



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (1)**

Meeting Date: **Thursday 9 November 2023**

Time: **10.00 am**

Venue: **Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**
Aziz Toki (Chair)
Md Shamsed Chowdhury
Jim Glen

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 64 Victoria Street 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 Jack Robinson-Young, Committee and Councillor Co-ordinator.

Email: jrobinsonyoung@westminster.gov.uk
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. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before 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 the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. 6 NOTTINGHAM STREET, LONDON, W1U 5EJ

(Pages 1 - 52)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Marylebone * None ** None	6 Nottingham Street London W1U 5EJ	New Premises Licence	23/04560/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

2. SHADOW LICENCE, 84-86 WARDOUR STREET, W1F 0TQ

(Pages 53 - 90)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Shadow Licence 84-86 Wardour Street W1F 0TQ	Shadow Licence	23/04677/LIPSL
*Cumulative Impact Area ** Special Consideration Zone			

3. SHADOW LICENCE, BASEMENT, 84-86 WARDOUR STREET, W1F 0TG

(Pages 91 - 132)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Shadow Licence Basement 84-86 Wardour Street W1F 0TG	Shadow Licence	23/04676/LIPSL
*Cumulative Impact Area ** Special Consideration Zone			

Stuart Love
Chief Executive
1 November 2023

In considering applications for Premises Licences under the Licensing Act 2003, the Sub Committee is advised of the following:

Policy Considerations

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from January 2021.

Guidance Considerations

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 the Licensing Act 2003. The most recent version was published in April 2018.

Core hours When Customers Are Permitted to Be on The Premises

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

Note: The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

1. Casinos

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

2. Cinemas, Cultural Venues and Live Sporting Premises

Monday to Sunday: 09:00 hours to 24:00 hours

3. Hotels

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

Sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours

4. Off licences

Monday to Saturday: 08:00 hours to 23:00 hours

Sunday: 09:00 hours to 22:30 hours

5. Outdoor Spaces

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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

Monday to Thursday: 10:00 hours to 23:30 hours

Friday and Saturday: 10:00 hours to 24:00 hours

Sunday: 12:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 hours

7. Qualifying Clubs

Monday to Thursday: 09:00 hours to 24:00 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

8. Restaurants

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

9. Sexual Entertainment Venues and Sex Cinemas

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	9 November 2023
Licensing Ref No:	23/04560/LIPN - New Premises Licence
Title of Report:	6 Nottingham Street London W1U 5EJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Roxsana Haq Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	7 July 2023		
Applicant:	The Backburner Lease Limited		
Premises:	Backburner		
Premises address:	6 Nottingham Street London W1U 5EJ	Ward:	Marylebone
		Cumulative Impact Area:	None.
		Special Consideration Zone:	None.
Premises description:	According to the applicant the premises intends to operate as a Café / Coffee shop. Somewhere patrons can eat, have a coffee or drink or alcoholic beverage (ancillary to food) and listen to music via headphones (so silent music to the ear). The applicant anticipates this will be a premises the local community can frequent.		
Premises licence history:	This is a new premises licence application therefore no premises licence history exists.		
Applicant submissions:	An application summary along with a company brochure and menu can be seen at Appendix 2 .		
Applicant amendments:	None.		

1-B Proposed licensable activities and hours

Sale by retail of alcohol				On or off sales or both:			On Sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations/ Non-standard timings:				None.			

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations/ Non-standard timings:				None.			
Adult Entertainment:				None.			

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Maxwell Koduah
Received:	31 July 2023
<p>I refer to the application for a new Premises Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking to supply alcohol for consumption on the premises Monday – Sunday 09:00 – 22:00 hours</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:</p> <p>The supply of alcohol and the hours requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area.</p> <p>As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area.</p> <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the area.</p> <p>The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED]
Received:	02/08/2023
<p>Dear Sir/Madam,</p> <p>23/04560/LIPN Premises Licence - 6 Nottingham Street London W1U 5EJ</p> <p>On behalf of the [REDACTED] we are writing to object to the above application on the grounds that it will not promote the Licensing Objectives namely: prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.</p> <p>This premises is in a highly residential street next to the corner of a residential mews.</p> <p>We understand this premises was since the 1970's an architect's office. We further understand that planning permission for the conversion to a café/coffee shop is not required. However, no plan has been submitted, no details of how the premises will be run or where any extractor will be situated if cooking is proposed on the premises.</p> <p>The latter is of interest to the residents as this is a Nottingham Street is a highly residential street with families and it is on the corner of Oldbury Place which has a number of mews houses, also with very concerned residents as this could lead to smells and noise.</p> <p>Oldbury Place has recently been experiencing anti social behaviour; including us being informed by a resident that they had seen regular drug dealing in the mews and on the junction of the mews and Nottingham Street with people being delivered drugs by " delivery riders" .</p> <p>Cannabis smoking has been happening in the mews and on one occasion recently four young men in a Mercedes car were smoking cannabis and were threatening and aggressive towards residents .</p> <p>Another resident reported he had been mugged, attacked and robbed of his watch in Oldbury Place, he said he had been followed from Kensington which was reported to the police.</p> <p>The relevance of providing the information above is the concern that patrons using this café will congregate at the entrance to Oldbury Place causing a public nuisance and possibly adding to the anti social behaviour/crime happening there. There is also a gate at the top of Oldbury Place and concerns have been raised about patrons using this more frequently to access Marylebone Road through St Marylebone Church yard.</p> <p>Whilst conditions have been offered to mitigate anticipated concerns, we strongly object to the sale of alcohol from 9am as we cannot see why a café/coffee shop needs to sell alcohol at 9am and how this promotes the licensing objectives.</p> <p>We consider the application will lead to public nuisance and issues of public safety with the increase in litter, smells, other emissions and street fouling in the mews.</p> <p>Thank you for your consideration and we respectfully request that this application is refused.</p> <p>Please acknowledge receipt of this representation.</p> <p>[REDACTED]</p>	

Name:	██████████
Address and/or Residents Association:	████████████████████ ██████████
Received:	24/07/2023

I write as an interested party to make a 'relevant representation' fully objecting to the grant of this application.

My name is ██████████, I have been living peacefully on ██████████ for the past 18 years. I am a long-term resident of Marylebone, and in devotion to my community I am also a member of the ██████████

My objection to this application is based primarily on the licensing objective of 'prevention of public nuisance'.

Background

I am a leaseholder owner, ██████████ but my entire duplex flat and front door is on ██████████ to the premises of 6 Nottingham Street. My duplex flat has a ██████████. My front door, ground floor windows, and lower ground floor windows are all on Nottingham Street, next door to 6 Nottingham Street.

I am a long-term resident of Marylebone. I bought my flat in 2005 and have peacefully lived on Nottingham Street, a quiet residential street, ever since then. All during the 18 years that I have lived here, 6 Nottingham Street was an office premises, with a small team of office workers (I think they were architects) and the office tenants were very quietly behaved. They arrived for work 8am-9am and left work at 5pm-6pm. I never experienced any public nuisance or anti-social behaviour.

The new licensing application for 6 Nottingham Street comes now as a shock to me. I live with ██████████ We are a quiet family. Like any ██████████ sensitive to noise, especially night time noise. ██████████ comes home from school at 4pm, and then needs peace and quiet in order to concentrate on her homework. ██████████ bed-time is 7.30pm and ██████████ needs a good night sleep in order to be fresh and alert for school each day. I work full-time, from home – and need to be able to make work calls without noise interference during the day. I would also like to relax in the evenings without noise next door, and without people coming and going on what to date is a very quiet street in the evenings. Nottingham Street is a one-way street, and the traffic quiets down after 6pm. It is an unusually quiet street, and I am very upset by the idea that the new commercial premises will destroy our quiet and calm street. When alcohol is involved, customers become rowdy, particularly in the evening. I am concerned about the level of noise both inside and outside my flat, next door to 6 Nottingham Street. Nottingham Street has ONLY residential dwellings. There are no other commercial premises on Nottingham Street – other than 6 Nottingham Street. It's use as offices did not impinge on residents on this street, but a café/coffee shop with alcohol will definitely alter resident's experience day and especially nighttime.

Here is my list of reasons for objecting fully:

1. The residential nature of the immediate area is inappropriate for a licence to be granted at all.
2. What is the applicant's track record? Do they have other premises in Westminster?
3. Is it a daytime operation and if so why have they applied for late hours?

4. The premises is not a purpose built licensed premises – what noise attenuation measures have been carried out?
5. How will odours from cooking not cause a nuisance?
6. The previous operation of the premises was 9am-5pm offices, and this was not problematic.
7. The terminal hours must be seen in the context of the locality and in the context that the premises will in practice remain open later than previously for different activities and therefore have a bigger impact.
8. My experience with other licensed-for-alcohol premises on Marylebone High Street is that noise travels. So the whole of Nottingham Street will be affected, not just me next door.
9. I noticed that the plan of the premises is not available – are there plans for any outside area for consumption of alcohol? If so, this could cause extra nuisance.
10. Although there is a condition that sale of alcohol is ancillary to a table meal, what is the food offer?
11. Although there are some conditions proposed the application does not address the concerns identified in the Council's policies eg PN1, the 'public nuisance' policy.
12. The application as it stands has the effect of extending current operating hours.
13. Are toilet facilities adequate?
14. How will deliveries to the premises and waste collection etc from the premises be done? How will they be scheduled?

I am aware that applications can be amended, and I would ask that I am kept updated of any changes to the application.

Yours sincerely,

██████████

Name:	██████████
Address and/or Residents Association:	██████████ ██████████
Received:	30/07/2023

Dear Sir / Madam,

I write as an interested party to make a 'relevant representation' objecting to the grant of this application. My objection is based primarily on the licensing objective of 'prevention of public nuisance'.

