: www.westminster.gov.uk/licensing



 Please consider the environment and do not print this email unless you really need to.

From: [Cockshull, Caroline: WCC](#)
To: pete@regulation.co.uk
Cc: [Gadd, Daisy: WCC](#); [Licensing: WCC](#)
Subject: 18/04355/LISEXN - 13 Bateman St W1 - Police Objection
Date: 30 April 2018 10:38:34

Dear Mr Cooke

Reference 18/04355/LISEXN 13 Bateman Street W1 Application for a New Sex Establishment Licence

-

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application. Further information on the running of the Company is required. We will be seeking to have a conversation with you shortly.

Kind regards

Caroline

-

PC Caroline Cockshull 1627CW
Westminster Police Licensing
Portland House
Bressenden Place
London
SW1E 5RS
Tel: 0207 641 1705

MemeryCrystal

Private & Confidential
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

10 May 2018

Our Ref	HZA
Direct Line	+44(0)207 400 5816
Email	hed.amitai@memerycrystal.com

Dear Sirs

Opposition to Notice of Application by Regulation (GB) Ltd at 13 Bateman Street, Soho, London W1D 3AF, for a Sex Establishment Licence

We act for the tenant of [REDACTED] (the "Tenant")

The Tenant objects strongly to the above application and is of the opinion that a sex shop will significantly reduce the value of [REDACTED] as well as being offensive and cause a nuisance to our Client.

We therefore request that you reject this application or furnish us with details of how to lodge an appeal in the event it is granted.

Yours sincerely

Hed Amitai
Partner
MEMERY CRYSTAL LLP

Memery Crystal LLP, 165 Fleet Street, London EC4A 2DY
Telephone: +44 (0) 20-7242-5905 Fax: +44 (0) 20-7242 2058 LDE No: 156 Chancery Lane email: info@memerycrystal.com
Web: www.memerycrystal.com

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MemeryCrystal

Private & Confidential
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

10 May 2018

Our Ref HZA
Direct Line +44(0)207 400 5816
Email hed.amitai@memerycrystal.com

Dear Sirs

Opposition to Notice of Application by Regulation (GB) Ltd at 13 Bateman Street, Soho, London W1D 3AF, for a Sex Establishment Licence

We act for the tenant of Flat [REDACTED] (the "Tenant")

The Tenant objects strongly to the above application and is of the opinion that a sex shop will significantly reduce the value of [REDACTED] as well as being offensive and cause a nuisance to both our Client and other tenants of the building.

We therefore request that you reject this application or furnish us with details of how to lodge an appeal in the event it is granted.

Yours sincerely



Hed Amitai

Partner

MEMERY CRYSTAL LLP

MemeryCrystal

Private & Confidential
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

10 May 2018

Our Ref HZA
Direct Line +44(0)207 400 5816
Email hed.amitai@memerycrystal.com

Dear Sirs

Opposition to Notice of Application by Regulation (GB) Ltd at 13 Bateman Street, Soho, London W1D 3AF, for a Sex Establishment Licence

We act for the tenant of Flat [REDACTED] (the "Tenant")

The Tenant objects strongly to the above application and is of the opinion that a sex shop will significantly reduce the value of Flat [REDACTED], as well as being offensive and cause a nuisance to both our Client and other tenants of the building.

We therefore request that you reject this application or furnish us with details of how to lodge an appeal in the event it is granted.

Yours sincerely



Hed Amitai
Partner
MEMERY CRYSTAL LLP

MemeryCrystal

Private & Confidential

Westminster City Hall
64 Victoria Street
London
SW1E 6QP

10 May 2018

Our Ref	HZA
Direct Line	+44(0)207 400 5816
Email	hed.amitai@memerycrystal.com

Dear Sirs

Opposition to Notice of Application by Regulation (GB) Ltd at 13 Bateman Street, Soho, London W1D 3AF, for a Sex Establishment Licence

We act for the tenant of Flat 3, 13 Bateman Street (the "Tenant")

The Tenant objects strongly to the above application and is of the opinion that a sex shop will significantly reduce the value of Flat 3, 13 Bateman Street, as well as being offensive and cause a nuisance to both our Client and other tenants of the building.

We therefore request that you reject this application or furnish us with details of how to lodge an appeal in the event it is granted.

Yours sincerely



Hed Amitai
Partner
MEMERY CRYSTAL LLP

MemeryCrystal

Private & Confidential
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

10 May 2018

Our Ref HZA
Direct Line +44(0)207 400 5816
Email hed.amitai@memerycrystal.com

Dear Sirs

Opposition to Notice of Application by Regulation (GB) Ltd at 13 Bateman Street, Soho, London W1D 3AF, for a Sex Establishment Licence

We act for [REDACTED] (the "Landlord"), the freehold owner and landlord of the property at [REDACTED] (the "Property").

The leaseholder of the Property is [REDACTED] (the "Tenant") who has entered into a lease with the Landlord

The Landlord objects strongly to the above application as under the terms of the lease, if this application is granted, the Tenant will breach an agreement not to use the premises for 'any noisy, offensive, illegal or immoral purposes' or 'not to do anything at the Property which may be or become a nuisance or actionable annoyance... .. to the Landlord or the Flat Tenants or the occupiers of any neighbouring property'.

The Landlord is of the opinion that a sex shop will significantly reduce the value of the building, is offensive and being used for an immoral purpose and will cause a nuisance to both the Landlord and other tenants of the building.

We therefore request that you reject this application or furnish us with details of how to lodge an appeal in the event it is granted.

Yours sincerely



Hed Amitai
Partner
MEMERY CRYSTAL LLP

Memery Crystal LLP, 165 Fleet Street, London EC4A 2DY
Telephone: +44 (0) 20-7242-5905 Fax: +44 (0) 20-7242 2058 LDE No: 156 Chancery Lane email: info@memerycrystal.com
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From: [Licensing- WCC](#)
To:
Cc: [Gadd, Daisy: WCC](#)
Subject: RE: License application 18/04355/LISEXN
Date: 08 May 2018 08:52:47
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)

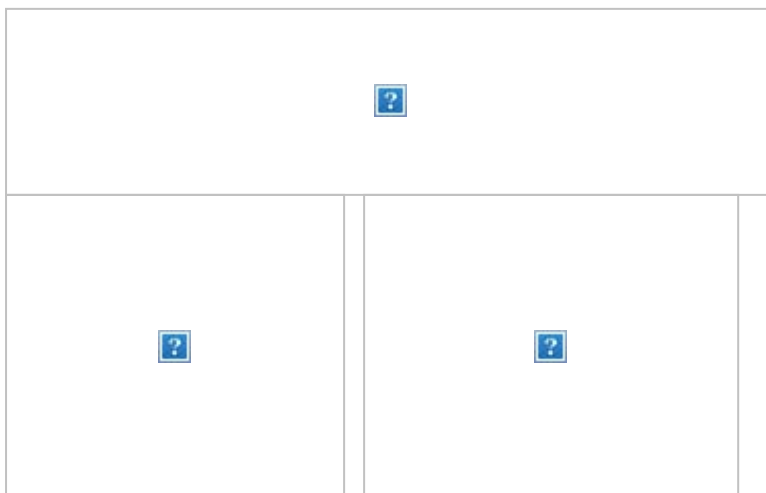
Dear Simon

I thank you for your email below and I have copied Daisy Gadd, the case officer.

Regards

Taruna
Duty Officer

Mrs Taruna Adnath
Senior Licensing Officer
[Public Protection & Licensing Department](#)
Westminster City Council
Westminster City Council
22nd Floor
Portland House
Bressenden Place
SW1E 5RS
Tel: 020 7641 1496
Fax: 020 7641 7815
tadnath@westminster.gov.uk
www.westminster.gov.uk



From:
Sent: 05 May 2018 14:13
To: Licensing: WCC <Licensing@westminster.gov.uk>

Subject: License application 18/04355/LISEXN

I wish to strongly object to the above application for a “new sexual establishment license” at 13 A Bateman Street, Soho, London W1D 3EB

I live very near to it at . Any establishment of this nature will lower the tone of the street, and encourage undesirable people to hang around there, including late into the evening. After many years of cleaning up Soho from this type of place, there is no need to inflict them on Soho residents again.

Furthermore , the application is procedurally extremely defective :

1. There is no information whatever given on the website as to the nature of the activities to be carried on, nor on the justification for it, nor an assessment of the effect on local residents. There is a an almost total lack of information on which the application can be judged ;

2. The written notice which has been posted to local residents (attached for convenience) has been wrongly headed NOTIFICATION OF A **RENEWAL** PREMISES LICENCE APPLICATION UNDER THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982.

It is not in fact a renewal , it is an application for a wholly new change of use for a premises , but that only becomes clear further down the letter. Anyone reading it quickly , as I first did, might not read past the headline, as renewals are usually much less contentious than new applications

It would be completely unacceptable if the Council grants this application after the consultation period ends on 17th May, on the basis of such a grossly defective procedure . At the very least, the procedure should be started again, with full information and supporting documents posted on the website, and an accurately headed letter sent to local residents.

From: [Licensing: WCC](#)
To: [Gadd, Daisy: WCC](#)
Subject: FW: License application 18/04355/LISEXN
Date: 08 May 2018 15:39:29

Daisy

Fyi

Thanks

Taruna

From:
Sent: 08 May 2018 15:38
To: Licensing: WCC <Licensing@westminster.gov.uk>
Subject: License application 18/04355/LISEXN

I write in connection of the named application 13A Bateman Street, Soho, London W1D 3EB – “new sexual establishment license”

Being a local resident, actually living extremely close to the proposed new establishment, I wish to object strongly to the renewal license application of this particular proposed establishment. As I am living this close, I can witness the effects of these establishment have on our local community first hand; attracting disrespectful, loud and shady individuals, or groups of people on the streets, all hours of day and night, creating an unsafe environment and neighbourhood, including unacceptable noise level. After many years of campaigning and making Soho into a cleaner, safer place to live in, the local residents don't need to be exposed to the mentioned establishment and attached clientele again.

Reviewing the application further, it also shows procedural defects:

The attached written notice, posted to all local residents, includes the misleading heading of “NOTIFICATION OF A **RENEWAL** PREMISES LICENCE APPLICATION UNDER THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, which is totally misleading, if you are reading through the document, very close to the ending paragraph, it actually clarifies it is NOT a renewal, indeed it is a new application / new change of use for a premise. As most renewals generally cause less argument, it was effectively used in the header, which most people would read first instance, instead of the more realistic term, which was included right at the end of the document.

No information on the nature of the business, nor further explanations of the accompanying activities that can be expected with this are given on the website. The effects on the neighbourhood and local residents will be very much evident, the assessment of this is not highlighted in the application at all, there is a distinctive lack of clear information, which is obviously needed to assess the application non-judgemental.

As from my understanding the consultation period ends on May 17th, considering the defective procedure, I find this unacceptable on the grounds outlined in this letter. I hope us residents could at least expect a renewed application, including extended date and most importantly full

information with supporting documents posted on the website, and accurately headed letter sent to local residents, to be able to make a right decision on their behalves.

Regards

PREMISES MANAGEMENT
LICENSING SERVICE
30 APR 2018
CITY OF WESTMINSTER

26th April 2018

Dear Sir or Madam,

Re: Proposed licence application for a 'Sex Shop' at 13A Bateman Street, Soho, London W1D 3AF

We are writing to oppose in the strongest possible terms to the application for a 'Sex Shop' licence at 13A Bateman Street, London.

[REDACTED] is situated [REDACTED] the proposed site and we feel that if permission for the licence is granted this will significantly lower the tone of the street, no matter what attempts are made to disguise its true purpose.

Our team at [REDACTED] is comprised of a largely young crew and includes a totally female front office. There is an extremely busy pub almost directly opposite and they already have to cope with the disruption this causes, and we therefore feel that the presence of a 'Sex Shop' is too much for such a small location as Bateman Street.

In addition to this we are frequently visited by high profile executives, employees and Talent from clients such as the BBC, HBO and Amazon who we feel would not appreciate The presence of a 'Sex Shop' opposite their place of work.

Perhaps more importantly, our premises are often frequented by high profile female actors and the attention that they receive can already be a problem in this area. The last thing we as a company wish to expose them to is unwanted attention from people loitering outside the 'Sex Shop' and we would feel nervous for their personal safety. [REDACTED] has been situated in Soho since [REDACTED] and we are therefore acutely aware of the type of patrons attracted to such establishments as these!

In conclusion, we vehemently opposed to the application of a 'Sex Shop' at 13A Bateman Street. We feel that if it is granted it will not only be at the detriment to our business but also a cause for concern for the personal safety of our staff, clients and high profile visiting actors.

Yours sincerely

[REDACTED]

[REDACTED]



Premises within 50 metres of: 13A Bateman Street

p / n	Name of Premises	Premises Address	Licensed Hours
12806	Sunset Strip	Basement To First Floor 30 Dean Street London W1D 3SA	Monday- Saturday 09:00 to 01:00; Sunday 09:00 to 23:00

Conditions proposed by the Environmental Health Service and Metropolitan Police Service and agreed with the applicant:

1. This Licence has no effect until the premises have been constructed to the satisfaction of the Environmental Health Service and this condition has been removed'.
2. 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. Viewings of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
3. 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.

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Item No:	
Date:	7 June 2018
Licensing Ref No:	18/03242/LIPN - New Premises Licence
Title of Report:	Mr Fogg's Society of Exploration 1A Bedford Street London WC2E 9HD
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	23 March 2018		
Applicant:	Bedford Street Bar Limited		
Premises:	Mr Fogg's Society of Exploration		
Premises address:	1A Bedford Street London WC2E 9HD	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	According to the application the premises will operate as a lounge and wine bar.		
Premises licence history:	This is an application for a new premises licence; however the premises currently benefits from a premises licence ref: 18/01178/LIPDPS, A copy of this premises licence can be found at Appendix 2 of the report.		
Applicant submissions:	The applicant presentation submission and further submissions can be found at Appendix 1 of the report.		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
Provision of regulated entertainment:				Indoors, outdoors or both			Indoors
Exhibition of a film, Performance of live music and Playing of recorded music							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Provision of regulated entertainment:				Indoors, outdoors or both			Indoors
Anything of a similar description							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

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:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:			All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start 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:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:			All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	23:30
Seasonal variations/ Non-standard timings:			All opening hours shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Daisy Gadd
Received:	18 April 2018

I write in relation to the application submitted for a New Premises Licence for 1a Bedford Street.

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

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

This application seeks to permit the following licensable activities and operating times:

- Exhibition of films: Monday to Saturday from 10:00 to 01:00 and Sunday from 12:00 to 23:30
- Performance of Live Music: Monday to Saturday from 10:00 to 01:00 and Sunday from 12:00 to 23:30
- Recorded music: Monday to Saturday from 10:00 to 01:00 and Sunday from 12:00 to 23:30
- Anything of a similar description: Monday to Saturday from 10:00 to 01:00 and Sunday from 12:00 to 23:30
- Late Night Refreshment: Monday to Saturday from 23:00 to 01:00 and Sunday from 23:00 to 23:30
- Supply of alcohol: Monday to Saturday from 10:00 to 01:00 and Sunday from 12:00 to 23:30

The premises is located within a Cumulative Impact Area and as such a number of policy points must be considered, namely CIP1, PB2 and HRS1.

The premises currently falls within policy PB2. It is the Licensing Authority's policy to refuse applications of this type in the Cumulative Impact Areas. Paragraph 2.5.23 of the Council's Statement of Licensing Policy 2016 states that "the Licensing Authority considers that the grant of variations or new licences for pubs and bars in the Cumulative Impact Area should be limited to exceptional circumstances." At present, the applicant has not demonstrated any exceptional circumstances that would allow for any depart policy PB2. For further information on what may be considered as an exception to policy, please see paragraphs 2.4.2-2.4.13 of the policy.

Furthermore, the proposed operating hours for licensable activities currently fall outside

of Westminster's Core Hours. The Licensing Authority encourages the applicant to consider reducing the operating hours for licensable activities in line with the Council's Core Hours policy.

The Licensing Authority notes that this premises has the benefit of an existing premises licence (reference 17/10495/LIPVM). It is not proposed in the application that this premises licence will be surrendered should this application be granted. As a result, the Licensing Authority would like to propose the Council's model condition 62:

- 1) No licensable activities shall take place at the premises until premises licence 17/10495/LIPVM (or such other number subsequently issued for the premises) has been surrendered [and is incapable of resurrection].

The reduction in hours of the proposed operating hours for licensable activities, and the acceptance of the Licensing Authority's proposed condition, will go some way in alleviating the concerns raised in relation to this application.

It would be useful for the applicant to provide further information on the proposed operation of the premises and the expected capacity of the premises. In the operating schedule proposed by the applicant, it is mentioned that the premises shall operate in accordance with an Outdoor Management and Dispersal Policy. Please may a copy of this policy be made available to the Licensing Authority to consider.

Further discussions will be held with the applicants prior to the hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Adam Deweltz
Received:	04 April 2018

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.

The venue is situated within the Cumulative Impact Area and the hours for the supply of alcohol are beyond those of Westminster core. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

This application will have to be heard before the LSC, however, if necessary, I will forward you some conditions, which would go some way in satisfying Police concerns.