I am writing to express my profound objection to the proposed establishment of a cafe serving alcohol on Nottingham Street in Marylebone. As a long-term resident of this peaceful neighbourhood for over 10 years and someone who is in the process of starting a family, I am deeply concerned about the potential detrimental impact that such a business would have on our community.

First and foremost, I would like to emphasize the issue of additional noise in the evening. Oldbury Place has been a haven of tranquillity for many years, and the introduction of a cafe with alcohol service nearby could lead to increased noise levels, particularly during late hours. As a prospective parent, I am genuinely worried about the adverse effects this heightened noise

might have on the well-being of my family and other young families in the area.

Moreover, it is important to highlight the existing problem of intoxicated individuals spilling out from the Prince Regent, which is already located at a distance from our street. The introduction of another alcohol-serving establishment nearby would likely exacerbate this issue, leading to increased disturbances, safety concerns, and potential instances of anti-social behaviour, significantly impacting the safety and peace of our residential area.

Additionally, smoking on the street is already a severe issue that affects the quality of life for residents in Oldbury Place. The potential influx of customers frequenting the proposed cafe could intensify this problem, subjecting us to even more second-hand smoke and further diminishing the overall health and comfort of our community.

Furthermore, while I may not reside directly next door to the establishment in question, it is essential to acknowledge the alleyway behind the school that acts as a thoroughfare. This alleyway already poses a series of challenges and is problematic due to excessive foot traffic. The proposed cafe's location would inevitably contribute to an influx of people using this alleyway, leading to increased congestion, littering, and potential safety hazards in an area that is meant to be a safe route for students and pedestrians.

Considering the points raised above, it is evident that granting an alcohol license to the proposed cafe poses a significant risk for the prevention of public nuisance. The potential for disturbances, littering, and unruly behaviour in an otherwise tranquil residential setting is a cause for serious concern.

As a collective community, we are deeply committed to preserving the peaceful character and residential appeal of Oldbury Place. We firmly believe that the approval of this proposal would jeopardize the safety, well-being, and quality of life for all residents in the vicinity. I also do not believe the proposal set forth adequately identifies what the external footprint will look like for the consumption of alcohol. In addition, the proposed hours will clearly need to be extended for deliveries which only adds to the overall disruption.

In light of these compelling reasons, I implore the local council to reconsider the implications of allowing an alcohol license for the proposed cafe. I respectfully request that you prioritize the interests and needs of the long-standing residents who call Oldbury Place their home, especially those of us who are eager to raise families in this cherished neighborhood. Thank you for taking the time to consider our objections and safeguarding the unique and peaceful essence of Oldbury Place.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	26/07/2023

The premises applying for a licence is on the corner of Oldbury Place, a small, quiet residential cul-de-sac. Having a cafe/bar selling alcohol until 10.00pm will change the nature of the street and is not compatible with the residential nature of Oldbury Place. There will be people smoking outside, especially in the evenings when it is more likely that alcohol will be consumed. There is likely to be people drinking outside, especially in warm weather (this happens extensively at the other cafes/bars nearby on Marylebone High Street). There will be cleaning, clearing up and deliveries outside of the hours of the licence. So there will be more noise, more people on the street and leaving the premises under the influence of alcohol, late at night disturbing residents. There are many cafes and a bars already on Marylebone High Street serving this market,

without the need to change the nature of Oldbury Place by issuing this licence. If the premises was only open until 6.00pm or 7.00pm in the evening, then I wouldn't have a problem, and it could become a useful local cafe. But I object to it being open until 10.00pm for the reasons stated above.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	03/08/2023

I am writing in relation to this licensing application in relation to 6 Nottingham Street. ██████████
██████████ I have a flat in ██████████, which is directly opposite 6 Nottingham Street.

Current use of 6 Nottingham Street

Before addressing the reasons for my objection to the licensing application, I think it is important to correct a material inaccuracy in that application. It states that the premises are "a cafe/coffee shop". This is not currently the case. The premises (at least the ground floor facing the road) are vacant and their most recent use was as an office. As far as I am aware the premises have not in the recent past (if ever) been used for any form of retail business let alone one serving refreshment. For information, a letting advertisement for the premises is at <https://www.loopnet.co.uk/Listing/6-Nottingham-St-London/24320453/>

It is, therefore, misleading to assume that the application relates simply to an existing cafe business being permitted to sell alcohol. This is an application for an entirely new business in premises not previously used for the sale of any form of food, drink or other refreshment.

Nature of the neighbourhood

Nottingham Street is a predominantly residential street with the only retail premises being on the junction with Marylebone High Street. The entry to those premises are on the corner of the two streets. Most of the pedestrian traffic to and from those premises travels along Marylebone High Street. Nottingham Street itself has very light pedestrian traffic.

Nature of our premises

The flat ██████████ I occupy is on the ██████████ with windows overlooking Nottingham Street. Those windows are directly opposite 6 Nottingham Street. Two of the rooms along that facade are bedrooms and so particularly susceptible to noise in the evenings.

Nature of the licensing application

The details provided in the application make it very difficult to assess the impact the proposed business may have on the area. Since there is no history of these premises being used for any similar operation, the range of possible outcomes if the application is successful is impossible to envisage. There are no details in the application of the scale of the proposed business and no indication of where in the premises the business will operate. I assume that the intention is for the "cafe/coffee shop" to operate on the ground floor at the front. Does this mean that there could be tables on the pavement outside? How will the premises be adapted for their new use? How many customers would there be at any one time?

The fact that a proposed "cafe/coffee shop" is requesting an alcohol licence raises a number of questions. What types of alcohol would be offered? What nature of "cafe/coffee shop" is proposed?

Without knowing the proposed scale of the operation, it is also difficult to assess the ancillary impact the business might have. What arrangements will be made for deliveries in a street

where there is only one lane of traffic between rows of parked cars on each side of the road? What odours will be created by the preparation of coffee and food on the premises? What toilet facilities will there be?

I am very concerned that the proposed new business at 6 Nottingham Street and, in particular, any sale of alcohol at those premises could create a significant public nuisance in what is currently a quiet residential street. If these premises are granted a licence to sell alcohol (indeed, if these premises are allowed to sell any food or drink), this could trigger a major change in the nature of the street creating an environment of a busy commercial street operating from early in the morning until late into the evening.

Even if this business were to be the only retail business on Nottingham Street, it could completely change the ambience of the street. My concern about the potential public nuisance created by the new business is only heightened by the conditions proposed by the applicant. These suggest that there will be a smoking area outside, presumably on the pavement, which could create additional noise and an unattractive feature in the context of a residential street. The conditions also imply that the premises could remain open all night on New Year's Eve and might contemplate occupancy of up to 60 people at any time (which appears a very large number for a relatively small ground floor space). As our flat is in the block directly opposite 6 Nottingham Street any noise or other disturbance would directly impact on the quiet enjoyment of our flat, in particular on the rooms (including two bedrooms) facing Nottingham Street.

In summary, therefore, the application represents a very serious risk of the creation of a public nuisance in a street where such nuisance does not currently exist.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED]
Received:	03/08/2023

I object to this application. My objection is based upon public nuisance. A premise license such as this would cause local residents excess noise through deliveries and patrons, anti-social behaviour such as smoking.
I live on Nottingham Street.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	08/08/2023

The is no requirement in the neighbourhood for another establishment selling alcohol to the public. Particularly, a premises sandwiched between residential housing. Having lived in the neighbourhood since 1997 I have observed and experienced disturbances in the neighbourhood from people who have imbibed too much alcohol who disturb the neighbourhood with noisy and aggressive behaviour. I have witnessed these drunks relieving themselves in the streets adjacent to Marylebone High Street, Nottingham Street, Oldbury Place and Paddington Street. The offenders make noise waking residents in the street as they wander towards Baker Street to find transportation out of the area. There have been occurrences of petty crime and criminal damage. Having enjoyed the peace and refinement of Covid lockdown we have now returned to Sodom and Gomorrah of the pre-Covid lockdown with more than enough establishments in the area willing to push their alcoholic products to their weak-minded customers late into the night. I do not think the council should add to the misery of the residents of the area. This licence should not be granted. Furthermore, the council should consider reducing the number of alcohol

licences in the area to improve the lives of their council-tax paying residents.

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]
[REDACTED]
[REDACTED]

Received:

24/07/2023

We are an interested party in connection with the Application, and this is our 'relevant representation' objecting to its grant. Our objection is based primarily on the prevention of a public nuisance.

Background

We own and live in an apartment in the building next door to the Premises, at Flat 2, 16 Nottingham Place W1U 5NF. 16 Nottingham Place is a corner building, the front elevation of which faces Nottingham Place, and the side elevation of which faces Nottingham Street. The side elevation extends along Nottingham Street so as to abut the Premises. Our apartment is on the first floor of the building and our bedroom shares a party wall with the Premises. We have lived in our apartment since February 2017 and have enjoyed its relatively quiet ambience.

At the time we purchased our apartment, and until recently, the Premises were used as an architect's office, and normal office hours applied. The occupants were quiet professionals. We never imagined that the Premises might one day be used as a licensed café, with the associated rowdy behaviour that comes with alcohol consumption. The notion of the Premises being used for this purpose is preposterous and deeply concerning. Nottingham Street and the mews adjacent to the Premises is a residential area.

As you can see from the photo, [REDACTED] window is directly next to and above the Premises. If the Application is granted, noise and odours would enter unabated, making it intolerable to keep a window open for air circulation. That is unacceptable.

We also wish to observe that the objections are required to be submitted by 4 August - this is in the middle of the school holiday period. We therefore request that an extension to the period be granted - to the middle of September. To deny this is patently unfair.

Reasons for objection

1. Nottingham Street and the mews adjacent to the Premises, as well as the immediate vicinity, are residential.
2. The residential nature of the area makes it inappropriate for a licence to be granted, and the proposed hours of operation are utterly unacceptable: it is anti-social.
3. As regards our personal situation, our bedroom window is almost directly above the Premises. Noise from customers inside and outside will enter directly.
4. Likewise, odours from the kitchen. We cannot be expected to keep our window closed.
5. The hours of opening that are proposed are only one aspect of the hours of operation. If the opening time is from 7 - 10, then presumably the time of operation will need to be extended on either side of that for preparation and cleaning etc. Please advise.
6. Both of us work early in the morning Monday - Friday. I am very concerned that our sleep will be affected. We go to bed at correspondingly early hours to accommodate my work schedule.
7. One of us is asthmatic. Cigarette smoke irritates my condition. If customers were to be permitted to smoke outside, I would be extremely concerned for my health. The 'Proposed conditions' cite that there is proposed to be a limit of '4 smokers to the designated smoking area on the ground floor.' How is this limit proposed to be policed? Where is the designated smoking area proposed to be?
8. The Premises are not a purpose-built licensed premises - what noise and odour attenuation

measures have been carried out?

9. Relevant to the above, delivery vans would obviously add noise and fumes.

10. If the proposal contemplates the use of seating benches outside, given the configuration of the ground floor outside space, this would obstruct pedestrian access on the public footpath, including wheelchair and other disability access. There are numerous such residents in the vicinity.

11. Please could you provide more details of the proposed operation, e.g. what time are deliveries proposed to be made?

12. What is the Applicant's track record? Do they operate other premises in Westminster? From the information we have been able to find out, we understand they are a fast-food outlet - clearly this is inappropriate, and entirely inconsistent with the terms of the Application. Have you looked into this?

13. As mentioned, the previous inhabitants used the Premises as an architect's office, and office hours applied. No food or drink was prepared on the premises. No nuisance was caused. Office use is the appropriate use of the Premises.

14. In addition to the above points, the proposed hours of operation must be viewed in the context of the residential area within which the Premises would be operating. A closing hour of 10pm would be devastating to our right to quiet enjoyment of our bedroom in particular – and of course other areas of the building. Our principal concern is obviously the bedroom, but all areas of the apartment will be affected.

15. There are no other licensed premises or coffee shops in the immediate area. This is undoubtedly because the High Street, Paddington Street and Baker Street are the appropriate locations for such activities. For

example, there is a pub on the corner of Marylebone High Street and Nottingham Street. Noise from the night-time revellers at the pub travels. We make this point because noise from the Premises in question would also travel and affect the general vicinity – not just our apartment.

16. We note that a plan of the Premises is not available for inspection. Is there proposed to be an outside area for consumption of food or alcohol or smoking? We would be most concerned about the nuisance impact of this.

17. Precisely what food is proposed to be on offer with alcohol? Is it only table-service?

18. Please confirm that customers would not be able to drink or eat outside the premises.

19. Although there are some conditions proposed, they do not address the concerns identified in the Council's policies eg PN1, the 'public nuisance' policy.

20. Are the proposed toilet facilities adequate?

21. We note the Proposed Conditions cite a maximum capacity of no more than 60 persons (excluding staff) at any one time. The internal area is quite small - and we note that the Proposed Conditions specify there to be table service only if drinks are to be consumed. This seems impossible. We need to know what the proposed floor plan is.

22. How would waste collection from the premises be conducted? How frequently would waste be collected and at what times? There is already an appalling waste problem in the area caused by an absence of rubbish bin infrastructure and infrequent collection. The idea of a commercial food and drink operation adding to this is most concerning.

We are aware that applications can be amended, and we would ask that we are kept updated of any changes to the application.

In short, the Premises are entirely unfit for the intended use as per the Application, for all the reasons summarised above. Above all, the granting of the Application would be anti-social to the residents.

Further to our objection sent at 19:17 today (24 July 2023) please see some photos that may assist in visualising our objection.

1. Photo no.1 shows our bedroom (on the first floor next door to the Premises)
2. Photo no.2 shows the corner aspect of the Premises on the corner of the mews
3. Photo no.3 shows the Premises in relation to Nottingham Street - there are no other businesses.



Name:	██████████
Address and/or Residents Association:	████████████████████ ████████████████████ ████████████████████
Received:	24/07/2023

I am a local resident in Nottingham Street and am registering my strong objection to the above application.

The proposed hours of opening to the public is 7a.m. to 10pm, 7 days a week. The application to sell alcohol on the premises is Monday to Sunday from 9a.m. to 10p.m. If a licence is granted, the amenity of our residents would be severely compromised in terms of noise from delivery vehicles, congestion on the local roads (Oldbury Place and Nottingham Street); disturbance in the early mornings, evenings, night time and at weekends. The Applicant's proposed condition 19 re. delivery times between 8a.m. and 8p.m. contradicts the opening hours.

Nottingham Street, between Nottingham Place and Marylebone High Street, is often congested and further commercial deliveries would aggravate the existing conditions. The 7-day opening of the proposed café/coffee shop is clearly designed to be primarily another licensed premises. Unlike other existing licensed premises on Marylebone High Street which were historically public houses in mixed use buildings and residential uses above, No.6 Nottingham Mansions adjoins wholly residential buildings. The proposed closing hour of 10pm when patrons vacant the premises will increase the disturbance to residents at night that already occurs from existing licensed restaurants and public houses. This affects the residents living immediately next to the Application property as well as the rest of Nottingham Street, extending to Luxborough Street and Nottingham Place.

While it is acknowledged that the current planning legislations allows the change of use between categories of Use Class E (from Office to the sale of food and drink on the premises), the sale of alcohol on the premises at No.6 Nottingham Street is entirely unacceptable.

Name:	██████████
Address and/or Residents Association:	████████████████████ ██████████
Received:	31/07/2023

I write to make a Relevant Representation objecting to the grant of the application. No 6 Nottingham St is on the corner of Nottingham St and Oldbury Place.

Oldbury Place is mainly residential mews, but contains the rear entrance to the Princess Grace Hospital and is adjacent to the rear section of No 6 the Maldives High Commission offices and an Osteopaths Practice. Also there are two families with small children, and a daytime nursery.

There is some traffic to the Princess Grace during the morning . and foot traffic to the nursery, Oldbury Place is residents parking, and Nottingham St near No 6 is fairly light one way traffic. Where would delivery vehicles park ? The area is peaceful, unlike the near bye High Street, which is buzzing with foot traffic and vehicles.

████████████████████ and all rooms face onto Oldbury Place, so any noise at night such as the slamming of car doors would be particularly noticeable, especially as three bedrooms directly face the Oldbury Place section of No 6. Also, as far as we can ascertain, the top two floors of No 6 are lived in.

No 6 is not a purpose built licenced premises and we would like to know what noise reduction

measures will be put in place, particularly for air conditioning extractors from the kitchens. Which will need to be run continuously, Also. What fireproofing measures will be put in place ? And what toilet facilities will be provided ? We do not want people using Oldbury Place as a public toilet. In its previous existence as firstly an agency for nannies, and then as an architects office, No 6 generated virtually no noise audible in the mews.

For good reason, London is noted for its mews streets, and Oldbury Place has a small footfall of sightseers looking round and taking photos of a legacy of when Marylebone was a village. This street is a caring community, and when Sevilla [my wife] returned from hospital after a serious operation we were deluged with inquires from neighbours as to her health, and did we need any assistance.

There are three restaurants-two with outdoor space-on the High Street where Nottingham St opens on to it, and one-also with outdoor space-on Nottingham Place, just round the corner from No 6. We have counted a total of 24 cafes, restaurants and gastro-pubs on the High Street between Conran's [to the North] and the Angel-in-the-fields [to the South]. A distance of under half a mile. There are also a number of restaurants on Paddington Street which runs parallel to Nottingham St. So there is no shortage of places to eat.

No 6 would remain open well beyond its 10-00 pm closing time for cleaning, waste disposal, etc, and would have to be open well before its opening time for deliveries. And the Council should keep that in mind when considering the proposal. The Council should also keep in mind that five of the Oldbury Place families concerned are on holiday and thus not in a position to comment on this proposal.

We suggest that the proposal should not be accepted, in full or in part.

We are aware that proposals may be amended and request that we be kept updated on any changes to the application.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	02/08/2023

We wish to object to the licencing application (REF 23/04560/LIPN) at 6 Nottingham Street London W1U SEJ which we believe if granted would cause a "public nuisance" in what is a quiet and wholly residential area of Marylebone.

We are neighbours / interested party. We live [REDACTED], which is the property on the corner of Nottingham Street, and which is [REDACTED] to the premises at 6 Nottingham Street.

Our main reasons for objection are:

1. The premises is in a wholly residential area of Marylebone. Thus, a licence application would be wholly inappropriate for the area.
2. A new café/bar operating 7am - 10 pm serving alcohol (9am - 10 pm) Monday to Sunday would cause a public nuisance not only to our property but to the surrounding wholly residential neighbourhood.
3. The premises comprises 1,500 sq ft (500 Ground floor, 1,000 basement) of what has only ever been a small Architects office operating 9-5 pm.
4. The premises has never been a shop, cafe or had commercial kitchens or served alcohol before.

5. There is no outside space. Where would customers wishing to smoke go?
6. No plans are available for inspection regarding location of Kitchens, flues, fire exits, toilets, bins etc.
7. There is no information about the health and safety implication of the premises installing commercial kitchens, toilets, and serving alcohol all day and late into the night.
8. This would undoubtedly lead to additional waste clogging up our residential street.
9. In short granting such a licence would lead to additional odours, noise pollution, air pollution (from deliveries and customers), waste on the streets, anti-social behaviour and disturbances to our quite residential area of Marylebone.
10. This premises is entirely unfit for use as café/bar serving alcohol until 10 pm Monday - Sunday.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████
Received:	30/07/2023

Dear Sir / Madam,

I write as an interested party to make a 'relevant representation' objecting to the grant of this application. My objection is based primarily on the licensing objective of 'prevention of public nuisance'.