Responsible Authority:	Environmental Health Service
Representative:	Mr Dave Nevitt
Received:	20 April 2018

I wish to make Representations on the following grounds:
Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

2-B Other Persons

Received: 06 April 2018

5:11 PM on 06 Apr 2018

We have liaised strongly with Inception Group over the past couple of years and have used their other London facilities regularly for our guests.

These interactions have always been professional, well received and enjoyed by our guests and subsequently well reflected upon us. The Inception team have always acknowledged and respected their surroundings and I know they would ensure the same happened in Covent Garden.

Operationally, from our side, one of the key things missing in our immediate vicinity is a high-end bar that is not a hotel or restaurant bar. Wine bars are few and far between and, whilst we do have a number of great pubs surrounding us we would welcome a variation to this.

Thank you for time and consideration.

Received: 17 April 2018

12:53 PM on 17 Apr 2018 I am a Westminster resident and just saw this application. I know this company and I have been to several of these guys premises and have always been very pleased with how they conduct their business. They are always very respectful of the soundings neighbours and always adhere to their licence. Their bars are fun and are always worth a visit if I am around and i have also arranged nights out with friends that have always been enjoyed by everyone. The staff can not do enough for you and are always very well trained. I would fully support this application & look forward to them opening soon.

Received: 12 April 2018

11:47 AM on 12 Apr 2018 In a broken world of larger louts and drunken catfighting girls, this bar group is my salvation.

Any one of their venues is a safe and friendly place for an after-work drink, a meeting with clients or even a lunch with your Nan.

I would strongly support their ventures as they bring these type of venues to more places around London. It makes a fantastic addition to any area.

Received: 13 April 2018

3:56 PM on 13 Apr 2018 I work in Covent Garden and represent around 200 businesses in the area, I have also published the local free magazine for over 23 of its

25 years in publication. One of the companies I work with is the Inception Group who own Mr Fogg's Tavern. I am a frequent visitor to the tavern and have always found it to be very well run and responsibly managed, I often go there to entertain clients but am looking forward to a larger Tavern on Bedford Street as sometimes there is just not enough space for my needs in the New Row Tavern.

I would also welcome a late licence for when I want to entertain after the many theatre visits I arrange, most especially when these happen on Friday and Saturday nights.

I do believe the Inception Group will be responsible in their management of the site and will not allow their customers to disturb the local residents.

Received:	18 April 2018
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7:53 AM on 18 Apr 2018 We have flagship luxury jewellery store in the Savoy Hotel close to the new premises of Mr Fogg's Society of exploration and we are excited that they will be a new member of the neighbourhood. Mr Fogg's run a very responsible and premium outfit, perfect for our customers to enjoy and we feel this will do wonders to improve the neighbourhood and indeed prevent public nuisance and local crime and disorder and feel strongly that this licence should therefore be granted.

3. Policy & Guidance

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

Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies</p>
Policy CIP1 applies	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy PB2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

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, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Premises licence - 18/01178/LIPDPS – Bedford & Strand
Appendix 3	Proposed conditions
Appendix 4	Residential map and list of premises in the vicinity

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Licensing Authority	18 April 2018
5	Metropolitan Police Service	08 April 2018
6	Environmental Health Service	20 April 2018
7	Representation	06 April 2018
8	Representation	17 April 2018
9	Representation	12 April 2018
10	Representation	13 April 2018
11	Representation	18 April 2018

Applicant's presentation and further submissions are enclosed.



Mr Fogg's Society of Exploration
Proposed at 1A Bedford Street,
London, WC2E 9HD

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PROPOSED CONCEPT

Mr Fogg's Society of Exploration will be the fifth and latest London venue within the award-winning "Mr Fogg's Collection". Each venue seeks to re-create the atmosphere of an abode or place of relaxation where Phileas Fogg Esq would have felt at home (were he not a figment of Jules Verne's imagination). The theme is plush, languid Victoriana. This inspires everything, from the doorman's greeting to guests to the staff and security officers' classical design uniforms, from its decor to the ingredients selected for our compounded libations.

Located opposite Charing Cross station, where Phileas Fogg and his trusty valet, Passepartout set off on their voyage, Mr Fogg's Society of Exploration will be the sister venue to Mr Fogg's Residence and tavern. Guests will enter an elegant lobby with an oversized rotating globe marking the places visited and modes of transport that the intrepid pair took. Moving downstairs, they will encounter cabinets of curiosities, souvenirs and artefacts handpicked and put on permanent display by explorer society members. There will be a life-sized model of a Victorian train carriage, complete with plush banquette seating and gleaming brass lamps. The facing Map Room will also house a collection of both antique and modern-day maps, hosting regular talks by a resident explorer and a whole host of other intrepid adventurers.

The main area will feature wooden panelling, shelves laden with travel books and encyclopedias, and warm leather armchairs to welcome weary travellers. Society staff, immaculately clad in Mr. Fogg's household livery, will serve customers.



THE APPLICATION

An existing premises licence already exists for this venue which permits regulated entertainment and unrestricted private entertainment and playing of recorded music.

This application seeks to transform this vacant space into a venue fit for Mr Fogg's Society of Exploration. It does this by:

1. Removing unrestricted private entertainment
2. Reducing the hours for recorded music
3. Modernising and increasing the existing conditions to ensure the licensing objectives are better promoted and to directly address any concerns of local residents.

The applicants will provide further information at the hearing and will be available to fully assist the licensing committee with any questions they may have

Pictures of Mr Fogg's properties before Mr Fogg has taken residency



Pictures of Mr Fogg's properties After Mr Fogg has taken residency

MR FOGG'S TAVERN IN COVENT GARDEN





MR FOGG'S RESIDENCE IN MAYFAIR:



THE STAFF



EVENTS/TALKS

Mr Fogg's Explorer Series has been running for a number of years and seen the likes of Sir Ranulph Fiennes, Bear Grylls, The Tempest Two, Bill Colegrave, Robert Swan OBE, Simon Reeve, The Turner Twins and many more give talks.



SAMPLE DRINKS MENUS FROM THE VARIOUS MR FOGG'S VENUES



REQUIRED BEHAVIOUR OF ALL THOSE ENTERING THESE DOORS:

- I. All ranks shall be left outside; similarly, hats - and particularly swords - are not to be carried beyond the Reception Hall.
- II. Orders of procedure and haughtiness shall be left at the doors.
- III. Be merry, but neither spoil nor break anything.
- IV. Be seated, stand or walk as best pleases you, but at all times be respectful of others.
- V. Speak with moderation and not too loudly, so that others have neither an earache nor headache.
- VI. Argue without anger, discuss with passion, but never aim to have the last word.
- VII. Do not sigh or yawn, neither bore nor fatigue others.
- VIII. Agree to partake in any innocent entertainment suggested by others.
- IX. Eat well of good things, but drink in relative moderation so that each should be able to always find his legs upon leaving these doors.
- X. You are guests in my private abode. What goes in one ear should go out the other before departing my residence.

-4-

-5-

ODYSSEYS - GROUP LIBATIONS -

"Whilst journeying and exploring the farthest corners of this Earth, I have always sought out little pleasures from these moments to remind me of the adventure."
P.J. Fogg, Esq.



- № 1 - THE GLOBE OF 1873 (FOR 8 PEOPLE) - £120

ZANZIBAR / SPICY AROMATIC EXOTIC
Enthralled by hearing of my around the world in 80 days adventure, Sultan Majid bin Said of Zanzibar summoned me to his palace and presented me with this celebration of my exploits.
Belvedere Pink Grapefruit vodka, berry-infused Imperia vodka, Mozart Dry chocolate liqueur, raspberry puree, homemade sugar syrup, fresh lime juice, cranberry & pomegranate juice, topped up with Moët & Chandon Brut Impérial N.V. champagne.

-6-

- № 2 - THE PRONOUNCED VOWEL

(FOR 4 PEOPLE) - £60
COLOMBIA / SWEET FRUITY SHARP
It is of the utmost importance that even after considerable imbibing, one continues to articulate!
Colombia Treasure gin, Cointreau Noir liqueur, fresh lime juice, pineapple juice, passion fruit juice, orange syrup, mint leaves & caster sugar.



- № 3 - THE ROYAL COFFEE MAKER (FOR 2 PEOPLE) - £90

NEWFOUNDLAND / WOODY RICH BITTER
A gift given to Queen Victoria whilst on a tour of Britain's oldest colony. Such mechanical sorcery had never been seen by her Majesty's eyes - prepare to marvel at all its wonder!
Hennessy V.S. cognac, Bulleit Rye whiskey, Luxardo Maraschino cherry liqueur, chocolate bitters, homemade sugar syrup, a cocoa and tea blend & a mascarpone foam on top.



- № 4 - THE BOTANIST'S FOUNTAIN (FOR 6 PEOPLE) - £105

SCOTLAND / FRESH LIGHT DELICATE
Inspired by a truly majestic waterfall I came across on the Isle of Islay during a summer excursion - truly beguiling!
The Botanist gin, Roots Mastiba liqueur, white wine & elderflower cordial, with apple, lychee & fresh lime juices.



A SURCHARGE OF 12.5% SERVICE CHARGE WILL BE ADDED TO ALL PASTASAYERS

-7-

AROUND THE WORLD & BACK AGAIN

Cocktails from the Four Corners

№2 JUNIPERUS COMMUNIS ☞

GIN - THE COMMON JUNIPER

№5 Chemistry & Optics - £16

ITALY / SPICY AROMATIC EXOTIC / STIRRED

Vibrant chemistry between these enigmatic elements leaves a feast for the eyes and a sensation for the tastebuds. Salut!

Fisbers gin, Mancino Rosso Amaranzo vermouth & Cynar artichoke liqueur.

№6 Jungle Sling - £15

BRAZIL / SWEET FRUITY SHARP / SHAKEN

On a particularly scorching day in the Amazon jungle, I escaped the midday heat by seeking refuge under a giant kapok tree with an exceptional bottle of gin and some local bananas – the Jungle Sling was born.

Bombay Sapphire gin, Luxardo Sangue Morlaco cherry liqueur, Bénédictine herbal liqueur, banana purée, pineapple juice, fresh lemon juice & homemade sugar syrup, topped up with soda water.

№7 Passepartout - £13

ENGLAND / FRESH LIGHT DELICATE / SHAKEN

A dedication to my loyal and handsome man-servant.

Hendrick's gin, fresh cucumber, fresh lemon juice, sugar, egg white & black pepper.

№8 A Maiden's Blush - £13

NEW ZEALAND / SWEET FRUITY SHARP / SHAKEN

The most beguiling blush of all was that of this Antipodean maiden.

Bombay Sapphire gin, raspberry jam, fresh lemon juice, caster sugar & a drop of Pernod absinthe.

- GIN -

№9 1840 - £13

ENGLAND / FRESH LIGHT DELICATE / SHAKEN

A particular favourite of my good friend, The Duchess of Bedford, this delightful concoction can be found at fashionable afternoon teas around The Empire, such as my very own Tippy Teas! *Earl Grey-infused Bombay Sapphire gin, Cointreau orange liqueur, peach liqueur, fresh lemon juice, orange marmalade & homemade sugar syrup.*

№10 The Cape of Good Hope - £15

SOUTH AFRICA / SPICY AROMATIC EXOTIC / SHAKEN

My favourite shoulder-dwelling drapery amongst my outdoor attire bails from a Camp's Bay tailor and always brings me luck!

Star of Bombay gin, pear purée, fresh rosemary, homemade lavender syrup, fresh lemon juice & egg white, topped up with soda water.

№11 The Wild Lady - £14

THAILAND / SPICY AROMATIC EXOTIC / SHAKEN

A raucous Bangkok rendez-vous with a mesmerising madam from Medellín meant that come the break of dawn this recipe for voracity was all that remained.

Porcini mushroom-infused Colombian Ortoxy gin, homemade saffron syrup, egg white & fresh lemon juice.

№12 Elskling - £14

NORWAY / FRESH LIGHT DELICATE / SHAKEN

Whilst speeding across the icy landscapes via husky sled, it transpires that to arrest these cuddly beasts, one must refer to them as 'sweetbeart' in their native tongue – most peculiar.

Hendrick's gin, St-Germain elderflower liqueur, cloudy apple juice, fresh lime juice, homemade sugar syrup & peach bitters.

№13 The Royal Martini - £14

PORTUGAL / WOODY RICH BITTER / STIRRED

Infamous roisterer and good friend, Carlos I of Portugal always possessed a proclivity for the finer ingredients.

Tanqueray No. TEN gin, Picon Amer aperitif, Kirsch aperitif, homemade elderberry and port syrup, fresh lemon juice & chocolate bitters.

№14 Inspector Fix's Fix - £13

ENGLAND / FRESH LIGHT DELICATE / SHAKEN

The tenacious but often-humiliated Inspector Fix once confided in me this remedy for making it through the detecting day.

Bombay Sapphire gin, jalapeño-infused Martini Extra Dry vermouth, mandarin purée, fresh lemon juice, fresh sage & homemade rosemary syrup.

A DISCRETIONARY 15% SERVICE CHARGE WILL BE ADDED TO ALL TRANSACTIONS

-8-

-9-

THE FOUR SEASONS EXPERIENCE

- VIVALDI NEGRONI -



№77 - SPRING - £16

USA / WOODY RICH BITTER / CHERRY BARREL AGED

"Hath put a spirit of youth in everything."

Mount Gay X.O. rum, Martini Riserva Speciale Rubino vermouth & Campari aperitif.



№78 - SUMMER - £16

USA / WOODY RICH BITTER / ACACIA BARREL AGED

"But thy eternal summer shall not fade"

Star of Bombay gin, Martini Riserva Speciale Rubino vermouth & Campari aperitif.



№79 - AUTUMN - £16

USA / WOODY RICH BITTER / CHESTNUT BARREL AGED

"When yellow leaves, or none, or few, do hang upon those boughs which shake against the cold."

Alipus San Andres mezcal, Martini Riserva Speciale Rubino vermouth & Campari aperitif.



№80 - WINTER - £16

USA / WOODY RICH BITTER / OAK BARREL AGED

"Thou knowest, winter tames man, woman, and beast."

Woodford Reserve Rye whiskey, Martini Riserva Speciale Rubino vermouth & Campari aperitif.

SAMPLE ALL FOUR COCKTAILS,
THE VIVALDI NEGRONI EXPERIENCE.

- £18 -

50ml of each

-24-



MR. FOGG'S VIRGIN HAREM

Seriously scrumptious sipping sans spirits

BERRY STRAIGHT & NARROW £8

One will not be wobbling home after an evening sipping upon this fine concoction. "Honestly constable, I have been drinking!"

Raspberry & blackberry purée, cranberry juice, fresh mint, cinnamon syrup & fresh lime juice, topped up with ginger ale.

YOUNG VICTORIA £8

When asked her poison, the fresh-faced monarch gazed shyly down at the floor and muttered "I'm afraid I'm driving!"

Seedlip Spice 94, pear purée, fresh lemon juice, homemade ginger syrup & cloudy apple juice.

TEETOTAL TIPPLE £8

We agree to abstain, forever! Or just from time to time, depending on the company kept.

Seedlip Garden 108, fresh lime juice, fresh cucumber, cloudy apple juice, elderflower cordial, homemade dill syrup & egg white.

MY LASS'S MOLASSES £8

Tropical nectar sweet enough for my Indian wife; a memory of warmer climes.

Blackberry & banana purée, pineapple juice, pomegranate juice, caramel syrup & fresh lime juice.

A DISCRETIONARY 15% SERVICE CHARGE WILL BE ADDED TO ALL TRANSACTIONS

-25-

SAMPLE FOOD MENUS








BILL OF FARE

Mr Fogg's weekday menu

Begin with
**FANNY'S
TIPPLE
OF
TODAY**

The Tickled Pink Goat
Bittersweet and delicious £8

Cabrillo Blanco tequila, Aperol and lemon juice,
with grapefruit and rhubarb bitters, topped with soda

HORS D'OEUVRES

Brown Cornish crab on sourdough with preserved lemon & chilli £8
Watercress & chicory salad with walnut, stilton & vinaigrette [v] £7 / £10
Quail egg & smoked haddock croquettes with tartare sauce £7
Jerusalem artichoke soup with truffle buttered toast [v] £7
British charcuterie with bread, chutneys & pickles £15
Smoked sausages with braising liquor & mustard £6
Smoked Mackerel & horseradish pâté £9
Crispy pig's ears & apple cyder sauce £6

MEAT & GAME

Dedham Vale beef, suet pastry & home smoked
Dingley Dell bacon pie with mashed pots,
buttered greens & braising liquor £12

Roast Guinea fowl with watercress, chicory & apple salad,
brandy dressing £13

Roast sandwich of the day £8.5

FISH

Steamed Dorset mussels, herbs, white wine
& spiced sausage with crusty bread £10

Sloe gin cured salmon, quail egg, green bean & watercress salad
with a lemon & dill dressing £11

Fish Pie with buttered greens and carrots £12
[for two £22]

MARKET

Winter vegetable stew [v] £10

Wild mushroom, chestnut, red wine & juniper shortcrust pie
with mashed potatoes, buttered greens & a cream wine sauce [v] £12

SIDES

Beef dripping roast potatoes & braising liquor £5

Glazed baby carrots [v] £4

Buttered greens [v] £4

*The chef crafts
delightful treats in the
kitchen on a daily basis.
Please be aware that this
is purely a representation
of what you might
expect upon visiting
the Tavern!*

A discretionary 10% service charge will be added to all transactions. All items include VAT at 10%. All items subject to availability. Please make staff aware of any allergies you might have. We shall do our best to provide you with suitable food but we cannot guarantee that our offering will be allergen free. All dishes may contain nuts. Menu content and prices are liable to change.