I am writing to express my profound objection to the proposed establishment of a cafe serving alcohol on Nottingham Street in Marylebone. As a long-term resident of this peaceful neighbourhood for over and someone who is in the process of starting a family, I am deeply concerned about the potential detrimental impact that such a business would have on our community.

First and foremost, I would like to emphasize the issue of additional noise in the evening. Oldbury Place has been a haven of tranquillity for many years, and the introduction of a cafe with alcohol service nearby could lead to increased noise levels, particularly during late hours. As a prospective parent, I am genuinely worried about the adverse effects this heightened noise might have on the well-being of my family and other young families in the area.

Moreover, it is important to highlight the existing problem of intoxicated individuals spilling out from the Prince Regent, which is already located at a distance from our street. The introduction of another alcohol-serving establishment nearby would likely exacerbate this issue, leading to increased disturbances, safety concerns, and potential instances of anti-social behaviour, significantly impacting the safety and peace of our residential area.

Additionally, smoking on the street is already a severe issue that affects the quality of life for residents in Oldbury Place. The potential influx of customers frequenting the proposed cafe could intensify this problem, subjecting us to even more second-hand smoke and further diminishing the overall health and comfort of our community.

Furthermore, while I may not reside directly next door to the establishment in question, it is essential to acknowledge the alleyway behind the school that acts as a thoroughfare. This alleyway already poses a series of challenges and is problematic due to excessive foot traffic. The proposed cafe's location would inevitably contribute to an influx of people using this alleyway, leading to increased congestion, littering, and potential safety hazards in an area that is meant to be a safe route for students and pedestrians.

Considering the points raised above, it is evident that granting an alcohol license to the proposed cafe poses a significant risk for the prevention of public nuisance. The potential for disturbances, littering, and unruly behaviour in an otherwise tranquil residential setting is a

cause for serious concern.

As a collective community, we are deeply committed to preserving the peaceful character and residential appeal of Oldbury Place. We firmly believe that the approval of this proposal would jeopardize the safety, well-being, and quality of life for all residents in the vicinity.

I also do not believe the proposal set forth adequately identifies what the external footprint will look like for the consumption of alcohol. In addition, the proposed hours will clearly need to be extended for deliveries which only adds to the overall disruption.

In light of these compelling reasons, I implore the local council to reconsider the implications of allowing an alcohol license for the proposed cafe. I respectfully request that you prioritize the interests and needs of the long-standing residents who call Oldbury Place their home, especially those of us who are eager to raise families in this cherished neighbourhood.

Thank you for taking the time to consider our objections and safeguarding the unique and peaceful essence of Oldbury Place.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	13/08/2023

6 Nottingham Street

I strongly object to the application for alcohol.

Nottingham Street and Oldbury Place, is a residential area with young families. A Cafe/Coffee Shop with an alcohol license would create a substantial increase in noise level when families are trying to put their children to bed. Also, rowdy behaviour as customers leave the premises, throwing their litter onto the street and loudly talking as they make their way home, yet again, disturbing young families.

Also, this area is often congested, and further commercial deliveries and waste collections would aggravate the existing conditions.

Marylebone High Street and Paddington Street have a huge supply of Cafe/Coffee Shops selling alcohol, why is it necessary to have another one in a family area?

Yours faithfully

[REDACTED]

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED]
Received:	28/07/2023

Objection to application ref: 23/04560/LIPN

To Whom It May Concern

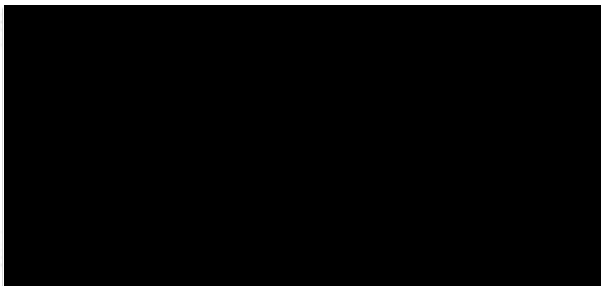
I have lived at [REDACTED] from the proposed site for the restaurant.

The site is on the corner of Oldbury Place and Nottingham Street and as such is the entrance/exit into the mews so it is already very busy with cars, people & deliveries to Princess Grace Hospital.

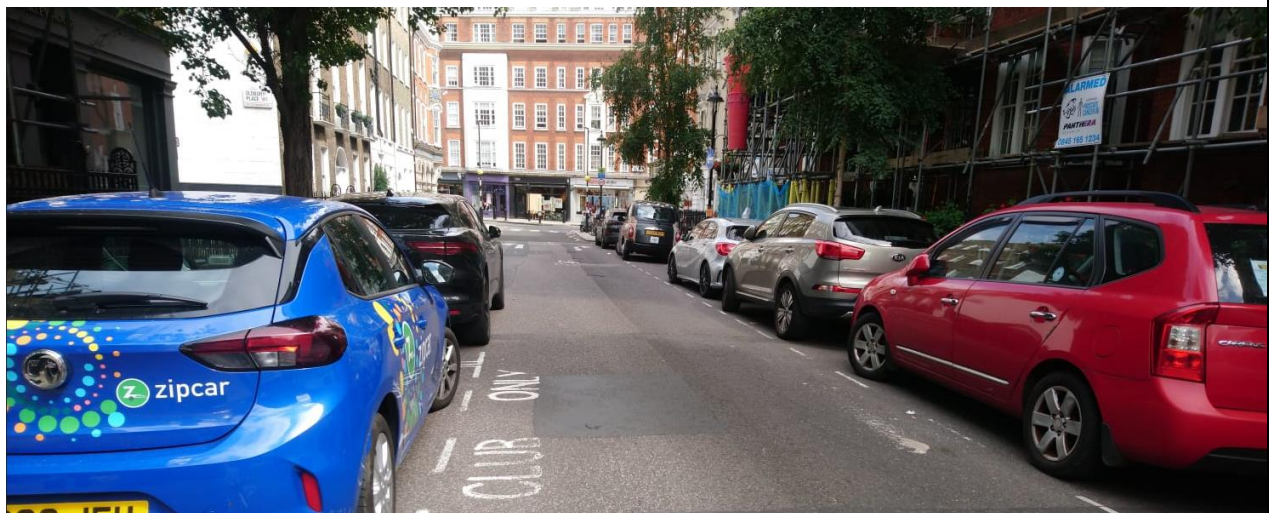
Parking on Nottingham Street is very limited and there is nowhere for delivery vehicles bringing supplies. With the extra restaurant traffic (and likely illegal parking), the whole one way system would back up into Marylebone High Street causing traffic chaos and noise pollution from horn blowing and revving engines etc. resulting in emissions pollution from idling traffic.

The proposed site is surrounded by quiet residences above, to the sides and opposite who will all be disrupted with the noise of people coming and going late into the night.

As the previous occupants were quiet and open normal office hours with no inconvenience or noise whatsoever, it is therefore for the reasons mentioned, totally unsuitable for a restaurant serving alcohol with very long opening hours in this location.



28th July 2023



Name:	██████████
Address and/or Residents Association:	██████████ ██████████
Received:	29/07/2023

Dear Licensing department of Westminster Council,
I write as an interested party to make a 'relevant representation' objecting STRONGLY to the grant of this application.

Background

██████████, and I have lived at ██████████, which is directly opposite 6 Nottingham Street, for over 5 years. ██████████ is elderly and is sensitive to the noise, both from the traffic and the sound from the crowds, particularly in the evenings. Nottingham Street is a very quiet residential area, which is why we chose to live here. For a premises like 6 Nottingham Street to sell alcohol, particularly in the evenings, would be detrimental to our MENTAL HEALTH.

Reasons for objection:

- As mentioned above, the residential nature of Nottingham Street, and the fact 6 Nottingham Street is right opposite where our property is, means we will be affected and impacted by noise, light pollution, traffic, rubbish and more. As such it is highly inappropriate for a licence to be granted at all.
- Who is The Backburner Lease Limited? Can you make their company details and other premises in London known and transparent?
- Nottingham Street is a quiet residential street, particularly at weekends. Why do they ask for a 365 day license? Why do they need to operate everyday and into such late hours?
- In such a narrow, quiet street, the odour of cooking, the delivery trucks, the rubbish it generates and needs to be collected, the noise created by the crowds, particularly the likely antisocial behaviour after the consumption of alcohol, will be extremely detrimental to the residents. All these will affect our mental health.
- Nottingham Street is a very narrow, single lane street. It is already frequently blocked by traffic, deliveries and rubbish collections. This application will add further burden on traffic, creating pollution, noise, and therefore causing public anger in this area. It will become a public nuisance.
- Westminster Council has a PN1 'Public nuisance' policy. How is this application complying with this policy?
- We demand that more details be made available, such as whether there is outdoor area, the food offer etc.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ████████████████████
Received:	31/07/2023

We write as interested parties to make a 'relevant representation' fully objecting to the grant of this application.
Our objection to this application is based primarily on the licensing objective of 'prevention of public nuisance'.

Background

We are the owners of and live at ████████████████████ which is basically across the road from the relevant premises at 6 Nottingham Street ("premises").
We have lived here with our children since 2006 and have lived in Marylebone since 2001. We carefully chose our house on Nottingham Street because it's a quiet residential street that is close to the High Street and tube. Other than the businesses on the corners of Marylebone High Street, Nottingham Street, and in fact all the streets in this area (including Oldbury Place, Nottingham Place and Bingham Place) comprise only of residences and offices – there are no shops or late-night bars or restaurants etc.
We are really surprised that the rules of Westminster allow a bar that is going to be open for 15 hours a day, every day of the year, late into the night, to open on a fully residential street like Nottingham Street, on a site that's never been anything other than an office or residence with no detail about the kind of bar will open or any floorplan of the bar, its likely patrons or the track record or the brand or owners etc. It seems that Westminster is being asked to approve this in a vacuum and the lack of detail is almost on purpose.

Here is my list of reasons for objecting fully:

1. The residential nature of the immediate area around the premises is inappropriate for a licence to be granted at all and certainly for the hours requested.
2. The application provides almost no information about the applicant or its directors or shareholders. What is the applicant's track record? Do they have other premises in London and any history of having complaints? What is the premises going to be called and who will be the target clientele? What will the premises look like and what will the floor plan be?
3. It is not clear to me whether the premises is meant to be a café or bar or something else. If it's a café, why does it need a licence and why does it need to be open until 10pm? Surely the applicants must be clear and open about what the intended business is and will do.
4. What noise will the plant and equipment at the premises make? What about the patrons etc? Will there be outdoor dining, smoking or drinking? Shouldn't a report be prepared about this?
5. What odours will the cooking and the outside patrons at the premises create? Shouldn't a report be prepared about this?
6. The previous user of the premises was an office. Turning this into a bar that stays open until 10pm (and no doubt will have staff working until well after that time) simply makes no sense for the location on Nottingham Street. Having this new use on such a quiet street will have an outsized impact on all residents and on my family. How can this extension of hours be justified?
7. As I know from the bars and pubs around me, the noise of the patrons and operations travels and having this bar open over the road from us could lead to a real nuisance for us, especially if there is outdoor dining and drinking at the premises.
8. I note that there is a condition that sale of alcohol is ancillary to a table meal. What food is

being offered? Will the spirit of this be avoided by offering bar snacks?

9. Although there are some conditions proposed the application does not address the concerns identified in the Council's policies e.g., PN1, the 'public nuisance' policy.

10. The application as it stands has the effect of extending current operating hours.

11. How will deliveries to the premises and waste collection etc from the premises be done? How will they be scheduled? There are no other retail premises on Nottingham Street. Where will the delivery vans park and will they obstruct Nottingham Street and Oldbury Place? If so this is unacceptable.

We are aware that applications can be amended and so can you please keep us updated of any changes to the application.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	31/07/2023

Dear Westminster Council,

I am a resident at ██████████ and I object to this proposal primarily on the grounds of prevention of public nuisance:

- It will change the fundamental character of the adjoining residential Mews – Oldbury Place – with the proposed licensed premise customers crowding and disturbing the quiet entrance to Oldbury Place, creating a public nuisance through on-street revelry, smoking, socialising and drinking.
- The application proposes that the patrons of the café bar 'can listen to music via headphones (so silent music to the ear)'. What does this mean? I can wear headphones in any licensed premise. Are they proposing that a condition of the license is that they will play no music. Or that customers will only eat or drink wearing headphones? Also, how does the applicant envisage customers socialising? Silently? I fear this is neither enforceable nor is it a serious part of the proposal. Moreover, the proposal is woefully inadequate - it proposes no mitigations to the potential for public nuisance.
- Customers of the nearby Prince Regent pub on the High Street already spill noisily out onto the streets during opening hours, use the local 'quiet' residential streets (including Oldbury Place) to arrange illegal drug deliveries, smoke weed or worse, publicly urinate and defecate, and act in a generally noisy and rowdy way.
- After pub closing hours, we already have noisy groups of people with take-away food and alcohol having their after-pub gatherings sitting on the steps and kerbs of Oldbury Place until the early hours of the morning. This nuisance is likely to worsen with a licensed premise opening directly on the corner of the street.
- Plus, there is a small gate at the rear of St Marylebone Parish Church – which is used by a small but steady stream of pedestrians to access Marylebone/Regents Park. With this proposed café bar sited on the corner of Oldbury Place, we can expect the Place to become a much busier thoroughfare with groups of café bar customers noisily arriving and leaving the bar with attendant nuisance.
- By way of background, we have lived in Oldbury Place for several years, we have a very young family (an infant and a baby on the way). We are seriously concerned at having to make our way through the bar's smoking and drinking customers on the corner of our street every day, hearing the bar's customers socialise every evening (we can already hear the Prince Regent pub which is further away), and of having to avoid even more puddles of post-pub urine and human faeces, drug paraphernalia and litter, and of our residential street becoming one of the main ways of accessing and leaving the bar – especially at night.

- We chose to live in Oldbury Place because it is residential - it has never been part of the drinking/dining/shopping/entertaining area of Marylebone: we are strongly opposed to the prospect of having a licensed premise now - literally on our doorstep - from breakfast until supper time 7 days a week, 365 days a year.
- There are already plenty of pubs, bars, cafes and licensed premises within walking minutes of the proposed site. This proposal adds no real material change to the availability of licensed premises in this area. But it makes a fundamental difference to the character of what is and always has been essentially a residential area.
- This corner has historically been for residential/office use – it has never been a place for entertaining and alcohol-licensed social gatherings during the day because it is fundamentally a residential area. It is not designed as a licensed premise.
- Please do not allow for this to become a licensed premise: there is no local demand for it, it is not designed for it, it will cause a public nuisance, and non-locals have widespread availability of similar premises throughout the Marylebone commercial area.

Name:	██████████
Address and/or Residents Association:	████████████████████ ██████████ ██████████
Received:	02/08/2023

Talking to various neighbours there is some concern that a licensed premises so close to residential neighbours may create more anti-social behaviour, noise and cooking smells.

There is already a licensed premises on the corner of Nottingham Street and Marylebone High Street which seems to just about contain its patrons, another licensed premises so close to the residential neighbours will cause more problems mainly at night and in the evening when things get a bit rowdy.

I object to the application on the basis that we already have ample provision in the area of licensed premises and this new licensed premises will be a lot closer to the quieter residential areas that border it.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ████████████████████
Received:	01/08/2023

Dear Westminster Council,

I write as an interested party to make an objection to the grant of this application. My objection is based on the licensing objective of prevention of public nuisance.

I live at ██████████, a few houses down from the premises in question. I am a mother of an infant and I am expecting my second child. There are also many other young families living in the mews. Oldbury Place is a quiet residential area. This is the reason why many have decided to live here, as it is off the buzz from the high street. Granting a license to this cafe/bar will fundamentally change the character of this residential area and will disturb the quiet lifestyle we as a family with young children can currently enjoy. Opening hours from 7am to 22pm (which are probably not the real operating hours of this premise if you also consider early deliveries and closing activities) will inevitably lead to public nuisance and disturb my children's sleep. Already now we can hear some noise from the Prince Regent Pub (located on the high street) and often the quiet mews is used by revellers after they leave the pub to continue their

evenings with take-away food and drinks on the kerbs of our mews causing public disturbance. Revellers regularly use the mews to urinate, take drugs, smoke, drink, having loud alcohol infused arguments. Granting a license to serve alcohol 7 days a week from early morning to late evening, just at the entrance of Oldbury mews, will make this situation considerably worse. There is no local demand for such a premise in a purely residential area. On the contrary, there are enough available possibilities on the high street to establish such a cafe/bar. There has never been a licensed establishment in the premises (it has always been used as an office), so this represents a historic precedent which should not be changed.

Having looked at the application, I also have to highlight that the application is very vague and incomplete.

There is no information about the applicant's track record. Do they own other premises in Westminster?

As already mentioned the applicant fails to properly explain opening and operating hours at the premises. When will the premise arrange for deliveries? How will they manage waste? I suspect operating hours will be a lot longer than 7am to 10pm (taking into account opening and closing activities) which is unacceptable for a purely residential area, especially as this premise has only ever been an office adhering to normal office hours.

Also no plan has been attached. For a premise that has never been anything other than an office the applicant fails to explain how exactly the premises will be planned. The application mentions that food will be served. Where will the kitchen be located? What kind of food will be offered? How will odours from cooking be dealt with?

The applicant's mitigation measure of customers wearing headphones to avoid noise disturbance from music doesn't come across as a serious mitigation measure. Also noise doesn't just come from music at the premises but predominantly from revellers entering and leaving the premises and smoking outside. The mews, due to its quiet nature, will be a natural place for revellers to wander through, smoking, talking, if not worse. My child's and our bedroom are facing the street and already now I can often smell cigarettes (as well as weed) in our rooms. We often also see revellers using the mews to urinate. What are the toilet facilities at the premise, especially for 60 people?

These are just a few questions I have about the application but I believe it shows how incomplete it is.

Taking all of the above into account I sincerely hope that this license application is rejected.

Kind regards,

██████████

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	03/08/2023

This representation is made by ██████████, the amenity society recognised by Westminster for the area in which the premises are located.

We object to the granting of a licence as we do not believe that it will promote the licencing objectives and would, if granted, conflict with policy PN1 and potentially CD1.

The Howard de Walden Estate has been extremely successful in creating a lively 'village' in the area around Marylebone High Street ("MHS"). Marylebone Village is now very well known as a venue for shopping, eating and drinking and hitherto the licenced premises, and indeed shops, in the northern section of the street have been concentrated along MHS and Paddington St with a few only a short way up the 'side' streets of Devonshire and Moxon. Further south there is a greater concentration of licenced premises on New Cavendish, Blandford, George St and

Marylebone Lane and this forms the heart of the hospitality section of Marylebone Village.

What makes MHS such a wonderful venue is the fact that it is cheek by jowl with a large concentration of residential properties whose residents patronise the restaurants and bars in MHS and its surrounds but are able to live peacefully and undisturbed by high spirited patrons, noisy delivery vehicles or intrusive cooking smells. Nottingham St and Oldbury Place, to the quieter north of MHS, are solidly residential and the opening of a licenced café on the corner would be very intrusive and most likely cause a public nuisance. It could also possibly lead to an increase in the already witnessed incidence of drug dealing and ASB in Oldbury Place as it might attract patrons who otherwise would not venture into the area.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	28/07/2023

I have lived at ██████████ from the proposed site for the restaurant.