BILL OF FARE

Mr Fogg's Sunday menu



Mr Fogg's restorative Gin Mary
Smokey, spicy & good for the soul £10

Beetroot-infused Hendrick's gin with lemon
a splash of tawny port and tavern secret mary mix



HORS D'OEUVRES

Smoked sausages with braising liquor & mustard £6

Quail egg & smoked haddock croquettes with tartare sauce £7

British charcuterie with bread, chutneys & pickles £15

Smoked Mackerel & horseradish pâté £9

Jerusalem artichoke soup with truffle buttered toast [v] £7

Watercress & chicory salad with walnut, stilton & vinaigrette [v] £7 / £10



PIES

Dedham Vale beef, suet pastry & home
smoked Dingley Dell bacon pie
with mashed pots, buttered
greens & braising liquor £12

Fish Pie with buttered greens
& carrots £12

Fish pie for two £22

Wild mushroom, chestnut, red wine
& juniper shortcrust pie with
mashed potatoes, buttered greens
& a cream wine sauce [v] £12



ROASTS

*All served with Yorkshire pudding,
beef dripping roast potatoes,
roasted vegetables & buttered greens*

Dingley Dell pork belly,
crackling & baked apple £15

Dedham Vale Rib of beef, Yorkshire
pudding with horseradish cream
& meat liquor £15

Whole pot roast Guinea fowl,
apple & brandy cream sauce.
For two £35



OTHERS

Sloe gin cured salmon, quail egg,
green bean & watercress salad with
a lemon and dill dressing £11

Winter vegetable stew [v] £10

Crispy pig's ears
& apple cyder sauce £6



SIDES

Yorkshire pudding £3

Beef dripping
roast potatoes £5

Buttered greens £4

Watercress salad £4

*The chef crafts
delightful treats in the
kitchen on a daily basis.
Please be aware that this
is purely a representation
of what you might
expect upon visiting
the Tavern!*

A discretionary 10% service charge will be added to all transactions. All items include VAT at 10%. All items subject to availability. Please make staff aware of any allergies you might have. We shall do our best to provide you with suitable food but we cannot guarantee that our offering will be allergen free. All dishes may contain nuts. Menu content and prices are liable to change.

THE FOOD



HIGH TEA



AWARDS

Inception group have won numerous awards and set out below are some of the more notable ones:-



Inception Group has won the London Lifestyle award for London Hospitality Group of the Year for the third year in a row. The company won the accolade ahead of companies such as Caprice Holdings, London Cocktail Club, Milk & Honey and D&D Group. The awards showcase the best of London and achievements throughout the lifestyle industry.

London Stock Exchange's list of 1000 companies

Inception Group has been included – for the 2nd year in a row – in the London Stock Exchange's list of 1000 companies to inspire Britain.



Inception Group named one of Britain's Top 100 Companies in The Sunday Times Virgin Fast Track 100 Programme



Award-winning hospitality group, Inception Group has been ranked in the top 50 of Britain's top 100 companies with the fastest growing sales in the prestigious Sunday Times Virgin Fast Track Awards

GQ AWARD FOR BEST FOOD AND DRINK





DISPERSAL POLICY

This Dispersal Policy has been implemented to assist in the promotion of the four licensing objectives, in particular crime and disorder, public nuisance and public safety. This document is subject to change from time to time as it is a working best practices document that may change through discussions with interested parties and more specifically with our neighbours.

1. Management are aware of the potential for neighbourhood noise and disturbance at the time that customers leave at closing time. Management have agreed to implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way so as to cause minimum disturbance or nuisance to neighbours. Every effort will be made to minimise any potential nuisance and it will be the responsibility of all members of staff to support this policy.

Winding-down Period

2. Management have put into place an effective “wind-down” procedure in order to facilitate prompt closure of the premises and orderly dispersal pattern by customers.
3. At closing additional staff are directed to work in the customer areas near the front entrance. Customers are informed that the premises are about to close and are directed towards the nearest exit.
4. Given the style of the business there is a gradual departure of customers and the premises are frequently not at capacity at closing time.
5. Internal lighting levels will be increased during the last 30 minutes of trading.
6. The winding down period outlined above ensures that customers disperse gradually prior to cessation of trade.
7. We are proud of our building and the area we work in. We will endeavour to keep the area clean and attractive for our patrons and our neighbours. This means dealing with debris outside our frontage that may have nothing to do with us but in the interests of maintaining good standards in the area we will still clear it up.

Door Supervisors

8. When applicable, door supervisors shall be maintained until the premises are closed and shall be in position early enough in the evening to ensure that procedures for promoting public safety and preventing public nuisance are

effective

9. Mr Fogg's Society of Exploration registered Butlers who are SIA registered are to assist in the dispersal of customers.
10. Mr Fogg's Butlers are trained to know:-
 - (a) where the nearest mode of public transport is
 - (b) details of taxis and a number is available at the reception
 - (c) general local knowledge so that if customers decide to move on the door staff can help them with directions.
11. Mr Fogg's Butlers are assigned key roles and these are split between supervising the dispersal and general control of the vicinity.
12. They are easily identifiable in striking uniforms and before each night there will be a team briefing to allocate the roles.
13. There is an end of night team meeting to discuss any ways that the premises may improve the dispersal of patrons and any actions points are added into each supervisors job cards.
14. They will be trained to direct customers on departure to transport links on the stand and not up Bedford Street.

Notices

15. Notices shall be displayed at customer exits and in prominent positions requesting that patrons respect the needs of local residents and leave the premises and area quietly.
16. All employees are given appropriate instructions and training to encourage customers to leave the premises and the area quietly.

Incident Reports

17. All incidents of crime or disorder or nuisance are to be reported by the designated premises supervisor or responsible member of staff.
18. The licence holder shall ensure that the details of all complaints are recorded in an occurrence book.
19. When required, Mr Fogg's staff shall be in place at the exits to wish customers farewell and ask them to leave quietly and shall answer any questions regarding transport availability.
20. Mr Fogg's do not tolerate departing customers congregating outside of the premises.

21. Mr Fogg's Butlers should at all times be aware of activity outside of the premises and endeavour by their presence to minimise bad behaviour. They should be aware of potential areas of difficulty (nearby residences) and provide a presence in those places to minimise potential problems.

22. Whilst carrying out their legitimate duties outside of the premises all staff are trained not to behave in a manner likely to disturb the neighbourhood, conversation and laughter must be quiet and any communication is usually digital through an earpiece



OUTDOOR MANAGEMENT AND SMOKING POLICY

This smoking policy has been created to assist in promoting the four licensing objectives. This smoking policy can be changed from time to time following best practice improvements and any recommendations that are approved by Mr Fogg's Society of Exploration. All members of staff must make sure that they are familiar with the terms of this policy.

1. Smoking is not permitted within any part of Mr Fogg's Society of Exploration.
2. Customers who are from within the premises and wish to smoke should be directed to the agreed designated smoking area. This area is to be known as the designated smoking area for the premises.
3. The door attendant(s)/door supervisor(s) or daytime staff on duty shall be in charge of monitoring the designated smoking area and any external area in general.
4. After 11pm, If the designated area is full, a member of staff should ask the customer to wait within the premises until a space becomes available.
5. The smoking area should be cleaned regularly and ashtrays emptied.
6. Customers should be reminded to respect our neighbours and to keep conversations to a minimum.
7. The door attendant(s)/door supervisor(s) on duty shall keep a log of any person causing any disturbance or nuisance whether or not that person is a customer.
8. The door attendant(s)/door supervisor(s) on duty shall assist in trying to keep any noise disturbances/incidents from the designated smoking area as well as in the immediate vicinity of the premises to a minimum.



**APPLICANTS FURTHER
SUBMISSIONS**

Mr Fogg's Society of Exploration
Proposed at 1A Bedford Street,
London, WC2E 9HD

INDEX OF FURTHER SUBMISSIONS

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-
From: **Charlie Gilkes** <charlie@inception-group.com>
Date: 7 February 2018 at 12:05
Subject: Re: Bedford & Strand
To: David Kaner <david.kaner@outlook.com>
Cc: duncan <duncan@inception-group.com>

Dear David

Thanks, it would be great to meet you there either on 19th/20th Feb in the morning if either works?

We are looking for a 1:30 permission and also to remove the antiquated condition requiring food after 11pm.

The concept is, Mr Fogg's Society of Exploration based on the Reform Club. We can show you concept drawings but it will be very similar to upstairs at the tavern and our Mayfair site and we hope to attract a mixture of pre/post Theatre visitors as well as a local corporate crowd.

The premises is already licensed and has very little in way of conditions as well as allowing 24 hours recorded music and private entertainment. A copy is attached for your ease.

We know that this will be a tough ask in the stress area Following our experience at Foggs Tavern at St Martin's lane and therefore wanted to explore this with you to try and avoid a repeat of that hearing. We think this location will hopefully not be as contentious as New Row as it is located very close to the Strand.

We were thinking of offering up the following:-

Reduce recorded music from 24 hours

Remove private entertainment in its entirety

Offering all of Westminster model conditions that are relevant to bring the licence up to date

We can of course go into this more detail when we meet.

Thank you and look forward to seeing you.

All the best,

Charlie

On 6 February 2018 at 19:14, David Kaner <david.kaner@outlook.com> wrote:

Dear Charlie,

Happy to discuss. Would Tuesday or Wednesday next week (13/2/or 14/2) work for you? Otherwise w/c 19/2 I am reasonably flexible.

What are the key changes you are asking for?

Best wishes

David

From: Charlie Gilkes [mailto:charlie@inception-group.com]

Sent: 06 February 2018 17:24

To: David Kaner

Cc: duncan

Subject: Bedford & Strand

Hi David,

I hope you are well.

We signed the Bedford & Strand site just before Christmas and have just started developing it in to another Mr Fogg's bar. It will be most similar in style to our original one in Mayfair.

It's due to open around late August of this year. It will be ready earlier but we don't want to launch it going in to the Summer given it's lower ground.

We're keen to apply for a new licence which we appreciate will have its challenges given it's in 'Stress'.

Are you free at any point in the coming weeks to have a look around and discuss our proposed application in greater detail?

Many thanks,

Charlie

--

Charlie Gilkes

Founder / Director

Twitter: [@charliegilkes](https://twitter.com/charliegilkes)

Instagram: [@charliegilkes](https://www.instagram.com/charliegilkes)

Director's Office - [0203 696 0070](tel:02036960070)



[Mr Fogg's](#) | [Barts](#) | [Cahoots](#) | [Bunga Bunga](#) | [BungaTINI](#) | [Maggie's](#)

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 Registered charity no. 274468

Charlie Gilkes
 Inception Group
 66 Wilton Road,
 Pimlico,
 London SW1V 1DE

28th May, 2018

Dear Charlie,

18/03242/LIPN Mr. Fogg's Society of Exploration, 1A Bedford Street, London WC2E 9HD

Thank you for reviewing with us your proposals for the premises at 1A Bedford Street prior to making your application. We appreciate the fact that you took the time to discuss this with us and to take our concerns into account when making your application.

As you are aware the CGCA decided not to make a representation regarding the application because we believe that the operation of the premises will not harm the Licensing Objectives. This is even though you propose to operate beyond Core Hours and also not to operate with restaurant conditions. As a result the application must overcome the presumption to refuse the Licence contained within WCC's Statement of Licensing Policy. The CGCA is very appreciative of this policy. However in this case we have come to the conclusion that the operation of the premises will not harm the Licensing Objectives and so could be granted, although the decision is of course up to the Licensing Committee.

Our view is based on the conditions and dispersal policy which form part of your application and also on our experience of the other premises you operate within the CGCA's area. These are Fogg's Tavern (in WCC) and Bunga-Bunga (in LBC). In both cases you are operating the premises in accordance with the conditions and there have, as far as we are aware, been no significant issues or complaints from residents.

Whilst the CGCA's view is based on the application as it stands but as we have discussed we believe that it would be helpful if you proposed a condition which ensures that the premises operates in the style described in your application and presentation. This would mean that if you, or another operator, wished to operate the premises using this licence but in a different style a Variation application would be required. This would mean that the CGCA or other interested parties would have the opportunity to ask for modification of hours or additional conditions.

We understand that you are prepared to offer an additional condition which states that "The premises shall only be permitted to carry out licensable activities after midnight if it operates as a Phileas Fogg themed lounge and wine bar". We believe that this condition provides an additional assurance that the premises will operate in the style proposed in your application and this assists in future-proofing the Licence.

We wish to confirm that we are happy for you to present this letter as a supporting document at the Licensing Hearing for this application.

If you have any questions please contact us.

Yours sincerely,

A handwritten signature in purple ink, appearing to read 'David', written in a cursive style.

David Kaner
Chair – CGCA Licensing Sub-Committee

Acoustic Technical Memorandum

Mr Fogg's, Formerly Bedford & Strand, 1A Bedford Street, London, WC2E 9HD

Noise Impact Feasibility Investigation

23 May 2018
18-0060-0 M01 PR Issue 1

1 INTRODUCTION

Sustainable Acoustics have been instructed to carry out a study of the likely noise impact of permitting operations to continue for extended hours from 1A Bedford Street, London WC2E 9HD. The premises falls within the Cumulative Impact Zone of Westminster City Council, and so must demonstrate that there will be no additional impact. Measurements were taken on the evening of Thursday 12th April in the vicinity of the premises and on the evening of Friday 13th April into the early hours of Saturday the 14th April 2018 at an existing operational Mr's Fogg's venue in Mayfair by Peter Rogers. He is a Fellow of the Institute of Acoustics, an expert witness and competent qualified person to conduct such an assessment.

The advice in this acoustic technical memorandum considers the suitability of the proposed new site for the extension of operating hours by 1 hour to the existing finish times of 00:30 on Saturday and 00:00 Sundays, and the impact of dispersal noise in the street affecting nearby residents. The study is restricted to dispersal noise as the venue is in the basement and music noise escape is considered to be likely to be approaching none in comparison with the noise on the street.

2 THE SITE

The site is located off the busy and vibrant The Strand (A4), in Bedford Street.

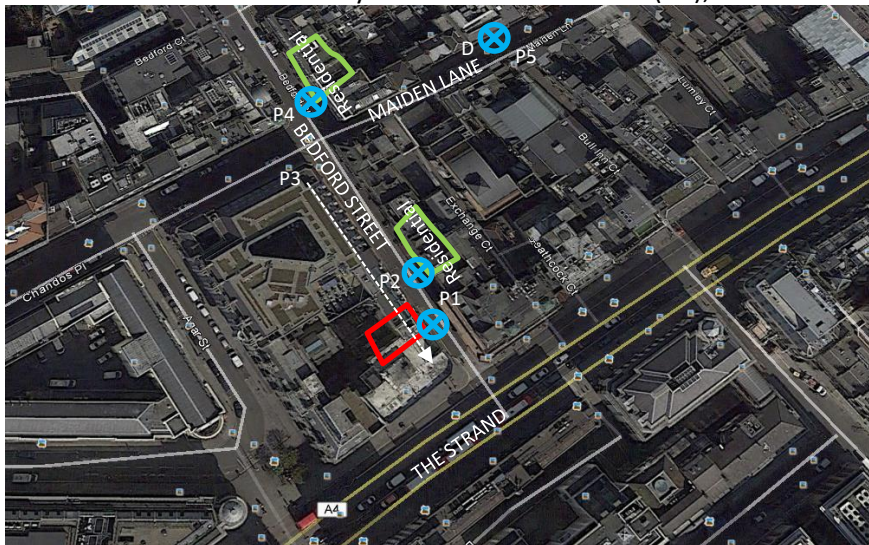


Figure 1 : Site plan with monitor positions, and closest residential shown



Closest residential

The closest residential appears to be diagonally opposite and above the fast food, show in photo 1 below as occupied, and approximately 15m away from the door pictured in Photo 2. The next nearest obvious residential was more than 85m away beyond Maiden Lane. I understand there have been no residential objectors to this application and several residents have written in support of the new proposal.



Photo 1: closest residential on Bedford Street



Photo 2: closest residential shown relative to exit on Bedford St

The baseline operation

For comparison in terms of operational noise the Mr Fogg's venue on Bruton Lane, Mayfair, W1J 6JD.

This operation is a cocktail bar with what is described as “old-world charm, styled in the period when Phileas Fogg set off round the world”. This was considered to be representative of the sort of operation that the premises is being modelled on, and which is likely to produce a similar pattern of dispersal noise. The need to book to attend, and can not walk in off the street without doing so. It is understood that this will be the same arrangement for the proposed premises.



Photo 3: Mr Fogg's residence Burton Lane



Photo 4: A picture of patrons seated inside at 22:26 on 13/4/18



3 THE PROPOSAL

The premises, previously known as Bedford And Strand, already has a licence for late refreshment and opening hours were until 00:30 Monday to Saturday and 00:00 on Sundays. Sale of alcohol finished 30 minutes before. Both recorded music and private entertainment are unrestricted under the existing licence. An extension of 1 hour is sought within the Westminster CIZ, which requires that evidence is needed to demonstrate that the impact caused would not add to the cumulative effects of noise in the area.