The site is on the corner of Oldbury Place and Nottingham Street and as such is the entrance/exit into the mews so it is already very busy with cars, people & deliveries to Princess Grace Hospital.

Parking on Nottingham Street is very limited and there is nowhere for delivery vehicles bringing supplies. With the extra restaurant traffic (and likely illegal parking), the whole one way system would back up into Marylebone High Street causing traffic chaos and noise pollution from horn blowing and revving engines etc. resulting in emissions pollution from idling traffic.

The proposed site is surrounded by quiet residences above, to the sides and opposite who will all be disrupted with the noise of people coming and going late into the night.

As the previous occupants were quiet and open normal office hours with no inconvenience or noise whatsoever, it is therefore for the reasons mentioned, totally unsuitable for a restaurant serving alcohol with very long opening hours in this location.



Name:	██████████
Address and/or Residents Association:	██████████ ██████████
Received:	26/07/2023

I am writing in relation to application: 23/04560/LIPN, Blackburner Lease Limited, 6 Nottingham Street, London. W1U 5EJ

I would like to object to the application on the grounds of public nuisance and protection of children from harm.

I have lived in Marylebone for 7 years. I invested in a property ██████████ as it was in a quiet residential area separated from the high street with no public amenity locations. It is a dead end street meaning there is only one way to enter - which is past the premises in question. Passing a drinking establishment on a quiet , dark street to go home every day completely changes the character of the street as a place to live and causes a potential nuisance on many levels including risk of people urinating, litter, delivery noise, food smell, rowdy behaviour, risk to children attending school etc

This application is a public nuisance and protection of children from harm and my comments below support this notion:

- The Premises has previously been used within business hours and appropriate to the nature of the building. It has no external access to enable deliveries or refuse other than onto the residential street. It being open outside of normal operating hours to accommodate the nature of a restaurant business, this will severely impact the nature of a residential area both in its operation with the public and in its use for deliveries and litter and post open hours cleaning etc.
- Deliveries will directly impact Oldbury Place with traffic entering to park as there is no loading bay outside.
- Increase in litter. Risk of oldbury place being used as a public convenience / toilet. There are no details as to whether people will be allowed to drink outside and the noise and nuisance this will create.
- External noise from patrons: to add to this point we work and live here so this would cause us distress and discomfort everyday. Our entire house faces the front of Oldbury place we have no back rooms to be able to escape from any noise
- The building is not currently fit for the intended purpose therefore we would expect to see external extraction for air con and food ventilation thus further impacting on noise, discomfort from food smells and of course the potential aesthetics of the exterior. What level of sound protection will be required to be installed inside the premises ? Will double internal doors be insisted on to create a quiet space for noise on entering / leaving the premises.
- There is a school on the road. Having a facility selling alcohol on the road when children will be forced to pass (it's a cul de sac street so the children are forced to pass the premises in question. This places risk to children going to school from additional deliveries and rowdy people drinking directly on the street where a school is located. The council maintains a duty of care to the children of the school - approving an alcohol licence within a few metres of a school would be reckless.

Should an application ignore these serious issues, it should be time limited to the existing hours of operation from the premises - 9-5 pm to avoid further serious nuisance to residents.

I wish to be informed of any new matters arising in the application.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ██████████ ██████████
Received:	30/07/2023

I have been a resident of ██████████ since December 1999. I moved to this location because it was a quiet residential street with access to Marylebone High Street. Throughout the last 23 years, apart from a delivery portal for The Princess Grace Hospital and offices for Bramah security (since left) and a physiotherapist, the mews have been purely residential.

The subject premises (located on the corner of Oldbury Place and Nottingham Street) have been used as office space and Nottingham Street has also been purely residential other than on the 2 corners where the street meets Marylebone High Street. Because of the residential nature of the immediate and adjacent area I believe it is totally inappropriate for a licensed premises to be allowed in the applicant space. The application does not include a proposed plan of the premises. They are incredibly small (the size of 2 small living rooms) and there is no outside space. To my knowledge the premises have only ever been used as office space and not for the sale of food or alcohol.

It is clear that customers would end up occupying both Nottingham Street and Oldbury Place on pavements that are a little over a metre in depth. There is currently no disturbance or noise from Marylebone High Street and I welcome all types of businesses on that street. The application refers to alcohol being consumed together with a food offer.

The application is very unclear as to how this would work. The hours requested would undoubtedly bring noise, smoking, rubbish etc into a purely residential area and I cannot see any reason for granting the application.

There are empty premises on Marylebone High Street and I would suggest the applicant looks to one of those.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ██████████
Received:	26/07/2023

Dear Sirs,

I wish to make an objection for application: 23/04560/LIPN, Blackburner Lease Limited, 6 Nottingham Street, London. W1U 5EJ

I have lived in Marylebone for 7 years and decided to invest in a property at ██████████ as it was in a residential area. This was a substantial investment with the view we would be living entirely in a residential area.

I purchased this property to be able to enjoy Marylebone High Street whilst residing in a peaceful residential area. Under no circumstance would I have chosen to have lived/purchased in an area with commercial/food licensed.

There are numerous restaurants within metres of the proposed application so I also ask the question as to why this is beneficial to the neighbourhood.

This application is a public nuisance and my comments below support this notion:

- Premises will be open outside of normal operating hours to accommodate the nature of a restaurant business, this will severely impact the nature of a residential area
- Deliveries will directly impact Oldbury Place with traffic entering to park as there is no loading bay outside
- Increase in litter and 365 days a year
- Loitering-we already experience this with patrons of the Prince Regent pub who urinate against the walls in Oldbury Place
- External noise from patrons: to add to this point we work and live here so this would cause us distress and discomfort everyday. Our entire house faces the front of Oldbury place we have no back rooms to be able to escape from any noise
- Smells from food, how exactly will they be managing this? As with my previous comment on external noise we would not be able to escape from this
- The building is not currently fit for the intended purpose therefore we would expect to see external extraction for air con and food ventilation thus further impacting on noise, discomfort from food smells and of course the potential aesthetics of the exterior
- We are of course not the only residential street in this area so this application will impact many others in the surrounding area.

I wish for this objection to be treated with the severity it requires and to be informed of any new matters arising.

Kind Regards

██████████

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	01/08/2023

I object to this application for the following reasons:

This is a residential area on the corner of a quiet mews. Although the premises close at 10pm customers will not leave until much later and the clearing of rubbish will continue for longer. As with the Marylebone Tup, Prince Regent, and The Home drinkers spill onto the street and Oldbury Place is where the overspill to this establishment will naturally flow.

This mews is also a direct cut through to the tube, without question this is the route any reveller would take. There will be smoking outside which will lead to litter with which we already have a problem.

Deliveries are also a problem in such a small mews, it will not be possible to unload on Nottingham St as it too close to the corner. The above mentioned existing bars are more than adequate for the area.

The mews is home to young families and pensioners who retire at 10pm.

I trust that you will seriously consider this objection.

Thanking you for your attention

██████████

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	04/08/2023
<p>I wish to associate myself with the objections being lodged by my neighbours in respect of this new licensed premises at 6 Nottingham Street.</p> <p>This is a residential area and will be affected hugely by the application if granted. Without a plan of the premises it is difficult to see how the 60 people will be accommodated and it is a worry that there may be an outside area for consumption of alcohol. Even a sale of alcohol ancillary to a table meal would be unwelcome as there may then also be tables on the pavement outside generating even greater noise.</p> <p>For many years the use of 6 Nottingham Street has been as an office with the normal hours associated with such a place. If it were to become licensed premises open 365 days a year with hours of operation 7am to 10pm this would greatly impact on all of us who live close by. There will also be the additional time for preparation pre-opening and clearing up after closing in addition to the need for additional rubbish collection - if the street is to remain clean and tidy (not something the council seem particularly good at). There will also be the lingering customers (inevitably noisy after an evening's drinking)</p> <p>I can see no positives in the application and hope very much that the licensing authority will see that it is not an appropriate location for such a venture.</p>	

3. Policy & Guidance

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

Hours Policy HRS1 applies

A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.

1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
5. The proposed hours when any music, including incidental music, will be played.
6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
9. The capacity of the premises.
10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:
11a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)

	<p>Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>11b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p>Shops Policy SHP1 applies.</p>	<p>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Late-night Refreshment Delivery Service Policy DEL1. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C. <p>C. For the purposes of this policy:</p> <ol style="list-style-type: none"> 1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment. 2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop. 3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.

4. Equality Implications

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

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

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

5. Appendices

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

Report author:	Roxsana Haq Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: rhaq@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	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health Representation	31 July 2023
5	Interested Party 1	02 August 2023
6	Interested Party 2	24 July 2023
7	Interested Party 3	30 July 2023
8	Interested Party 4	03 August 2023
9	Interested Party 5	24 July 2023
10	Interested Party 6	24 July 2023
11	Interested Party 7	02 August 2023
12	Interested Party 8	08 August 2023
13	Interested Party 9	24 July 2023
14	Interested Party 10	02 August 2023
15	Interested Party 11	04 August 2023
16	Interested Party 12	01 August 2023
17	Interested Party 13	26 July 2023
18	Interested Party 14	26 July 2023
19	Interested Party 15	26 July 2023
20	Interested Party 16	04 August 2023
21	Interested Party 17	25 July 2023
22	Interested Party 18	28 July 2023
23	Interested Party 19	31 July 2023
24	Interested Party 20	13 August 2023
25	Interested Party 21	28 July 2023
26	Interested Party 22	12 August 2023
27	Interested Party 23	25 July 2023
28	Interested Party 24	26 July 2023
29	Interested Party 25	01 August 2023
30	Interested Party 26	04 August 2023

To be used for or License to Alter only

SMALL POWER

WALLS/DOOR/ETC	FLOOR/SOCCLETS
Single outlet receptacle	Outlet or socket
Double outlet receptacle	Single double outlet
Single outlet receptacle	SMALL POWER
Double outlet receptacle	Outlet, flush, table top
Power outlet and air vent	Overhead receptacle also cover
Small power vertical pipe	

FIRE
Smoke Detector
Heat Detector
Fire Alarm Panel
Fire Alarm Sign
Emergency Lighting

INTERCOMMUNICATION
Intercom System
PA System
CTV Camera

AUDIO VISUAL
Speaker and Receiver
Speaker/PA
OTHER
Video/Audio/PA
Media Sign Board



All licensable activities occur in red line
 Loose furniture is indicative only
 Fire equipment may be altered on advice of fire officer or based on FPA

0 Proposed Electric Layout Plan of
 Suite - 1500/03

Client	The Backbone	Proposed Electric Layout Plan of Suite to Alter	360
Architect	The Backbone	1:200/03	360

DO NOT SCALE FROM THE DRAWING. ALL DIMENSIONS ARE SHOWN AND INDICATED ONLY.