4 THE METHODOLOGY

Observations

Regular observations were carried out over a Thursday (12th April 2018) at Bedford Street and in the vicinity to capture a quieter evening for activity and so to identify the ambient soundscape and noise climate that exists to determine what level of protection is needed. Observations were made over a 3 hour period to capture the last two hours of proposed trading and the hour afterwards to cover the time when dispersal of the remaining patrons would be occur.

Also on Friday (13th April 2018) night a repeat set of observations were made over the last two hours of trading and for an hour after to observe the effect of dispersal.

Acoustic measurements

Noise measurements were taken at certain positions to objectively quantify the noise sources being described in the observations so that comparisons and overlays can be done to assess the impact of superimposing the activities witnessed in Burton Lane onto Bedford Street.

5 EQUIPMENT

Instrumentation

The following instrumentation was used to make measurements:

Equipment	Type	Serial Number	Calibration	
			Date	Certificate no
Svan 971				
Svantek Class 1 Sound Level Meter	977	34132	09/11/16	1400 6073-2
Preamplifier	SV12L	49912	09/11/16	1400 6073-2
Microphone	7052E	63263	09/11/16	1400 6073-2
Svantek Sound Level Calibrator	SV33	58228	06/10/16	No reference

Table 1: Equipment

The meter was calibrated before and after measurements and no significant drift was noted.

(It was noted that the meter's internal clock was set to GMT and not BST, so the times are all shown to be 1 hour behind the true time during the survey)

The weather during measurements was overcast and muggy (temp 8 to 5 degrees celcius). It was dry with cloud cover on both nights.



Measurements were completed by Peter Rogers, FIOA, who was competent to complete the assessment, and is a registered expert witness in this area of specialism.

6 RESULTS

6.1 Observations

The detailed of the observations are set out in Appendix A. In summary Bedford Street was dominated by traffic noise for much of the late evening to early morning, with taxis, Ubers, light and occasional heavy goods traffic passing down this narrow one way side street. Pedestrians generally travelled down it towards The Strand, and a large number also travelled up it meaning that the noise from people although reduced in the later hours did not cease. The area remains busy beyond the proposed extended hours, and the noise climate experienced by residents would be predominantly local slow moving traffic and people.

The operation observed in Bruton Lane was on a quieter side street off Berkeley Square, with residents at similar distances away from the door. There were two doors, one of which was used mainly as an entrance and the other mainly as an exit. The entrance was manned by two doorman through the night, which gave an interaction point for people arriving or leaving. They also used a door knocker to gain access. The dispersal observed was gradual, and the type of persons attending of such character than they did not make much noise on exit, beyond waiting for their party and or cars to be picked up in. It can be seen that even once trading had finished there was no large exodus, but a trickle of people in groups of 3 to 8 as a maximum who nearly all headed towards Berkeley Square or were picked up by black taxis or Ubers. The impact from noise of the dispersal was low, and against the ambient noise levels in the area not noticeable or dominant.

6.2 Results

A summary of the objective baseline results from Mr Fogg's Residence in Bruton Lane, from Appendix A, shows that the dispersal was quiet and did not affect the existing ambient in the street, although some sound was audible from people talking. The behaviour of people was noticeably well behaved.

Ambient conditions can be seen at records BED44, 45 and 46 in table 2 below to range between 51 to 60dB $L_{Aeq,1min}$ with maximums of 56 to 70dB caused by traffic in the area or people movements not associated with the operation. With up to 8 people leaving as the biggest group it can be seen that noise levels were 59dB $L_{Aeq,1min}$ with maximums of 67dB, so well within the ambient noise levels.

File	Dur.	Date	Time	LAeq	LAMax	LA90	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz	Notes
BED43	00:00:50	13-04-18	11:39:34 PM	57.5	67	53	66	58.6	59	55.6	52	47.4	40.1	32.4	2 men exit and talk to doormen noticeably from across the street
BED44	00:00:40	13-04-18	11:49:22 PM	59.5	70.1	52.7	65.9	57.8	59.3	58.4	55.8	47.1	39.9	36.2	Ambient outside premises (opposite)
BED45	00:01:00	13-04-18	11:50:26 PM	55.5	68.7	50.4	65.6	57.7	53.6	54.7	50.6	45.1	39.5	32.1	3 men walking down road talking - unrelated
BED46	00:00:50	13-04-18	11:51:52 PM	50.6	56.2	49.2	65.3	56.2	51.1	48.3	45	40.9	34.2	25.4	Ambient outside premises (opposite)
BED47	00:01:00	13-04-18	11:57:01 PM	53.9	62.7	51.1	65.7	58.5	56.3	52.3	47.8	42.2	35.4	25.8	Ambient with noise from Berkely Sq dominant
BED48	00:01:10	14-04-18	12:19:39 AM	53.8	64.7	50.2	66.5	57.5	56.4	52.3	47.1	41.6	34.7	26.4	3 men walking down road talking - unrelated
BED49	00:01:30	14-04-18	12:36:38 AM	59.3	68.7	53.5	67	61	57.4	57.3	55.2	50.8	43.9	35.6	3 men emerged , then 3 more - made calls on phones and deciding where to go. Quietly waiting
BED50	00:01:30	14-04-18	12:37:13 AM	58.8	67.2	52.5	66.7	61.3	58.4	57.7	53.7	49.3	42.8	34.5	Group of 8 outside - interrupted by van parking up in front of me - exclude.

Table 2: Summary of noise measurements from Mr Fogg's Residence in Burton Lane, Mayfair

Note : the meter's internal clock was set to GMT and not BST, so the times in Appendix A and Table 2 are all shown to be 1 hour behind the true time during the survey.



The ambient noise levels measured opposite the nearest residential premises in Bedford Street (P1) can be seen in Appendix A at record BED 42 at 01:50 am, when noise levels were 59dB $L_{Aeq,1min}$ with maximums of also 59dB. It was described as including traffic movements and 5 people walking by.

When comparing the noise generated by the worst case of the group of 8 leaving the premises this was at the same level of 59dB $L_{Aeq,1min}$, and so would not contribute adversely to noise impact on the residents, although the maximum briefly would be raised to 67dB, which is some 13dB below the sound maximum created when a vehicle drives down Bedford Street and over the manhole, which clanks and generated 80dB at the façade (see record BED41). Generally for groups leaving the venue noise created by them is expected to blend into the existing noise from people still passing at this time, and be masked considerably when vehicles are passing, which occurs intermittently during the period of extended operations. This makes the impact on the residents above position P2 as likely to be none during the extended hour, given the noise still in the area at that time from similar sources and the masking sound provided by intermittent traffic.

Considering the residential premises further up Bedford Street (P4) the ambient noise levels at the façade at 1:40am was 61dB $L_{Aeq,1min}$ with maximums of also 70dB (see record BED38). This would mask the noise generated by even the 8 people passing making the impact on these residents classifiable as none during dispersal in the extended hour of the type witnessed from a similar venue.

7 CONCLUSIONS

Sustainable Acoustics have carried out an acoustic assessment of the likely impact of noise from dispersal from the proposed operation at 1A Bedford Street, London on the nearest residents.

The area is in the cumulative impact zone of Westminster City Council and so an assessment is required to provide an evidence based approach to demonstrate that the extension of operational hours until 1am and dispersal up to a worst assumed time of 1.50am would not cause residents additional noise impact or add meaningfully to a cumulative impact.

Detailed observations in the vicinity of Bedford Street show this to be a busy side street, used by traffic (mainly taxi's) to get onto The Strand. It is also used by pedestrians mainly moving down towards The Strand, but people also move in the other direction. The existing soundscape is of a busy city side street, onto which the proposed premises at 1A Bedford Street would discharge patrons onto.

Given that there is an existing licence up to midnight there would be no more impact up to that time that would have occurred from the trading of The Bedford And Strand. The variation to allow an additional hour means that the assessment focuses on the impact that would be caused on existing residents over the time of midnight to 1am and a period afterward to allow people to leave the area.

An existing, comparable operation of Mr Fogg's in Mayfair, that is understood to be of a similar scale as intended was used to gain data on the noise created by the dispersal, and the behaviour of patrons as they left. Customers were found to be very well behaved and an example of quiet dispersal even for the largest of groups of people as they left by foot or waiting for a taxi or Uber pick up.

The conclusions of comparing the expected noise of dispersal with the existing noise experienced by residents makes it possible to conclude that there is good evidence to support that the noise impact on the residents above position P2 is likely to be none during the extended hour. This is because there is significant noise still in the area at that time from similar types of noise sources (people) and the masking sound provided by intermittent traffic.



The existing noise climate outside the residential flats at P4 would experience no noise increased noise impact as a result of the 8 people based on the observations of the Mr Fogg's' dispersal in the extended hour.

For these reasons it is the professional option of the author, Mr Peter Rogers who is a Fellow of the Institute of Acoustics, that there would be no detrimental impact experienced by residents as a result of allowing the variation of the additional hour or meaningful contribution to a cumulative impact. As a result there should be no technical reason why the variation should be refused on noise grounds. I am aware that several further conditions have been proposed to manage the outdoor area and dispersal and these will further reduce any potential impact in the area.

Peter Rogers
BSc(Hons) MSc FIOA CEng FRSA

23rd May 2018



APPENDIX A

Noise & Observation Data Detail



Noise data from ambient conditions affecting residents near 1A Bedford Street

File	Time	Duration	Position	LAeq	LAMax	LA90	Leq octave band spectrum (Hz)								Comments
							63	125	250	500	1k	2k	4k	8k	
-	10:00:00 PM	-	P1	-	-	-	-	-	-	-	-	-	-	-	~90% stationary taxis on Bedford Road. Reasonable flow of people down the street to Strand, on both sides (6-10/min).
BED2	10:06:37 PM	12:01:00 AM	P1	73.2	79.5	68.2	77.5	69.4	66.7	68.5	69.3	66.2	60.8	60.4	
	10:07:37 PM	12:01:00 AM	P1	71.0	80.1	66.7	78.2	69.5	67.5	69.1	66.2	63.5	56.7	49.9	
	10:08:37 PM	12:01:00 AM	P1	77.1	89.2	68.1	79.9	69.1	67.9	70.1	74.1	71.6	61.1	51.8	
BED3	10:10:55 PM	12:01:00 AM	P1												Dominated by vehicle noise and people crossing at Strand end of street as shows finish. Lorry parking downstream followed by crawling taxis and horns/sirens
				68.8	79.9	65.0	77.3	70.5	65.7	65.7	64.6	60.8	56.5	49.9	
BED4	10:12:59 PM	12:01:00 AM	P2	68.5	86.2	64.8	72.0	69.7	64.5	64.5	63.4	62.2	57.5	51.5	Easier flow of cars downstream + 1 moped. In 5 minutes: 46 people walk towards Strand, 4 people walking away from Strand. 7 cars, 7 taxis, 2 bikes, 2 refuse collections
	10:14:03 PM	12:01:00 AM	P2	67.9	81.2	64.4	72.4	65.7	64.6	64.8	63.3	60.6	56.5	50.3	
	10:15:03 PM	12:00:55 AM	P2	68.5	86.5	62.1	69.7	62.9	63.6	65.1	64.7	61.6	55.9	47.7	
BED5	10:24:33 PM	12:00:10 AM	P3	71.0	82.8	67.1	80.9	70.0	66.7	66.6	68.1	63.0	56.6	50.2	Walking from top to bottom of Bedford Street. Rubbish collection, people movements, vehicles
BED6	10:26:31 PM	12:00:50 AM	P4	69.4	77.8	65.1	76.6	72.5	67.8	66.4	64.7	61.5	56.9	50.6	Outside H&M. 2 buses + taxis + peds
BED7	10:30:57 PM	12:01:00 AM	P5	64.8	71.1	61.0	72.2	62.5	60.9	62.3	60.7	57.0	50.8	48.9	Outside 38 - The Lady. Vehicles dominated and people noise passing
BED8	10:32:43 PM	12:01:00 AM	P6	72.2	81.6	66.5	63.0	66.0	65.9	70.9	67.9	63.7	58.3	48.9	Opposite Porterhouse. Venue still busy and lively atmosphere. People grouped outside.
BED9	11:02:22 PM	12:01:00 AM	P1												Less traffic/ people on Strand, but similar on Bedford Street. Road used as a ratrun / cut-through. Almost every vehicle movement hits the manhole and creates a double banging sound.
BED10	11:03:59 PM	12:01:30 AM	P2	65.8	83.5	54.3	70.3	63.9	61.5	60.5	63.0	57.9	53.7	46.5	Lulls between passing traffic. Bus on main road. Pedi-cabs operate with amplified music at the top of the road.
	11:05:29 PM	12:01:00 AM	P2	69.2	82.1	61.0	69.8	71.2	67.3	66.2	65.3	60.5	55.5	52.0	
	11:06:29 PM	12:01:00 AM	P2	69.1	91.3	56.2	70.4	66.3	65.9	63.9	65.6	62.2	56.5	50.3	
	11:07:29 PM	12:00:30 AM	P2	68.0	84.2	60.0	73.5	65.0	64.0	63.3	64.4	60.9	55.5	48.0	
BED11	11:08:07 PM	12:00:10 AM	P2	63.5	-	-	68.1	65.1	67.1	61.2	58.2	53.3	46.4	35.8	
BED12	11:10:16 PM	12:01:32 AM	P4	66.7	82.3	62.2	71.5	67.8	63.0	65.4	62.3	57.4	51.8	44.2	People, taxis, pedicabs all operating; cars passing. Rubbish van. Pedicabs generally turn left along Maiden Lane.
	11:11:49 PM	12:00:26 AM	P4	65.1	76.5	61.3	72.7	64.9	62.6	61.7	61.2	56.7	52.6	45.6	
BED13	11:13:42 PM	12:01:34 AM	P5	73.4	84.5	68.6	74.7	70.0	70.1	71.3	69.1	65.9	58.5	49.8	Dispersal from Porter House - Pedi-cabs parked up along exit with music playing (3m away).
	11:15:17 PM	12:00:24 AM	P5	70.7	77.6	66.8	71.8	67.2	65.2	69.4	66.2	63.1	53.4	45.6	
BED14	11:17:20 PM	12:01:39 AM	P3	64.4	75.3	58.7	69.3	63.9	62.0	63.9	59.5	54.6	48.1	41.4	Walking down street. Occasional vehicles. People in small groups of 2-3. 11:40pm - Strand Tandori still open, but no trade.
BED15	11:23:14 PM	00:01:50	P4	72.9	87.4	60.6	71.7	66.5	65.1	70.1	70.7	62.2	54.2	44.8	Juvenile behaviour from individuals directed at pedi-cabs.
BED16	11:25:49 PM	12:01:16 AM	P4	71.7	78.1	70.0	73.3	80.3	68.8	70.4	67.0	61.0	54.3	46.5	Adille artic lorry parked up with fridge pack running by TGI Friday. Dominates everything to Café Nero.
BED17	11:29:57 PM	12:00:59 AM	P2	67.8	84.1	61.3	76.8	66.0	62.8	63.3	64.4	60.3	55.3	47.0	At 11:35 workmen came out of unit to get a sandwich. Fridge pack also dominates in this location. Odd vehicle and only 3-4 people
BED18	11:34:11 PM	12:00:39 AM	P1	76.6	84.9	67.6	85.7	79.5	74.4	76.7	71.0	67.2	62.6	57.7	Lorry Pass-by.
-	11:35:00 PM	-	P1	-	-	-	-	-	-	-	-	-	-	-	In a 5 minute period: Towards Strand: 17 pedestrians in varying group sizes, 9 taxis, 9 cars, and a rubbish van. Away from Strand: 4 pedestrians, 2 groups of 2.
BED19	11:35:51 PM	12:01:07 AM	P1	66.6	76.5	59.8	74.6	65.7	64.0	64.2	62.5	58.1	52.4	44.2	Large group of young people shouting and clapping at far side of Strand.
	11:36:59 PM	12:00:59 AM	P1	69.9	79.2	65.3	73.5	68.0	68.0	66.4	65.2	62.8	58.4	49.8	

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Continued noise data from ambient conditions affecting residents near 1A Bedford Street