To be used for or License to Alter only

SMALL POWER

MULTI POWER	
1	Single wall mounted
2	ceiling recessed
3	single wall mounted
4	ceiling recessed
5	flush wall mounted
6	flush wall mounted
7	flush wall mounted

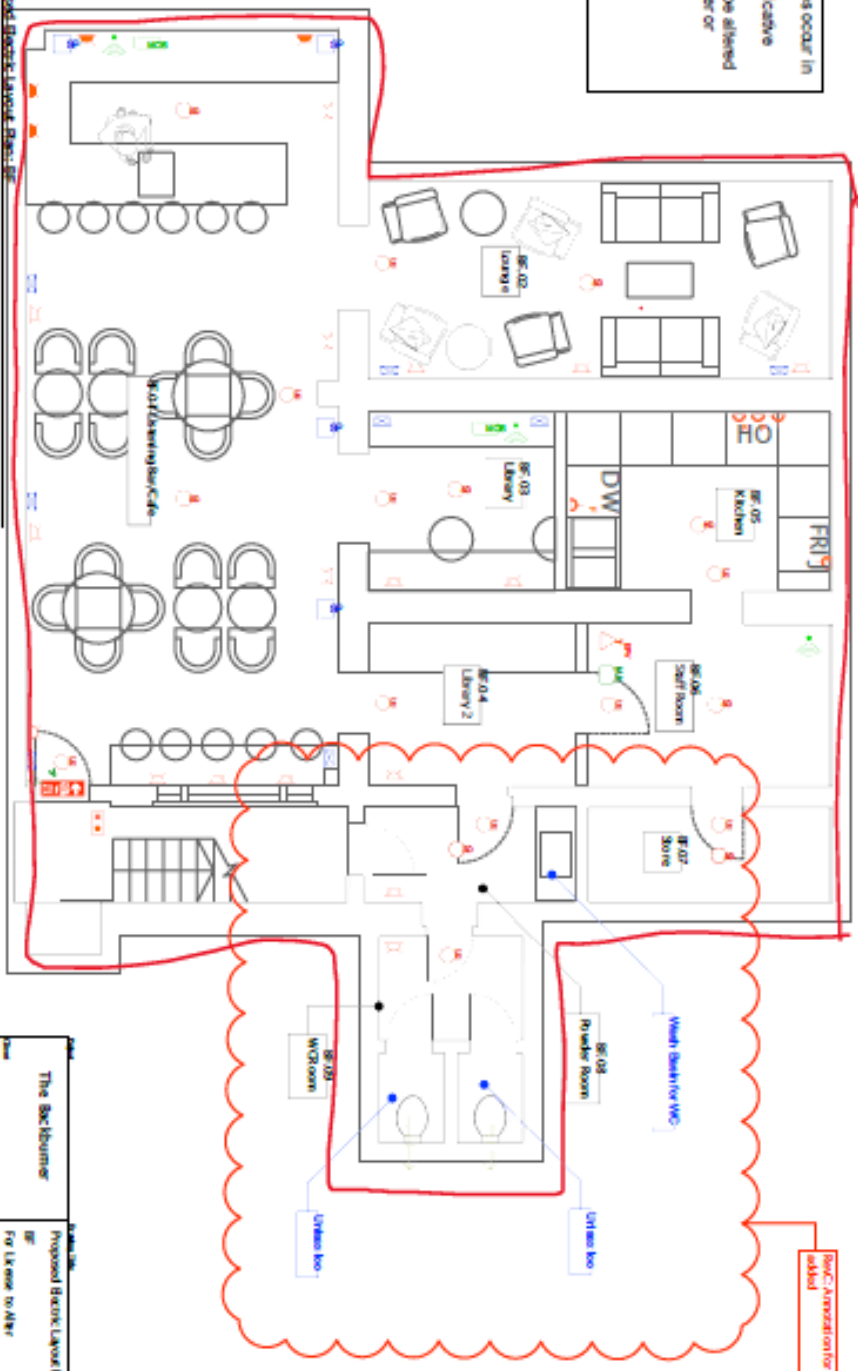
FLOOR MOUNTED	
1	Desk top
2	90° desk top
3	90° desk top
4	Desk top
5	Desk top

FIRE	
1	Smoke Detector
2	Heat Detector
3	Fire Alarm Panel
4	Fire Emergency
5	Emergency Light
6	Emergency Light

WIRELESS ALARM	
1	Wireless Alarm Panel
2	Panel for alarm
3	CDW Camera

AUDIO VISUAL	
HDTV, VIDEO, SCREENTIME, PPTV, etc.	
1	Speaker wall mounted
2	Speaker
3	Speaker
OTHER	
1	Video/Audio Panel
2	Video/Audio Panel

All licensable activities occur in red line
 Loose furniture is indicative only
 Fire equipment may be altered on advice of fire officer or based on FRA



01 Proposed Bar/Cafe Layout Plan
 Scale - 1:500

Applicant	Proposed Bar/Cafe Layout Plan	Project No.	361
The Backburner	Proposed Bar/Cafe Layout Plan	130903	361
The Backburner	Proposed Bar/Cafe Layout Plan	130903	361



18 Soho Square, London W1D 3QL

BACKBURNER, 6 NOTTINGHAM STREET LONDON- APPLICATION FOR NEW PREMISES LICENCE- LICENSING ACT 2003

I act for the Backburner Lease Limited in relation to their new licence application listed for hearing on 9 November 2023.

The Backburner is a specialty coffee shop serving artisanal coffee and good eats. The premises is a self contained ground & lower ground floor measuring 1,574 sq ft in total. The applicant will import their freshly roasted espresso beans from the finest roasters and complement their coffee drinks with a daily food menu from select local bakers and wholesome kitchens. The shop interior features white marble counters with an abundance of natural wood furniture and fixtures throughout.

By way of background as it is mentioned by some residents, the applicant, through different operating companies, has 2 premises in Westminster (1) Mayha, a high end Japanese restaurant in Chiltern Street and (2) Maryool, a contemporary Lebanese Eatery in Duke Street. Both have premises licences. The applicant is therefore fully aware of the expectations of Westminster Council and is experienced in operating without causing residential complaints.

In terms of licensing the premises are not located within any cumulative impact zone therefore the main policy considerations are RTN1 and HRS1. This policy recognises that applications must demonstrate that the proposals meet the relevant criteria in policies CD1, PS1, PN1 and CH1 with regard to operational conditions. Such conditions must also address the opening hours especially with regard to PN1 and CD1. There is no policy requirement to demonstrate that the premises will not add to cumulative impact in the area.

The applicant has taken a long lease for the basement and ground floors. A complete fit out of the premises will be carried out at a substantial cost.

The applicant is seeking less than core hours for the operation- 9:00 to 22:00

The applicant has met on site Maxwell Koduah, Environmental Health. The applicant confirms it will amend its operating schedule at proposed condition 9 to read:

No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. In any event, the maximum capacity (excluding staff) shall be no more than 30 persons.

The Police have made no objection to the application.

The representations from the residents are similar in their concerns and we set out below some replies to their questions/concerns

1. Dispersal policy- the applicant is happy to agree to a dispersal policy condition which shall be subject to a periodic review and the applicant can suggest that the condition

be offered and worded as "A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council. All necessary staff, including security shall be trained on the contents and implementation of the dispersal policy. The dispersal policy shall be reviewed regularly, at least annually, or whenever a complaint is received (whichever is the earlier) and thereafter amended if needed to respond to such complaint." (this is over and above the model condition)

2. Capacity- the capacity will be agreed with Environmental Health when they sign off on the works, and as per the above, there will be an upper limit on the capacity of 30 excluding staff
3. Smoking- the premises is a coffee shop and as such it is not anticipated residents will be affected by any smokers who will be few and far between. The applicant has offered a condition to limit the number of smokers- "Smokers shall be limited to 4 persons at any one time in the designated smoking area on the ground floor"
4. Limitation of use- The applicant is a café and has sought 2 conditions limiting the use of the premises to this; namely, "The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal." And "The supply of alcohol shall be by waiter or waitress service only.
5. Noise- the premises has agreed a general condition that "No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance"
6. Delivery and Rubbish- The applicant is proposing conditions that "Save for WCC waste collection services, no waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20.00 hours and 08.00 hours on the following day." And "Save for WCC waste collection services, no collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 and 08.00 on the following day" And "No deliveries to the premises shall take place between (20.00) and (08.00) on the following day". These hours, whilst less than the hours in the council's model conditions, are in acknowledgement and aim to not cause late night disruption to local residents.
7. Off Sales/deliveries- The premises has not sought off sales at all. The premises will be a café and so there is no need for this provision.
8. Outside seating- we confirm there will be no outside seating for the licensed premises

On some other points:

1. The applicant notes the premises are a commercial building and a usage needs to be put into play. The option is to have the building empty with little care going to its appearance.
2. With the additional conditions proposed, the applicant is proposing numerous operational conditions dealing with policy considerations and all of the licensing objectives. The conditions fully dictate how the premises can operate. The premises cannot become a bar, club, sex venue.
3. This application proposes, in its operating schedule a myriad of up to date and enforceable conditions restricting the trade and promoting the licensing objectives to ensure moving forward the venue is not adding to any concerns in the neighbouring areas.
4. Given the nature of the premises, and the absence of any Police representation, crime and disorder is not a concern for this operation
5. Whilst not located in any CIZ in respect of incidents relating to ambulance call outs at night to the locations of licensed premises for intoxication, injury related to intoxication and/or assault, we rely on the style of operation. All day cafes/ restaurants have minimal call outs for all of these concerns. WCC policy recognises restaurants normally represent a low risk to the licensing objectives if sufficient conditions and controls are in place. We would submit the proposed conditions are adequate controls
6. There will be CCTV at the premises.
7. The premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council



BACKBURNER

ABOUT

The Backburner is a specialty coffee shop serving artisanal coffee and good eats. We import our freshly roasted espresso beans from the finest roasters and complement our coffee drinks with a daily food menu from select local bakers and wholesome kitchens. We believe in the culture of coffee and hope to contribute to a growing community of coffee enthusiasts.