File	Time	Duration	Position	LAeq	LAMax	LA90	Leq octave band spectrum (Hz)								Comments
							63	125	250	500	1k	2k	4k	8k	
BED21	11:45:28 PM	12:01:09 AM	P5	64.2	73.3	59.3	76.2	63.1	61.4	62.1	59.6	56.0	51.1	43.8	Maiden Lane junction quieter than previously. Some taxis down Bedford Street and from Maiden Lane.
BED22	11:48:30 PM	00:02:00	P1	67.5	75.4	63.8	77.4	69.8	64.7	63.2	63.3	60.4	55.4	47.3	1 Rubbish lorry and 6 vehicles queued at the Junction. Odd pedestrian. Further 7 cars join traffic.
BED24	11:52:08 PM	-	P1	67.7	82.1	62.0	75.7	68.2	66.6	63.2	63.6	60.2	55.4	50.9	Couple talk to each other close to measurement position.
-	11:54:00 PM	-	P1	-	-	-	-	-	-	-	-	-	-	-	5 more vehicles
-	11:55:00 PM	-	P1	-	-	-	-	-	-	-	-	-	-	-	Pedicabs pass; buses and 1 car end-to-end. 5 people on street
BED25	12:01:18 AM	00:01:00	P1	72.1	85.2	68.3	79.8	75.2	71.4	69.4	67.0	63.6	60.0	54.8	5 minute count : Cars: 5 towards Strand (3 turn left) People: 28 people (10 groups) walk towards Strand. 2 walk away from Strand axis: 7 towards Strand. 1 moped
BED26	12:02:37 AM	0:00:40	P1	67.3	-	-	76.3	69.2	64.7	65.9	63.3	57.4	51.2	43.2	1 meter from Strand at midnight. Still very busy with flowing traffic.
BED27	12:03:44 AM	00:01:00	P1	67.3	78.1	61.2	76.3	69.1	64.6	65.8	63.2	57.4	51.2	43.1	3 people passing and noise from Strand. Bedford Street quiet lull - hum and vehicles on Strand. Worst-case quiet so far, dominated by Strand.
BED28	12:06:30 AM	0:01:20	P2	66.6	81.1	57.5	72.6	65.7	64.2	62.9	62.7	58.9	54.5	46.8	Noticeable increase in delivery lorries on Strand
BED29	12:06:50 AM	00:01:00	P2	66.6	81.1	57.5	72.6	65.7	64.2	62.9	62.7	58.9	54.5	46.8	8 passing on pavement opposite. 3 cars (hit man hole). 1 person on phone. Reversing beeping from main road
BED30	12:09:47 AM	12:00:43 AM	P1	69.3	82.4	62.4	81.6	68.4	64.7	63.5	64.8	62.7	59.1	52.0	Lorry + string of traffic. Lights still on in windows.
BED30	12:10:33 AM	12:00:33 AM	P1	66.6	78.4	59.9	75.8	68.0	65.1	64.6	61.9	58.3	52.5	45.6	6 people, quite noisy. Running and chatting. 2 vehicles.
BED31	12:14:28 AM	00:01:30	P4	62.2	76.3	54.4	65.3	60.5	60.3	61.2	57.1	54.0	46.0	37.4	2 people speaking loudly. Resident emerged and walked down street/
BED32	12:17:13 AM	12:00:36 AM	P3	61.2	70.0	58.2	64.7	60.2	60.8	58.9	56.4	52.7	48.9	42.5	Walking down: 3 cars, 2 people, deliveries
BED32	12:17:50 AM	12:00:22 AM	P3	62.2	75.7	52.6	68.7	64.7	59.8	57.0	59.0	54.5	48.4	41.4	Still odd groups of people travelling to Strand
BED33	12:20:55 AM	12:00:19 AM	P1	65.0	74.7	61.0	74.7	67.1	64.3	60.8	61.3	57.2	50.2	42.9	Siren passing along Strand
BED34	12:21:27 AM	00:01:00	P1	80.1	-	-	76.4	68.8	68.1	80.1	75.9	66.7	56.9	44.5	Truck, car, van, moped all queueing at junction. Horn hoot.
-	-	-	P1	-	-	-	-	-	-	-	-	-	-	-	2 people talking walk past. 3 Taxis pull out into Strand, 2 move out (1 w music)
BED35	12:23:36 AM	00:01:00	P1	78.4	89.0	61.6	76.0	67.8	67.2	78.4	74.1	65.1	55.3	43.2	Bedford St still has small groups of people and occasional vehicles. Music now dominates.
BED35	12:23:48 AM	00:01:00	P1	66.6	76.3	62.0	76.1	68.1	64.6	63.0	62.8	58.3	52.9	45.4	Activity just as street cleaner pass top of street dominating even the noise from the Strand until car comes past.
BED36	12:27:42 AM	00:00:50	P2	64.1	79.1	59.0	69.7	63.4	63.1	59.9	60.3	56.5	51.2	44.5	Large Refuse vehicles
BED37	12:29:55 AM	0:00:40	P2	68.7	-	-	72.4	68.1	64.6	63.6	63.8	62.9	58.6	48.7	5min count: 12 taxis towards Strand, 8 of which turn left 7 people towards Strand 3 of whom turn left. Mostly groups of 1 10 cars towards Strand, 5 of which turn left
-	-	-	P2	-	-	-	-	-	-	-	-	-	-	-	Walked up to P4 past 2 people (1 running) and 2 cars. Light above NOW OFF
-	-	-	P4	-	-	-	-	-	-	-	-	-	-	-	4 cars, 2 people, 2 taxis
BED38	12:39:51 AM	00:01:10	P4	61.2	69.5	54.9	70.6	63.2	58.7	56.6	57.8	53.3	46.4	39.0	Now very quiet. Some music from a venue further up is just audible (MABELS)
BED39	12:41:37 AM	0:01:20	P5	55.6	-	-	65.0	57.5	53.8	51.6	51.7	48.0	40.6	33.7	Walked back down to Bedford Street. Street cleaning occurring.
BED40	12:44:25 AM	0:00:20	P4	55.1	62.8	49.8	64.4	57.2	53.7	50.9	51.8	46.9	38.8	32.4	Street cleaner passes.
-	-	-	P2	-	-	-	-	-	-	-	-	-	-	-	Lights still on in this locations
BED41	12:47:03 AM	0:00:20	P1	75.7	79.9	71.6	73.2	72.8	73.3	69.8	68.4	67.9	67.4	68.8	Vehicles come down street and hit man hole. People and buses on Strand
BED41	12:47:23 AM	0:00:40	P1	66.4	78.0	58.2	74.8	67.3	63.5	61.7	62.9	58.9	53.1	45.5	Traffic flowing and people walking along intermittently
BED42	12:50:01 AM	0:00:40	P1	58.9	59.4	58.2	66.5	60.3	58.0	55.3	54.6	51.2	45.0	35.9	4 People walking up, 1 person walking down Bedford Stret.

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Noise data from Mr Fogg's Residence, Burton Lane

File	Time	Duration	Position	LAeq	LAmax	LA90	63	125	250	500	1k	2k	4k	8k	Comments
	10:30:00 AM														Estimate approximately 80 people in at time
	12:00:00 AM		P1												4 people outside wait for a table. The street is fairly quiet. Some noise from a street drummer and the odd car movement. Door is manned.
	12:06:00 AM		P1												Biggest noise was a knock on the door, bells, and some noise breakout from inside. Could just hear music until door was closed again (~15s).
	12:08:00 AM		P1												4 people left, talked outside until 00:10
	12:09:00 AM		P1												couple left and loitered quietly
	12:12:00 AM		P1												3 more left, headed towards Square, spoke a little.
	12:13:00 AM		P1												2 more left, walked RIGHT. Drums extra loud during this time
	12:14:00 AM		P1												People head to street to smoke. 3 talking.
	12:15:00 AM		P1												1 incoming, knock on door and bell until inside.
	12:15:00 AM		P1												Car passed LEFT up street and turned around. Another one heads up street slowly.
	12:15:00 AM		P1												4 people still waiting outside
	12:16:00 AM		P1												1 more car passed LEFT up street slowly.
	12:20:00 AM		P1												Couple walked LEFT up street talking loudly - noticeably more than noise outside
	12:22:00 AM		P1												7 people exit. Very quiet - gathered outside. Loiter for a light before walking LEFT
	12:23:00 AM		P1												3 men left quietly - headed LEFT. Taxi dropped off 2 more.
	12:24:00 AM		P1												Car arrived to pick-up 2, briefly reducing number outside to 6.
	12:25:00 AM		P1												Another car arrived.
	12:27:00 AM		P1												Car arrived, drop off 3 who go to entrance and have to wait.
	12:28:00 AM		P1												Further 4 leave, allowing 2 in. Car blocking road and so 15 people now outside - doorman.
	12:30:00 AM		P1												Uber picks up 2 women.
	12:32:00 AM		P1												4 emerge to smoke. Doorman points towards LEFT; car picks up 3 and leaves.
	12:33:00 AM		P1												2 more leave from group - picked up by beeping uber
	12:35:00 AM		P1												3 smoking outside, 2 voices from Berkeley Square loading bay
	12:37:00 AM		P1												2 left by other door and quietly go LEFT.
BED3	12:39:00 AM	00:00:50	P1	57.5	67	53	66	58.6	59	55.6	52	47.4	40.1	40.1	General sound of people talking, also a motorbike. Talking over opposite side and drums still audible.
BED4	12:40:00 AM	00:00:40	P1	58.5	70.1	52.7	65.9	57.8	59.3	56.4	53.8	47.1	39.9	36.2	Vehicle arrives to pick up 4 waiting outside and goes RIGHT. 3 smokers go back in. Bike goes, then quiet
BED5	12:46:00 AM	00:01:00	P1	58.5	68.7	50.4	65.6	57.7	53.6	54.7	50.6	45.1	39.5	32.1	Ambient noise from drummer and loading bay.
BED6	12:51:00 AM	00:00:30	P1	50.6	56.2	49.2	65.3	56.2	51.1	48.3	45	40.9	34.2	25.4	2 x exit and talk to doorman, drums fairly dominant.
	12:53:00 AM		P1												No activity on road - only a drummer and other ambient.
BED7	12:55:00 AM	00:01:00	P1	53.9	62.7	51.1	65.7	58.5	56.3	52.3	47.8	42.2	35.4	25.6	32.1 3 men walk down road - unrelated
	12:58:00 AM		P1												25.4 Nothing happening, no one out front
	12:59:00 AM		P1												3 arrived outside and met GW, taking loudly. They moved across road and dropped their voices - 1 still quite audible.
1:00:00 AM			P1												No one at front - noise on Berkeley Sq spilled down street.
	1:05:00 AM		P1												Drums, car horns, traffic, voices
	1:06:00 AM		P1												5-6 left Berkeley Square - speaking loudly
	1:07:00 AM		P1												2 leave and head RIGHT. Car comes down, crawling.
	1:12:00 AM		P1												3 emerge looking for their taxi. Went LEFT and left 1 person out front.
	1:17:00 AM	00:01:10	P1	53.8	64.7	50.2	66.5	57.5	56.4	52.3	47.1	41.6	34.7	26.4	No activity outside venue. Difficult to distinguish dominating noise; 2 people now shouting front of house (unrelated). Prius picks up woman.
	1:20:00 AM		P1												2 emerge to smoke
	1:23:00 AM		P1												Car drives past
	1:24:00 AM		P1												3 out front
	1:29:00 AM		P1												3 back in. No one outside; main street noise much more noticeable. 3 people (unrelated) walk RIGHT to LEFT.
BED8	1:35:00 AM	00:01:30	P1	59.3	68.7	53.5	67	61	57.4	57.3	53.2	50.8	43.9	35.6	Couple emerge - 2 more people. Couple stood quietly for 30s then picked up by car. Other 2 talked quietly. 1 picked up, other walked RIGHT.
	1:39:00 AM		P1												Couple emerge silently, walk RIGHT
	1:52:00 AM		P1												4 more leave - speaking/laughing. Street seller tried to make sale.
	1:55:00 AM		P1												2 left waiting, picked up a minute later
	1:59:00 AM		P1												3 men call on door and are not let in. They try to use other entrance
2:00:00 AM			P1												2 emerge and turn RIGHT. Couple emerge and are picked up. Those not let in head towards Berkeley Sq.
	2:03:00 AM		P1												Car drops someone off, couple left RIGHT
	2:04:00 AM		P1												3 emerge noisily. Car passed, they dropped their voices. 3 more joined them. Not a rowdy group.
	2:05		P1												8 outside. Van parked in front
	2:07		P1												Nothing to note from venue. 2 couples left - 1 LEFT, 1 RIGHT
	2:08		P1												2 men out front. 1 more emerge to smoke. Staff member also emerged to smoke.
			P1												Couple left RIGHT, quite loudly
			P1												4 emerged, headed RIGHT
			P1												Quiet except couple talking
			P1												2 men approached door - banged on it 10 times, were not granted access.
			P1												Car arrived and waited on tid-over
			P1												Hoods on street, but not patrons
			P1												Couple still outside with another friend. Behaving reasonably.
			P1												Uber took 1 away
			P1												Hdoor loaded, no one left outside.
			P1												Quiet dispersal so far.

This is an application for a new premises licence; however, this premises currently benefits from a premises licence reference: 18/01178/LIPDPS. A copy of this licence is enclosed.



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

Premises licence

Regulation 33, 34

Premises licence number:	18/01178/LIPDPS
Original Reference:	05/10572/LIPC

Part 1 – Premises details

Postal address of premises:

Bedford And Strand
1A Bedford Street
London
WC2E 9HD

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30

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

The opening hours of the premises:

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

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

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

Part 2

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

Bedford Street Bar Ltd
10 Queen Street Place
London
United Kingdom
EC4R 1AG

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

10730589

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

Name: Yiu Wah Kwong

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

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

Licence Number: PA1303
Licensing Authority: Royal Borough of Kingston Upon Thames

Date: 21 May 2018

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

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

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

Conditions related to the Sale of Alcohol

9. Substantial food and suitable beverages other than intoxicating liquor, including drinking water, to be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

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

10. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

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

- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15:00 and 19:00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

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

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

- 11. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

13. The variation application shall not take effect until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Premises Licence by the Licensing Authority.

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

None

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: St James's
UPRN: 100023431203

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

18/01178/LIPDPS

Part 1 – Premises details

Postal address of premises:

Bedford And Strand
1A Bedford Street
London
WC2E 9HD

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment

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

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

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

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

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

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

Bedford Street Bar Ltd
10 Queen Street Place
London
United Kingdom
EC4R 1AG

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

10730589

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

Name: Yiu Wah Kwong

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

Restricted

Date: 21 May 2018

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

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. The premises shall install and maintain a CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 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 are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested
11. Substantial food and non-intoxicating beverages shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
13. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
14. No entertainment, performance, service, or exhibition involving nudity or sexual entertainment shall be provided except under the authority of a Sexual Entertainment Venue licence pursuant to the Local Government Miscellaneous Provisions Act 1982 as amended.
15. All door staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests or distinctive uniform that is easily identifiable *or as agreed with the police (eg butlers uniform/top hat/tails)*.
16. During busy times door staff shall ensure that the footway outside is not obstructed by the venue's customers
17. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.

18. 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.
19. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service
20. All door staff employed at the venue shall be accredited to the Security Industry Authority.
21. There shall be a minimum of 1 registered door supervisor after 9pm until 30mins past close on Thursday, Friday and Saturday. At all other times, management at the venue shall risk assess whether door supervisors are required.
22. The number of persons accommodated at the premises (excluding staff) shall not exceed (insert number). Subject to the sanitary accommodation being improved to the satisfaction of the Council's Environmental Health Officer, the capacity may be increased to such number as may be agreed with the licence holder. The actual capacity will only increase when an appropriate condition to that effect has replaced this condition on the licence.
23. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
24. No waste or recyclable materials, including bottles shall be moved, removed or placed in outside areas between 23:00 hours and 07:00 hours.
25. No deliveries to the premises shall be arranged between 23:00 and 07:00 hours.
26. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
27. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
28. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:-
 - dry ice and cryogenic fog (except for food presentations)
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame (except for candles)

- strobe lighting.

29. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

30. 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.

31. 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.

32. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.

33. All self closing doors shall be effectively maintained and not held open other than by an approved device.

34. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

35. Curtains and hangings shall be arranged so as not to obstruct emergency signs.

36. The certificates listed below shall be submitted to the Licensing Authority upon written request.

- Any emergency lighting battery or system
- Any electrical installation
- Any emergency warning system.

37. The air conditioning units operating within the premises must be switched off when licensable activities have ceased for the day.

38. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

39. The premises shall operate in accordance with an Outdoor Management and Dispersal Policy

40. There shall be no admittance or re-admittance of customers to the premises after 11pm on Sundays and Midnight on Monday to Saturday except for patrons permitted to temporarily leave the premises to smoke.
41. 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.
42. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

Conditions proposed by the Licensing Authority

43. No licensable activities shall take place at the premises until premises licence 17/10495/LIPVM (or such other number subsequently issued for the premises) has been surrendered [and is incapable of resurrection].

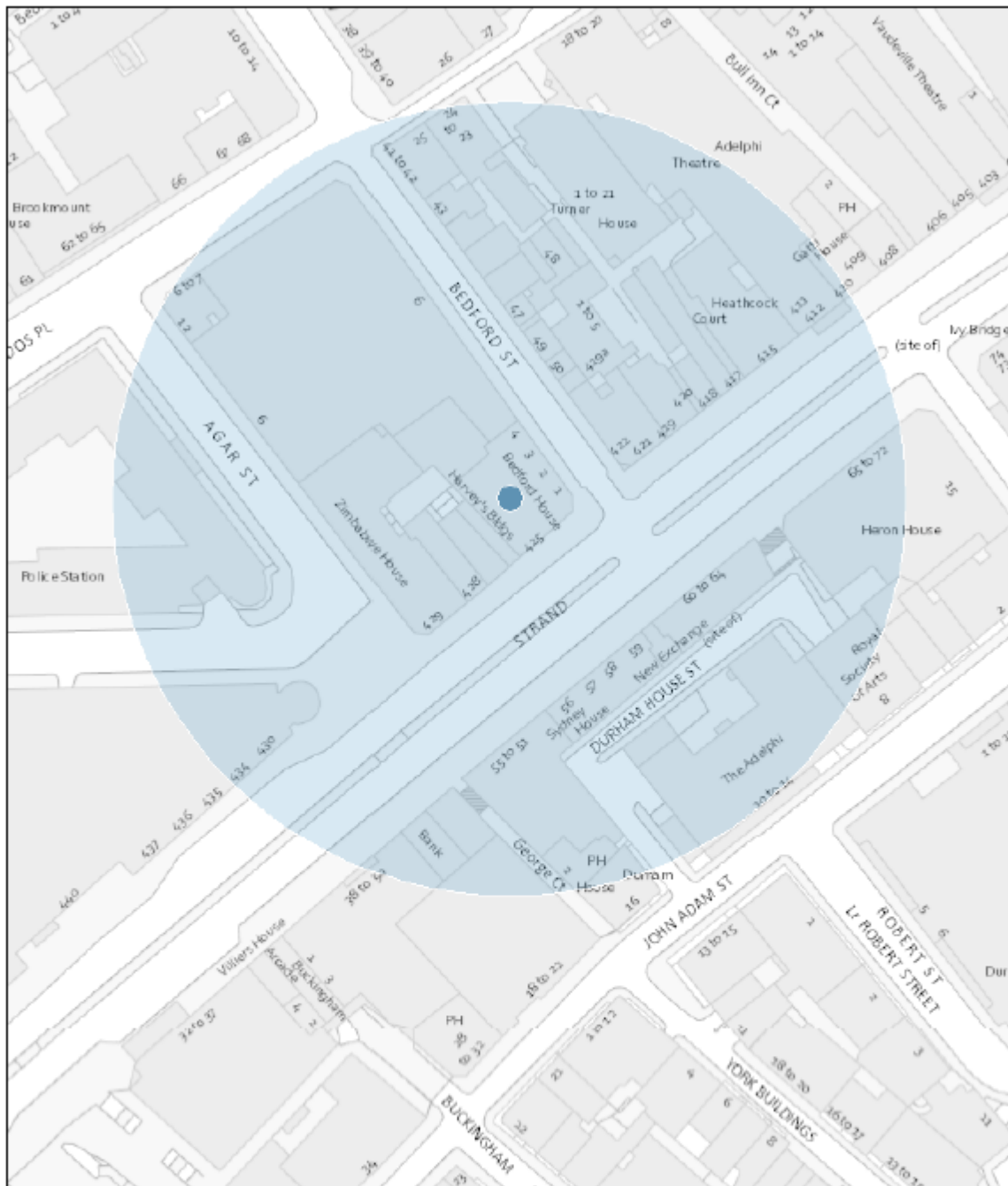
Conditions proposed by the Environmental Health

None

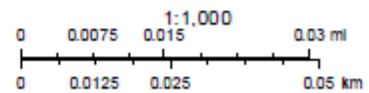
Conditions proposed by the Police

None

Mr Fogg's Society of Exploration, 1A Bedford Street



May 21, 2018



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Resident count: 123

Licence Number	Trading Name	Address	Premises Type	Time Period
15/03758/LIPN	The Whisky Exchange	2 Bedford Street London WC2E 9HD	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
17/10495/LIPVM	Bedford And Strand	1A Bedford Street London WC2E 9HD	Wine bar	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/14654/LIPT	Garfunkels Restaurants	Basement To Ground Floor 419 - 420 Strand London WC2R 0PT	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/10358/LIPDPS	TGI Friday's	Ground Floor 6 Bedford Street London WC2E 9HZ	Restaurant	Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/13605/LIPV	London Fish And Chips	46 Bedford Street London WC2E 9HA	Restaurant	Monday to Thursday; 11:00 - 23:00 Friday to Saturday; 11:00 - 00:00 Sunday; 11:00 - 23:00
14/10973/LIPV	Pizza Hut	59 Strand London WC2N 5LR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/08375/LIPT	Not Recorded	45 Bedford Street London WC2E 9HA	Not Recorded	Monday to Sunday; 10:00 - 00:30 Sunday; 12:00 - 00:00
12/09819/LIPVM	The Port House	417 Strand London WC2R 0PD	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

17/14664/LIPDPS	Ping Pong	23-24 Maiden Lane London WC2E 7NA	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
10/09298/LIPT	Retro Bar	2 George Court London WC2N 6HH	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
17/06003/LIPDPS	Bella Italia	Unit 5 65-72 Strand London WC2N 5LR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/09999/LIPV	Bakery Covent Garden	Basement And Ground Floor 6 - 7 Chandos Place London WC2N 4HU	Cafe	Not Recorded; XXXX - XXXX
16/03854/LIPD	Bakery Covent Garden	Basement And Ground Floor 6 - 7 Chandos Place London WC2N 4HU	Cafe	Thursday to Saturday; 08:00 - 22:00 Sunday to Wednesday; 08:00 - 21:00
14/06782/LIPVM	The Porterhouse Public House	21-22 Maiden Lane London WC2E 7NA	Restaurant	Monday to Saturday; 09:00 - 00:30 Sunday; 12:00 - 23:00

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Item No:	
Date:	7 June 2018
Licensing Ref No:	18/03674/LIPN - New Premises Licence
Title of Report:	59 Greek Street London W1D 3DZ
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:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	6 April 2018		
Applicant:	Soho Ltd		
Premises:			
Premises address:	59 Greek Street London W1D 3DZ	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	According to the application the premises will operate as a restaurant with an external seating area.		
Premises licence history:	This is a new application and therefore no licence history exists.		
Applicant submissions:	Further submissions have been received from the applicant and can be found at Appendix 1 .		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.						
Non-standard timings:	On Sundays prior to bank holidays/public holidays 23:00 – 00:00						

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.						
Non-standard timings:	On Sundays prior to bank holidays/public holidays 12:00 – 00:00						

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	10:00	10:00
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					
Non-standard timings:		On Sundays prior to bank holidays/public holidays 12:00 – 00:30					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Mr Steve Rowe
Received:	02 May 2018

I write in relation to the application submitted for a New Premises Licence for 59 Greek Street.

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

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

This application seeks to permit the following licensable activities and operating times:

Late Night Refreshment: Monday to Thursday from 23:00 to 23:30 and Friday to Saturday from 23:00 to 00:00
Supply of alcohol: Monday to Thursday from 10:00 to 23:30, Friday to Saturday from 10:00 to 00:00 and Sunday from 12:00 to 22:30

The premises is located within a Cumulative Impact Area and as such a number of policy points need to be considered, namely CIP1, HRS1 and RNT2.

The premises currently falls within policy RNT2. The applicant has offered the Council's model condition 66 as part of their application and has stated that the premises will have a capacity of 120 persons. However, the applicant has not yet demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas and, as such, the Licensing Authority encourage the applicant to provide further submissions with regard to this concern.

The Licensing Authority note that the applicant has applied for off sales. It would be useful for the applicant to provide further information as to the need and use of off sales as part of the premises operation in order for the Licensing Authority to fully consider this application.

Further discussions will be held with the applicant and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies
Policy CIP1 applies	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy RNT2 applies	Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

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, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Mrs Shannon Pring
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority	02 May 2018
5	Metropolitan Police Service	

The applicant has provided the following documents, which are enclosed:

- A letter to the Licensing Service dated 30 May 2018
- A copy of the planning committee report (reference 17/04475/FULL)
- Planning decision notice dated 17 August 2017.

Your ref: 18/03674/LIPN
Our ref: AT/SOH.0015.01

38a Monmouth Street
London WC2H 9EP
tel: 020 7042 0410
fax: 020 7379 6618

Licensing Service
City of Westminster
64 Victoria Street
London
SW1E 6QP

30 May 2018

Dear Sirs

59 Greek Street London, W1D 3DZ - 18/03674/LIPN

We act for the Applicant in the above matter, which is listed for hearing on 7 June 2018. The hearing is required due to a single representation from the Licensing Authority.

We enclose a copy of the planning permission and the planning officer's report. In particular, an extract from which is set out below:

*"In view of the mix of uses characterising the area, the proposal is considered to be acceptable in principle in land use terms. Although there are other restaurants in the vicinity, **it's not considered that the proposal will create an adverse cumulative impact, given the dispersed nature of these premises and the small size of the proposed restaurant.**"*

In addition, policy RNT2 and paragraph 2.5.12 of the City Council's Statement of Licensing Policy also suggest that restaurants (this being a core hours application subject to Model Condition 66 and following pre-application advice) have little association with crime and disorder. In this particular location, near the Crossrail Development, it does not seem there is local concern about the number of this type of premises in the locality. We also note the absence of an objection from the Soho Society in this regard.

Respectfully, based upon the *Thwaites*¹ case, notwithstanding the policy for the Applicant to demonstrate there will be no Cumulative Impact arising, there is no *real evidence* to the contrary to say that it would, and this corresponds to the decision of the planning authority and indeed relevant parts of the Statement of Licensing Policy.

¹ *R (on the application of Daniel Thwaites plc) v Wirral Borough Magistrates' Court* [2008] EWHC 838 (Admin)

Mr Alun Thomas and Mr Ruari Laidlaw of the Applicant company will be in attendance at the hearing to answer any further questions the members may have.

Yours faithfully

Thomas & Thomas Partners LLP

tel: 020 7042 0412

email: athomas@tandtp.com

Encl.

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 15 August 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	59 Greek Street, London, W1D 3DZ		
Proposal	Use of part basement and part ground floor as a restaurant (Class A3), creation of new shopfront and replacement of extract plant on rear elevation and at roof level.		
Agent	Jon Dingle		
On behalf of	Soho Housing Association		
Registered Number	17/04475/FULL	Date amended/ completed	22 May 2017
Date Application Received	22 May 2017		
Historic Building Grade	Unlisted		
Conservation Area	Soho		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

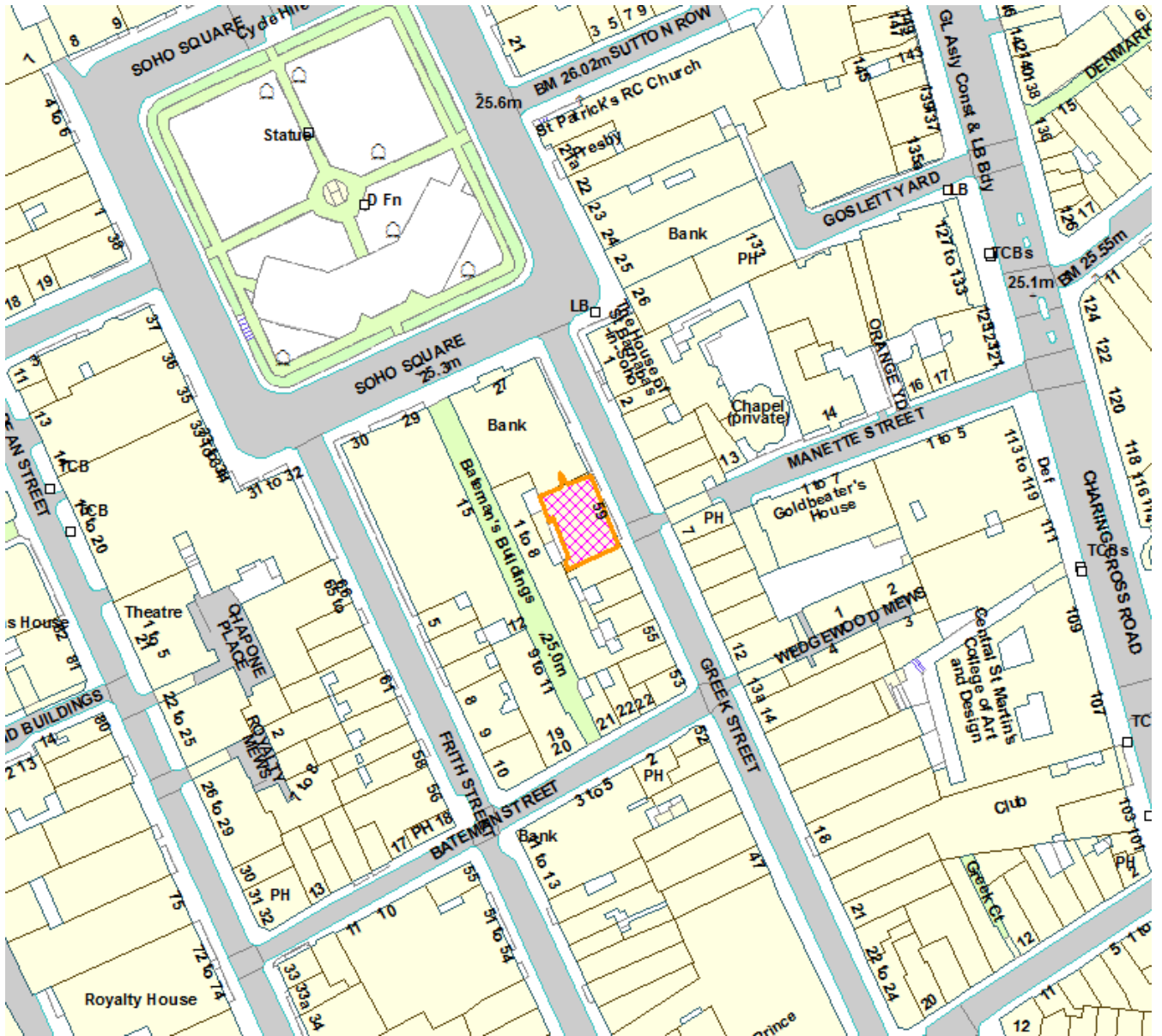
Historically the whole of this site was used as a hostel. After it became vacant (following the cessation of funding) the freeholder and current applicant (the Soho Housing Association) obtained planning permission from the Council to convert the upper floors to ten residential units and the basement and ground floor into two small retail units. The upper floors are currently being converted to flats.

The applicant is now seeking permission to use the basement and ground floor as a Class A3 restaurant. New shopfronts are proposed, which are the same as previously approved, along with replacement extract duct and associated plant.

The key issues are considered to be the impact of the proposal on local amenity.

For the reasons set out in the main report, given the proposal's modest scale and with adequate conditions to safeguard amenity, the introduction of a new restaurant in this location is considered acceptable and would comply with relevant UDP and City Plan policies.

3. LOCATION PLAN



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4. PHOTOGRAPHS

The site prior to conversion of the upper floors



5. CONSULTATIONS

SOHO SOCIETY – No objection

PLANT AND EQUIPMENT – No objection, subject to conditions

HIGHWAYS PLANNING – No objections, subject to conditions

CLEANSING –Initial objection to inadequate waste storage details overcome by revisions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED
No. Consulted: 71; Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The building is not listed but is within the Soho Conservation Area. It is also within the Core Central Activities Zone, the West End Special Retail Policy Area and the West End Stress Area. It is located at the northern end of Greek Street, just south of Soho Square. The immediate area is characterized by a wide mix of uses, including restaurants and other commercial activities, as well as some residential accommodation on upper floors.

The upper floors of this property are currently being converted to residential use. Until recently the whole property (comprising basement, ground and four upper floors) had a long-standing history as a hostel ('a sui generis' use), last used by Centrepont to provide accommodation for homeless young people (26 bed-spaces). However, due to lack of funding the provider had to vacate the building, in July 2014, and alternative accommodation was provided for the occupants in other nearby hostels.

6.2 Recent Relevant History

December 2016 – conditional permission granted for 'use of part basement and part ground floor as two retail units (Class A1) and part basement and part ground and upper floors as residential (Class C3) to create up to 10 residential units, external alterations including infill of front lightwells and installation of pavement lights, removal of railings and new shop fronts'.

This permission was subject to a legal agreement to secure nine of the residential units (excluding the 3-bedroom unit on the top floor) as affordable housing.

7. THE PROPOSAL

The freeholder, the Soho Housing Association (SHA), now wishes to convert the basement and ground floor into a restaurant, rather than the previously approved retail units. There would also be a new extract duct on the rear façade and associated plant at roof level. This replaces existing an existing duct and equipment which served a large kitchen in the basement that was part of the hostel. The ground floor entrance to the flats

will remain as previously approved. New shopfronts are also proposed, again as previously approved, along with the covering over of the front basement lightwell with pavement lights.

The applicant advises that the proposed Class A3 unit has been designed to appeal to a high quality, independent restaurateur although, at this stage, the proposal is speculative. An indicative layout is shown on the application drawings providing a total of 98 covers along with a small, ancillary bar, located on the ground floor (rear) of the unit. The kitchen and waste storage and staff welfare facilities are located at basement level. In total the proposed restaurant measures 219 sqm (GIA) or 284 sqm (GEA). The proposed opening hours are 08:00 – 00:00 Sundays to Thursdays, bank holidays and public holidays, and 08:00 – 00:30 Fridays and Saturdays.

The application shows that shopfronts and entrances are the same as approved.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of the existing hostel use

The basement and ground floors have previously been used as communal accommodation for the hostel (rather than bed-spaces). In granting permission for a retail use on the lower floors it was previously accepted that, in this busy location, the conversion of these floors to provide habitable living space would not provide a good quality of accommodation (notwithstanding the policy presumption to provide a residential use). In this case, the creation of two small retail units, in accordance adopted retail policies (UDP policy SS 4 and City Plan policies S6 and S7), was considered acceptable in land use terms and on the basis that it would also enliven the street frontage. It was acknowledged that a commercial use would also help to generate income for this local service provider (the Soho Housing Association). In these circumstances, the proposed loss of the hostel accommodation is, again, considered acceptable.

Although A1 retail use has been approved on the site, this use has not been implemented. Consequently, policies relating to the loss of retail floorspace are not relevant to the consideration of the application.

Proposed restaurant use (Class A3)

City Plan Policy S6 accepts that, in principle, entertainment uses are appropriate for the Core Central Activities Zone. However, as the site is located within the West End Stress Area, the introduction of new entertainment uses is considered more sensitive. In this area, policy S6 states that “new entertainment uses will only be allowed where the council considers that they are small-scale, low-impact and they will not result in an increased concentration of late-night uses”.

Policy S24 requires proposals for new entertainment uses to demonstrate that they are appropriate in terms of the type and size of use, scale of activity, relationship to any existing concentrations of entertainment uses, and any cumulative impacts, and that they do not adversely impact on residential amenity, health and safety, local environmental quality and the character and function of the area. New large-scale late-night

entertainment uses of over 500 sqm floorspace will not generally be appropriate within Westminster.

Given the size of the proposed restaurant (284m² GEA), Policy TACE9 of the UDP applies. This relates to entertainment uses which may be permissible in principle, subject to certain criteria. TACE9(B) states that permission will only be granted for proposals where the City Council is satisfied that the proposed development has no adverse effect upon residential amenity or local environmental quality as a result of noise, vibration, smells, increased late night activity, increased parking and traffic and no adverse effect on the character or function of its area.

It is noted that the Soho Society has not objected to the new restaurant floorspace and no other objections have been received.

The restaurant proposals are speculative with no end-user identified, and therefore it is not possible at this time to consider the likely impact by assessing the track record of the intended occupier. However, as freeholder, landlord and manager of the residential units, the Soho Housing Association (the applicant) has every incentive to ensure that the restaurant and residential units can operate alongside one another successfully.

Furthermore, conditions could be used to control the opening times and activity to ameliorate the potential impact. These conditions would ensure that the use would essentially be a sit-down restaurant, limited to a customer capacity of 98 covers (based on indicative layout provided by the applicant): this capacity includes customers waiting at the bar that has also been indicatively shown. Any ancillary bar could be limited to a small part of the premises, to be used only by diners before and after meals. A condition is recommended to ensure that the bar area does not exceed 15% of the proposed restaurant.

The proposed opening hours are consistent with general advice in the UDP - namely that as a general rule, the Council expects that, for entertainment uses in predominantly residential areas, conditions will be imposed to prevent customers remaining on the premises after midnight on Sundays (other than those immediately preceding Bank Holidays) to Thursdays, and after 12.30 a.m. on the following morning on Friday and Saturday nights and on Sundays immediately preceding bank holidays. As this is not a predominantly residential area, the proposed opening hours are considered reasonable.

An indicative Operational Management Plan (OMP) has been submitted in support of the application, but it is considered appropriate to require (by condition) a finalised OMP to be submitted and approved, once a tenant has been identified and before the use commences, to ensure that adequate safeguards are in place.

The nearest residential properties will be on the upper floor of the application site; on the upper floor the adjoining building (no. 58) and individual flats on the upper floors of several buildings on the opposite side of the street. The ground floor units along Greek Street are characterised by restaurant and retail uses. To the north of the site is a bank, which leads into then Soho Square. To the south is a restaurant, retail shop and office. Opposite the site is a restaurant, a shop, a wine and cocktail bar and a public house (The Pillars of Hercules).

In view of the mix of uses characterising the area, the proposal is considered to be acceptable in principle in land use terms. Although there are other restaurants in the vicinity, it's not considered that the proposal will create an adverse cumulative impact, given the dispersed nature of these premises and the small size of the proposed restaurant.

It is recommended that a condition is imposed requiring the submission of an updated Operational Management Plan (OMP) and Servicing Management Plan (SMP) including details of measures to:

- prevent customers queuing on the street,
- manage customers who wish to smoke;
- prevent customers from leaving the premises with their drinks
- ensure that goods and refuse are not stored on the highway and that site servicing is carried out in a sensitive manner, within agreed hours, to ensure that potential noise disturbance is minimised.

A condition is also recommended to ensure that no live or recorded music, which is audible externally or in neighbouring properties, can be played. With the imposition of the above conditions including a restriction on the restaurant capacity to 98, it is considered that the restaurant use would not have any adverse impact on residents' amenities or local environmental quality.

8.2 Townscape and Design

The property is an unlisted building in the Soho Conservation Area Audit. The proposed shopfronts are acceptable in design terms and are identical to those approved in 2016. The infilling of the lightwells along the ground floor frontage, as part of the works to the shopfronts, also remain acceptable.

The proposed rear extract duct would replace an existing duct of comparable size, following the same route. Given the limited visibility of the rear of the building it is not considered reasonable to require the duct to run internally. Any requirement for the duct to be enclosed by GRP panels or brick slips would be likely to have a detrimental impact on the adjacent windows. It is therefore considered appropriate to impose a condition requiring the duct to be painted to match the brickwork to the rear elevation.

The proposed rooftop plant replaces an existing installation of a similar height and volume. While the proposed roof plant is considered acceptable, it should also be painted to match the colour of the existing roof covering. The three air intake and extract 'swan neck' ducts below the rear ground floor windows (effectively at rear basement level), which will have very limited visibility, are also considered acceptable.

8.3 Residential Amenity

Mechanical plant is being replaced at roof level along with a replacement full height extract duct on the rear elevation (to extract at roof level). Subject to standard conditions restricting noise levels and vibration, this equipment is considered to be acceptable and will not adversely impact the amenity of the new flats on the upper floors of the building or flats in adjoining buildings.

The three air intake and extract 'swan neck' ducts below the rear ground floor windows (effectively at rear basement level), which are also considered to be acceptable subject to conditions controlling noise output.

The application includes details of proposed sound insulation between the ground floor restaurant and the new residential accommodation above. A condition is proposed to ensure that these measures are implemented. The insulation measures depend on the restaurant having no amplified or live music. The Environmental Health officer has therefore requested a condition stating that no amplified or live music entertainment can be provided at the premises beyond 'background level', as defined under guidance to the Licensing Act 2003).

8.4 Transportation/Parking

The Highways Planning Manager raises no objections to the application and considers that the proposal is unlikely to have a significant impact on car parking in the area. The site is also well served by public transport.

Servicing

TRANS20 and S42 require off-street servicing for new developments although there is no potential to provide off-street servicing on the application site. The largest regular service vehicle expected to be associated with this development is the refuse collection vehicle. This will service the property in a similar fashion to the existing use and nearby properties. The site is located within a Controlled Parking Zone, which means that locations single and double yellow lines (where restrictions permit) in the vicinity allow loading and unloading to occur, there is also an on-street loading bay within close proximity of the site.

Pavement Lights

Maintaining a high quality pedestrian environment is vital to facilitate movement. The installation of pavement lights or smoke vents in the footway is usually considered detrimental to the pedestrian environment and does not accord with the principals of the Westminster Way. However given that the pavement lights replace an existing lightwell (as such the area is not currently highway) and will increase the width of the useable highway, proposals to cover the front basement lightwell with pavement lights are considered acceptable. The applicant will need to liaise with the Council regarding approval for the structure supporting the highway.

Cycle parking

No cycle parking has been shown on the submitted drawings. To comply with the London Plan (as amended) a minimum of two cycle spaces is required, which will be secured by condition.

8.5 Economic Considerations

Any economic benefits generated are welcomed.

8.6 Access

The restaurant entrance will include a step up of 150mm from the public highway due to the ground floor threshold being slightly raised above pavement level. The applicant

advises that it is not possible to introduce ramped threshold as the level change would necessitate the siting of the entrance door behind the façade line, thereby creating a deep recess. This would not only introduce a security risk but also have an adverse impact on the design and appearance of the building and may encourage anti-social behaviour. The constraints of the site are noted, as is the fact that this is the same arrangement as was previously approved.

8.7 Refuse/Recycling

Following the submission of amended drawings, the proposed arrangements for the storage of refuse and recyclable materials are considered to be acceptable. This will be secured by a planning condition.

8.8 London Plan

This application raises no strategic issues and is not referable to the Mayor of London.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application, nor does the proposal generate a CIL payment..

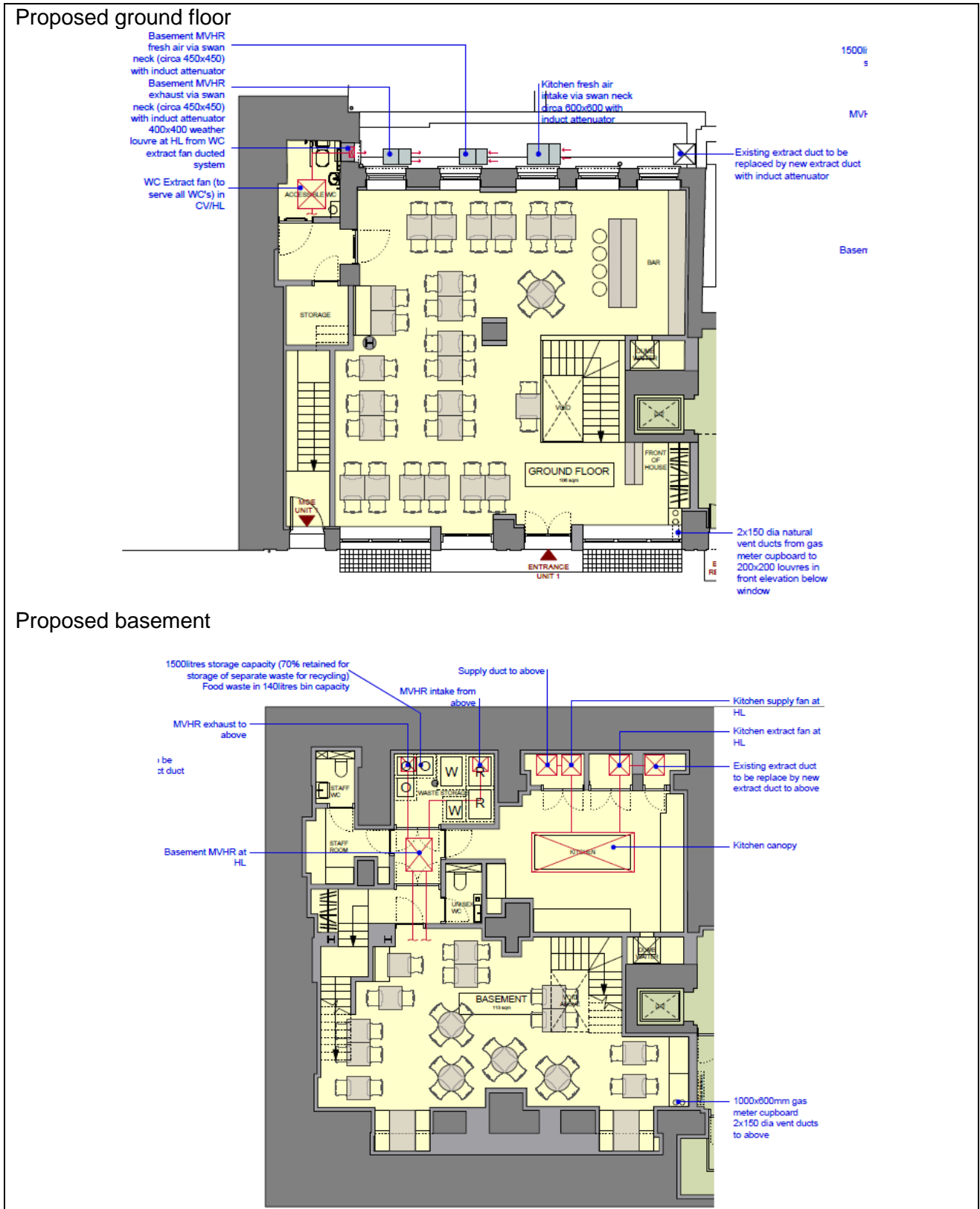
9. BACKGROUND PAPERS

1. Application form
2. Response from Soho Society, dated 12 June 2017
3. Memorandum from the Highways Planning Manager dated 2 June 2017
4. Memoranda from the Projects Officer (Waste) dated 1 June and 25 July 2017
5. Memorandum from Environmental Services dated 31 July 2017
6. Draft Operational Management Plan dated 3 April 2017

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARA SPURRIER BY EMAIL AT sspurrier@westminster.gov.uk

10. KEY DRAWINGS



Existing shopfront



Proposed shopfronts



Existing rear elevation



Proposed rear elevation



DRAFT DECISION LETTER

Address: 59 Greek Street, London, W1D 3DZ

Proposal: Use of part basement and part ground floor as a restaurant (Class A3), creation of new shopfront and replacement of extract plant on rear elevation and at roof level.

Reference: 17/04475/FULL

Plan Nos: EX. 100 (Site Location Plan); PR 101 Rev A, PR 102, PR 201, PR 202, PR 203, PR 204, PR 205, PR 206; Report from KP Acoustics dated 5 June 2017 (Ref. 15280.170606.L1), Design and Access Statement dated March 2017.

Case Officer: Paul Quayle

Direct Tel. No. 020 7641 2547

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must carry out any building work which can be heard at the boundary of the site only:, ,
* between 08.00 and 18.00 Monday to Friday;
* between 08.00 and 13.00 on Saturday; and
* not at all on Sundays, bank holidays and public holidays.
Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must not:
i) sell any hot-food take-away on the premises, even as an ancillary part of the primary Class A3 use;
ii) provide a delivery service from the restaurant, including no deliveries by any independent operators.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 4 The provision of a bar and bar seating must not take up more than 15% of the floor area of the restaurant premises. You must use the bar to serve restaurant customers only, before, during or after their meals.

Reason:

To prevent a use that would be unacceptable because of the character and function of this part of the Soho Conservation Area. This is in line with S24 of Westminster's City Plan adopted November 2016 and TACE 9 of our Unitary Development Plan that we adopted in January 2007.

- 5 You must not allow more than 98 customers into the property at any one time (including any customers waiting at the bar, if one is provided).

Reason:

To prevent a use that would be unacceptable because of the character and function of this part of the Soho Conservation Area. This is in line with S24 of Westminster's City Plan adopted November 2016 and TACE 9 of our Unitary Development Plan that we adopted in January 2007.

- 6 No amplified or live music entertainment can be provided at the premises beyond 'background level' (as defined under guidance to the Licensing Act 2003). Any such music must not be audible externally or in the adjacent properties (including the first floor residential accommodation above).

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 7 Customers shall not be permitted within the restaurant premises before 08:00 or after 00:00 Sundays (excluding those Sundays preceding bank holidays and other public holidays) to Thursdays, and before 08:00 or after 00:30 on Fridays and Saturdays, and Sundays (other than those preceding bank holidays and other public holidays).

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 9 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 8 You must apply to us for approval of an updated management plan (including the number of customers allowed by condition 5) to show how you will prevent customers who are leaving the building, and people who wish to smoke outside, from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the restaurant use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the restaurant is in use.

(C05JB)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 9 The plant/machinery hereby permitted shall not be operated except between 07:30 hours and 00.30 hours daily.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 10 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The

proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 11 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 12 You must implement the sound insulation measures set out in the report by KP Acoustics Ltd report dated 5 June 2017 (Ref. 15280.170606.L1) between the restaurant and residential accommodation at first floor level, to reduce noise passing between them. You must not commence the restaurant use until these works have been fully carried out in accordance with the measures outlined in the KP Acoustics report.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 13 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number PR 101 Rev A. You must clearly mark them and make them available at all times to everyone using the restaurant. (C14FB)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 14 You must apply to us for approval of details of secure cycle storage for the restaurant use (minimum 2 bicycle spaces). You must not commence the restaurant use until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 16 You must hang all doors so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 17 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 18 The kitchen extract duct and associated plant at roof level must be installed before the restaurant use commences.

Reason:

To ensure that the restaurant is provided with the appropriate extractor equipment that would deal properly with cooking smells and look suitable. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05DC)

- 19 The extract duct on the rear facade shall be painted a colour that matches the adjacent brickwork and the plant equipment at roof level shall be painted a light grey.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 20 The design and structure of the development shall be of such a standard that it will protect residents within

the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You may need separate licensing approval for the restaurant premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 3 With regard to the kitchen extract equipment, the Council's Environmental Health officer advises that the kitchen extract duct must discharge at highest roof level (at least 1m above roof eaves) and which is also higher than any building within 20 metres of the building housing the commercial kitchen; - The kitchen extract ventilation must discharge with an efflux velocity of at least 8m/s., - The final discharge point must be vertically upwards and unhindered ie use of plate, cowl or cap methods for the prevention of rainwater penetration should not be employed; - All kitchen extract ducts must be fitted with doors/hatches for cleaning, at approximately 3 metre intervals, complying with the H & S safe access standards. All cookline equipment must be placed under the extraction canopy.
- 4 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACMs). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACMs, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)
- 5 Please contact our Environmental Health Service (020 7641 2971) to register your food business

and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)

- 6 Buildings must be provided with appropriate welfare facilities for staff who work in them and for visiting members of the public., Detailed advice on the provision of sanitary conveniences, washing facilities and the provision of drinking water can be found in guidance attached to the Workplace (Health, Safety and Welfare) Regulations 1992.
www.opsi.gov.uk/SI/si1992/Uksi_19923004_en_1.htm, , The following are available from the British Standards Institute - see <http://shop.bsigroup.com/>., , BS 6465-1:2006: Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances , BS 6465-3:2006: Sanitary installations. Code of practice for the selection, installation and maintenance of sanitary and associated appliances. (I80HA)
- 7 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 8 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 9 You are advised of the need to obtain technical approval for the works to the highway (supporting structure) prior to commencement of development. The applicant should contact Andy Foster (0207 641 2541) in Engineering & Transportation Projects to progress the application for works to the highway.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.



Your ref: 59 Greek Street - A3 restaura...

**Please
reply to:**

Paul Quayle

My ref: 17/04475/FULL

Tel No:

020 7641 2547

Jon Dingle
Jon Dingle Ltd
29 The Green
Winchmore Hill
London
N21 1HS**Development Planning**
Westminster City Council
PO Box 732
Redhill, RH1 9FL

17 August 2017

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE**Application No:** 17/04475/FULL**Application Date:****Date Received:** 22.05.2017**Date Amended:** 22.05.2017**Plan Nos:** EX. 100 (Site Location Plan); PR 101 Rev B, PR 102, PR 201 Rev A, PR 202, PR 203, PR 204, PR 205, PR 206; Report from KP Acoustics dated 5 June 2017 (Ref. 15280.170606.L1), Design and Access Statement dated March 2017.**Address:** 59 Greek Street, London, W1D 3DZ,**Proposal:** Use of part basement and part ground floor as a restaurant (Class A3), creation of new shopfront and replacement of extract plant on rear elevation and at roof level.

See next page for conditions/reasons.

Yours faithfully



John Walker
Director of Planning

Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email districtsurveyors@westminster.gov.uk to arrange a preliminary discussion.

Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



Condition(s):

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday;
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must not:
- i) sell any hot-food take-away on the premises, even as an ancillary part of the primary Class A3 use;
 - ii) provide a delivery service from the restaurant, including no deliveries by any independent operators.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 4 The provision of a bar and bar seating must not take up more than 15% of the floor area of the restaurant premises. You must use the bar to serve restaurant customers only, before, during or after their meals.

Reason:

To prevent a use that would be unacceptable because of the character and function of this part of the Soho Conservation Area. This is in line with S24 of Westminster's City Plan adopted November 2016 and TACE 9 of our Unitary Development Plan that we adopted in January 2007.

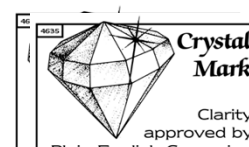
- 5 You must not allow more than 98 customers into the property at any one time (including any customers waiting at the bar, if one is provided).

Reason:

To prevent a use that would be unacceptable because of the character and function of this

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part of the Soho Conservation Area. This is in line with S24 of Westminster's City Plan adopted November 2016 and TACE 9 of our Unitary Development Plan that we adopted in January 2007.

- 6 No amplified or live music entertainment can be provided at the premises beyond 'background level' (as defined under guidance to the Licensing Act 2003). Any such music must not be audible externally or in the adjacent properties (including the first floor residential accommodation above).

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 7 Customers shall not be permitted within the restaurant premises before 08:00 or after 00:00 Sundays (excluding those Sundays preceding bank holidays and other public holidays) to Thursdays, and before 08:00 - 00:30 Fridays and Saturdays, and Sundays (other than those preceding bank holidays and other public holidays).

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 9 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 8 You must apply to us for approval of an updated management plan (including the number of customers allowed by condition 5) to show how you will prevent customers who are leaving the building, and people who wish to smoke outside, from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the restaurant use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the restaurant is in use. (C05JB)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

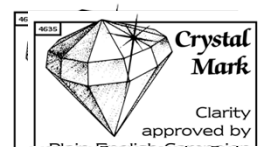
- 9 The plant/machinery hereby permitted shall not be operated except between 07:30 hours and 00.30 hours daily.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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10 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

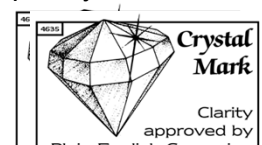
- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed

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maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 11 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 12 You must implement the sound insulation measures set out in the report by KP Acoustics Ltd report dated 5 June 2017 (Ref. 15280.170606.L1) between the restaurant and residential accommodation at first floor level, to reduce noise passing between them. You must not commence the restaurant use until these works have been fully carried out in accordance with the measures outlined in the KP Acoustics report.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 13 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number PR 101 Rev A. You must clearly mark them and make them available at all times to everyone using the restaurant. (C14FB)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 14 You must apply to us for approval of details of secure cycle storage for the restaurant use (minimum 2 bicycle spaces). You must not commence the restaurant use until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

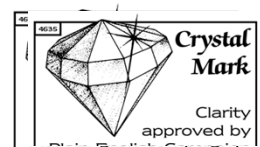
- 16 You must hang all doors so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

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- 17 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 18 The kitchen extract duct and associated plant at roof level must be installed before the restaurant use commences.

Reason:

To ensure that the restaurant is provided with the appropriate extractor equipment that would deal properly with cooking smells and look suitable. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05DC)

- 19 The extract duct on the rear facade shall be painted a colour that matches the adjacent brickwork and the plant equipment at roof level shall be painted a light grey.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 20 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

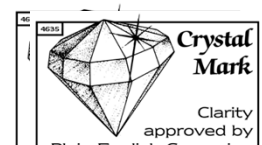
- 21 All servicing must take place between 07.00 and 21.00 hours on Monday to Saturday and 08.00 and 18.00 hours on Sunday. Servicing includes loading and unloading goods from vehicles, putting rubbish outside the building and refuse collections. (C23DA)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 9 of our

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Unitary Development Plan that we adopted in January 2007. (R12AC)

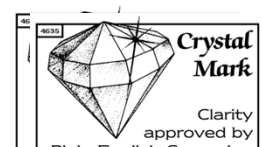
Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You may need separate licensing approval for the restaurant premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 3 With regard to the kitchen extract equipment, the Council's Environmental Health officer advises that:
 - The kitchen extract duct must discharge at highest roof level (at least 1m above roof eaves) and which is also higher than any building within 20 metres of the building housing the commercial kitchen;
 - The kitchen extract ventilation must discharge with an efflux velocity of at least 8m/s.
 - The final discharge point must be vertically upwards and unhindered ie use of plate, cowl or cap methods for the prevention of rainwater penetration should not be employed;
 - All kitchen extract ducts must be fitted with doors/hatches for cleaning, at approximately 3 metre intervals, complying with the H & S safe access standards;
 - All cookline equipment must be placed under the extraction canopy.
- 4 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM₂s). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM₂s, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)
- 5 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)
- 6 Buildings must be provided with appropriate welfare facilities for staff who work in them and for visiting members of the public.
Detailed advice on the provision of sanitary conveniences, washing facilities and the provision of drinking water can be found in guidance attached to the Workplace (Health, Safety and Welfare) Regulations 1992. www.opsi.gov.uk/SI/si1992/Uksi_19923004_en_1.htm

The following are available from the British Standards Institute - see <http://shop.bsigroup.com/>:

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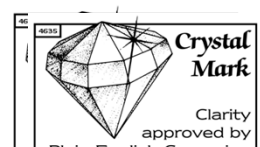
BS 6465-1:2006: Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances

BS 6465-3:2006: Sanitary installations. Code of practice for the selection, installation and maintenance of sanitary and associated appliances. (180HA)

- 7 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 8 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (154AA)
- 9 You are advised of the need to obtain technical approval for the works to the highway (supporting structure) prior to commencement of development. The applicant should contact Andy Foster (0207 641 2541) in Engineering & Transportation Projects to progress the application for works to the highway.

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City of Westminster

TOWN AND COUNTRY PLANNING ACT 1990 PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Applicant's Rights and General Information

1. Applicant's Rights (refusals and conditional approvals)

a) *Appeals to the Planning Inspectorate*

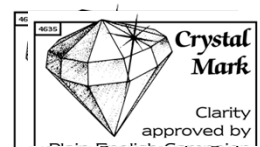
If your application has been **refused** by the City Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government.

The time limits for submitting an appeal may vary. The period after the date of the City Council's decision within which an appeal must be received by the Secretary of State is:

- **28 days** in the case of an appeal against refusal of a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice.
- **8 weeks** in the case of an appeal against refusal of advertisement consent.
- **12 weeks** in the case of appeals made under s78(1) against refusal of any 'householder application' – that is,
 - refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house.
 - Refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.
 - Refusal of prior approvals relating to dwelling houses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order.
- **12 weeks** in the case of 'minor commercial applications that is,
 - refusal of an application for development of an existing building or part of a building currently in use for any purposes in Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.
 - Interested parties have no right to comment on an appeal with regards to a minor commercial development (specifically a shopfront).
- **6 months** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building consent application. The 6 month time limit also applies to any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

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If you want to appeal, you must use the correct appeal form from the following list: Planning, Householder, Minor Commercial, Listed Building Consent or Certificate of Lawful Use or Development.

The Planning Inspectorate has an online appeals service: www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the application form and associated documents and the completed appeal documents. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure that you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Alternatively, you can obtain a form from the **Customer Support Team, Planning Inspectorate, 3/08a, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN Tel: 0303 4440000**. An extension of time for lodging an appeal is unlikely to be granted except in special circumstances. There is a guide and other useful advice about appeals on line at www.planningportal.gov.uk/planning/appeals/online/makeanappeal

APPROVAL OF DETAILS:

If your application has been granted and is subject to the approval of details reserved by condition please use the form 'Application For Approval Of Details Reserved By Condition' in order to discharge the relevant details. This form can be downloaded from the City Council's web site at www.westminster.gov.uk/planning

b) Purchase Notices

In certain circumstances the owner of a property has the right to serve a Purchase Notice on the City Council or the Department for Communities and Local Government. A Notice may be served if, following a refusal or a conditional approval, the owner considers the land cannot be put to a reasonably beneficial use in either its existing state or through development which has or would be permitted. A Purchase Notice would require the City Council to purchase the owner's interest in the land in accordance with the relevant provisions of the Acts (Part VI of the Town and Country Planning Act 1990 and Sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

2. General information relating to all approvals

a) Other legislative requirements

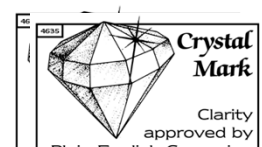
This decision has been made by the City Council as the local planning authority. You are reminded of the need to comply with other relevant regulations and statutory provisions and respect the rights of other owners/occupiers provided by relevant property legislation.

Transportation: If your proposal involves works which affect the public highway you should consult the City Council as Highways Authority. This includes works to, over or below any carriageway, footway or public forecourt. You should contact the Highways Planning Team by email highwaysplanning@westminster.gov.uk or telephone 020 7641 3326. If your proposal is related to paving works and/or is associated with an agreement under Section 106 of the Town and Country Planning Act 1990 please telephone: 020 7641 2920.

Highways Licensing: For general enquiries about temporary structures on the highway, such as hoardings, skips, the excavation and storage of materials on the highways, please telephone 020 761 2000.

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Building Control: You are advised to contact Westminster District Surveyors immediately to find out whether your proposal will require consent under the Building Regulations: Tel: 020 7641 6500 Email :districtsurveyors@westminster.gov.uk.

Building Regulation forms and further information is available on the Council's web site: <http://www.westminster.gov.uk/services/environment/landandpremises/buildings/forms/>

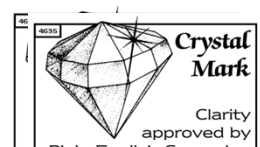
Land Drainage: Where major works are involved, Land Drainage Consent may be required under the Water Resources Act 1991 and Thames Region Land Drainage By Laws 1981. You are advised to contact the Environment Agency, Apollo Court ,2 Bishop's Square Business Park, St Albans Road West Hatfield AL10 9EX Tel: 03708 506 506 or email:enquiries@environment-agency.gov.uk.

b) Provision of access and facilities for disabled people

Designing new buildings and adapting existing buildings to meet the needs of people with disabilities results in a safer and more convenient environment for all. General advice is available from planning and building control officers who can also direct you to appropriate sources of technical/specialist advice.

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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. The premises shall only operate as a restaurant
 - a. in which customers are shown to their table,
 - b. where the supply of alcohol is by waiter or waitress service only,
 - c. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery,
 - d. which do not provide any take away service of food or drink for immediate consumption,
 - e. which do not provide any take away service of food or drink after 23.00, and
 - f. where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

10. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
11. All outside tables and chairs shall be rendered unusable by (23.00) each day.
12. Save for in any permitted external area patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
13. 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.
14. 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.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder
 - e) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system, searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

17. 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.
18. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
19. 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 unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
20. 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 unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
21. 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.
22. The number of persons accommodated at the premises as a whole at any one time (excluding staff) shall not exceed (120).
23. 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. If there are minor changes during the course of construction new plans shall be submitted with the application to remove this condition.



Resident count: 62

Licence Number	Trading Name	Address	Premises Type	Time Period
15/03340/LIPVM	Balls & Company	Basement And Ground Floor 58 Greek Street London W1D 3DY	Restaurant	Monday to Thursday; 12:00 - 23:30 Friday to Saturday; 12:00 - 00:00 Sunday; 12:00 - 22:30
06/12741/WCCMAP	Kaslik	Basement And Ground Floor 58 Greek Street London W1D 3DY	Restaurant	Monday to Thursday; 12:00 - 23:30 Friday to Saturday; 12:00 - 00:00 Sunday; 12:00 - 22:30
06/06525/WCCMAC	New Evaristo Club	Ground Floor 57 Greek Street London W1D 3DX	Night clubs and discos	Monday to Saturday; 11:00 - 01:30 Sunday; 12:00 - 01:30
14/09211/LIPVM	Bo Drake Restaurant	Basement And Ground Floor 6 Greek Street London W1D 4DE	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
16/10460/LIPVM	68 And Boston	4 Greek Street London W1D 4DB	Night clubs and discos	Monday to Saturday; 09:00 - 02:30 Sunday; 09:00 - 02:00 Sundays before Bank Holidays; 09:00 - 02:30
17/09918/LIPDPS	Pillars Of Hercules Public House	7 Greek Street London W1D 4DF	Pub or pub restaurant with lodge	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00

17/13397/LIPV	Milroys Of Soho	Basement And Ground Floor 3 Greek Street London W1D 4NX	Shop	Monday to Thursday; 10:00 - 23:00 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
17/14616/LIPCH	The Gay Hussar	2 Greek Street London W1D 4NB	Restaurant	Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00 Sunday; 12:00 - 22:30
06/05103/WCCMAP	Jazz After Dark	Ground Floor 9 Greek Street London W1D 4DQ	Night clubs and discos	Monday to Thursday; 09:00 - 02:30 Monday to Saturday; 10:00 - 00:30 Friday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00
11/08277/LIPN	10 Greek Street	10 Greek Street London W1D 4DH	Restaurant	Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00 Sunday; 11:00 - 22:30
18/01285/LIPDPS	Hazlitts Hotel	6 Frith Street London W1D 3JA	Hotel, 3 star or under	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
17/11842/LIPDPS	Bonnie Gull	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/02772/LIPV	Thirst	23 - 24 Bateman Street London W1D 3AW	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00
14/07710/LIPDPS	La Capannina Club	Basement 21 Bateman Street London W1D 3AL	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:30

13/05652/LIPN	21 Bateman Street	Ground Floor 21 Bateman Street London W1D 3AL	Restaurant	Friday to Saturday; 12:00 - 03:00 Sunday to Thursday; 12:00 - 00:00
13/07317/LIPVM	House Of St Barnabas	The House Of St Barnabas In Soho 1 Greek Street London W1D 4NQ	Civic/public building	Monday to Sunday; 08:00 - 01:30
09/09864/LIPN	Bibimbap Korean Restaurant	11 Greek Street London W1D 4DJ	Restaurant	Monday to Wednesday; 17:00 - 00:00 Monday to Sunday; 12:00 - 15:00 Thursday to Saturday; 17:00 - 02:00 Sunday; 17:00 - 00:00
16/10525/LIDPSR	Miabella	Basement 12-13 Greek Street London W1D 4DL	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00
17/09067/LIPV	Miabella London	Basement 12-13 Greek Street London W1D 4DL	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00
17/09330/LIPST	Unit 2	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 23:30
17/09323/LIPST	Unit 4	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 23:30
17/08427/LIPV	Nandos	Ground Floor 10 Frith Street London W1D 3JF	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

06/05119/WCCMAP	San Valentino Bar	13A Greek Street London W1D 4DN	Shop	Monday to Saturday; 23:00 - 03:00
18/03606/LIPDPS	Lina Stores	Basement And Ground Floor 51 Greek Street London W1D 4EH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/07004/LIPV	Simmons	2 Bateman Street London W1D 4AE	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
17/08562/LIPDPS	Flavour Bastard	63 - 64 Frith Street London W1D 3JW	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/09349/LIPRW	Circa	Ground Floor 62 Frith Street London W1D 3JN	Night clubs and discos	Monday to Sunday; 11:00 - 01:00
16/13059/LIPVM	Union Club	50 Greek Street London W1D 4EQ	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00
15/03152/LIPVM	Club 49	Basement And Ground Floor 49 Greek Street London W1D 4EG	Restaurant	Monday to Saturday; 10:00 - 03:30 Sunday; 12:00 - 23:00
17/08893/LIPDPS	Chotto-Matte	11-13 Frith Street London W1D 4RB	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:30
16/08065/LIPDPS	Patara	Basement And Ground Floor 15 Greek Street London W1D 4DP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

16/00325/LIPV	G-A-Y Late	Royal George 133 Charing Cross Road London WC2H 0EA	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 03:30
18/03136/LIPV	G-A-Y Late	Royal George 133 Charing Cross Road London WC2H 0EA	Night clubs and discos	Monday to Saturday; 09:00 - 04:30 Sunday; 12:00 - 04:30