THE INTERIOR

Our shop interior features white marble counters with an abundance of natural wood furniture and fixtures throughout. The overall aesthetic is clean and minimalist with custom made pieces by FAR architects and Karim Chaya (ACID).



THE EQUIPMENT

We believe a successful cafe is founded on beautiful coffee, well trained baristas, and the right equipment.

La Marzocco is an outstanding machine with superior engineering, that has the ability to perform and consistently produce cup after cup of excellent espresso.

Great espresso can only be prepared using freshly ground coffee and we have paired our espresso machine with Mazzer commercial coffee grinders, another Italian leader in design, precision, and reliability.



THE COFFEE

We serve expertly prepared espresso and single origin filter brews, and our baristas undergo continuous training to be able to serve the best tasting coffee.

Our Redchurch Espresso is a medium roast blend comprising 25% Brasil Santa Alina, 25% Colombia Pescador, 25% Guatemala Acatenango and 25% Sumatra Mandelhing. A balanced and smooth espresso with caramel and sugarcane sweetness, a touch of stone fruit and heavy body.

Our single origin coffees are sourced from single farms or cooperatives, grown by farmers who take exceptional care to produce coffee with exceptional flavor.



COFFEE MENU

BLACK.

single	6,000
double	7,500
long black	8,000
cafetière	5,000
drip coffee	9,000
french press	9,000
freddo espresso	8,000
قهوة تركي	3,000

NOT COFFEE.

turmeric latte	7,000
matcha latte	8,500
chai latte	9,500
rose latte	7,000
charcoal latte	7,000
blue spirulina	8,500

COLD.

iced latte	8,500
iced mocha	9,000
cold brew	8,500
frappé	14,000
frappé for kids	15,000
affogato	14,000
freddo cappuccino	8,500

MILK.

macchiato	6,500
piccolo latte	6,500
cappuccino	8,500
flat white	8,500
latte	8,500
mocha	9,000
spanish latte	8,500

babyccino	7,000
tea / iced	8,000
hot chocolate	10,000
wine / beer	15,000 / 7,000
fresh juice	8,000
smoothies	12,000
قهوة بيضاء	6,000

ALSO.

decaf	1,500
extra shot	2,000
side of milk	1,500
almond / coconut milk	3,500
organic almond milk	5,000
organic coconut milk	5,000
oat milk	4,250



COFFEE MENU

BLACK.

single	6,000
double	7,500
long black	8,000
cafetière	5,000
drip coffee	9,000
french press	9,000
freddo espresso	8,000
قهوة تركي	3,000

MILK.

macchiato	6,500
piccolo latte	6,500
cappuccino	8,500
flat white	8,500
latte	8,500
mocha	9,000
spanish latte	8,500

NOT COFFEE.

turmeric latte	7,000	babyccino	7,000
matcha latte	8,500	tea / iced	8,000
chai latte	9,500	hot chocolate	10,000
rose latte	7,000	wine / beer	15,000 / 7,000
charcoal latte	7,000	fresh juice	8,000
blue spirulina	8,500	smoothies	12,000
		قهوة بيضاء	6,000

COLD.

iced latte	8,500
iced mocha	9,000
cold brew	8,500
frappé	14,000
frappé for kids	15,000
affogato	14,000
freddo cappuccino	8,500

ALSO.

decaf	1,500
extra shot	2,000
side of milk	1,500
almond / coconut milk	3,500
organic almond milk	5,000
organic coconut milk	5,000
oat milk	4,250

THE EATS

We offer a daily selection of freshly baked sweet and savory goods, including muffins, croissants, manakish and signature tahini buckwheat banana loaf. We also offer a breakfast and lunch menu consisting of wholesome granola, classic sandwiches, and hearty salads. All our ingredients are fresh, seasonal and sourced from the best local kitchens. breads and sugar-free baked goods, as well as green juices and organic milks.

Our offering also includes snack and sweet bite options for those seeking a healthier alternative; including energy balls, gluten free breads and sugar free baked goods, as well as green juices and organic milks.





FOOD MENU

SANDWICHES.

EGG SALAD SANDWICH – Radishes & chives on white bread	10,000
ROAST BEEF, PARMESAN & ARUGULA – Truffle mayo on a baguette	10,000
TURKEY & TOMATO – Basil, arugula on wheat bread	13,000
TURKEY HONEY MUSTARD – Honey mustard, arugula on wheat bread	13,000
PB & J – Peanut butter & jelly on wheat bread	6,000
TUNA-TOMATO-TAPENADE – Tuna salad, olive oil, on whole wheat bread	10,000
SMOKED SALMON & CUCUMBER TARTINE – Whole wheat bread & butter	11,000
SMOKED SALMON WRAP – Cream cheese, spinach & arugula on soft flour tortilla	9,000
CHEESE & OLIVE TAPENADE – Kashkaval & akkawi – sesame kaake	8,500
LABNEH SANDWICH – Tomato, zaatar, olive oil on white bread	8,000
AVOCADO TOAST – Avocado mash, chia seeds, flax seeds, chili flakes on gluten free bread	9,500

SALADS.

BEET, CORN & EDAMAME SALAD – Orange, ginger, teriyaki vinaigrette	9,000
RED & BLACK QUINOA SALAD – Tomatoes, olives, cucumber & feta with sumac citrus vinaigrette	10,000
SALMON AVOCADO EGG BOWL – Eggs, black sesame seeds, salmon & avocado	13,000
TURKEY AVOCADO EGG BOWL – Eggs, black sesame seeds, limon wedge turkey & avocado	13,000

BREAKFAST.

GRANOLA YOGHURT	16,000
LABNEH PLATTER	9,000
CHIA PUDDING	7,500

SWEETS.

MATCHA ENERGY BALL	2,500
MINI PISTACHIO BUNDT CAKE	7,500
MINI CHOCOLATE BARS	8,000
CHOCOLATE MUFFIN	6,500

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 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.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
11. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave 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. Smokers shall be limited to 4 persons at any one time in the designated smoking area on the ground floor.
15. The Premises Licence Holder shall ensure that there are suitable receptacles positioned outside the premises for use by smokers.
16. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity
17. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. The maximum capacity to be no more than 60 persons excluding staff.
18. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
19. The supply of alcohol shall be by waiter or waitress service only.
20. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
21. 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. Save for WCC waste collection services, no waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20.00 hours and 08.00 hours on the following day.
23. Save for WCC waste collection services, no collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 and 08.00 on the following day.
24. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
25. 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.
26. 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.
27. No deliveries to the premises shall take place between (20.00) and (08.00) on the following day.
28. 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.
29. 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.
30. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
31. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
32. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
33. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
34. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment
35. The premises may remain open for the regulated entertainment, sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

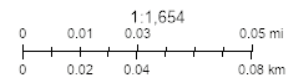
36. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
37. Before the premises open to the public, the plans 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.

6 Nottingham Street London W1U 5EJ



27/10/2023, 10:36:50

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count: 274

Licensed premises within 75 metres of 6 Nottingham Street London W1U 5EJ				
Licence Number	Trading Name	Address	Premises Type	Time Period
22/08595/LIPDPS	Prince Regent Public House	Prince Regent 71 Marylebone High Street London W1U 5JN	Public house or pub restaurant	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 23:30
23/04994/LIPT	Le Pain Quotidien	72 Marylebone High Street London W1U 5JW	Cafe	Sunday; 08:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00

06/04543/WCCMAP	Hotel La Place	17 Nottingham Place London W1U 5LG	Hotel, 3 star or under	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/11246/LIPT	Crazy Pizza	7 - 9 Paddington Street London W1U 5QE	Restaurant	Sunday; 08:00 - 23:00 Monday to Thursday; 08:00 - 00:00 Friday to Saturday; 08:00 - 00:30 Good Friday; 08:00 - 23:30
14/03471/LIPV	Opso	Beer House 10 - 11 Paddington Street London W1U 5QL	Restaurant	Sunday; 08:00 - 23:00 Monday to Saturday; 08:00 - 23:30
23/04236/LIPVM	Carlotta	77 Marylebone High Street London W1U 5JX	Restaurant	Monday; 08:00 - 23:30 Tuesday; 08:00 - 23:30 Wednesday; 08:00 - 23:30 Thursday; 08:00 - 23:30 Friday; 08:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Friday to Saturday; 08:00 - 00:00 Sunday to Thursday; 08:00 - 23:30



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	09 November 2023
Licensing Ref No:	23/04677/LIPSL - Shadow Licence
Title of Report:	Shadow Licence 84 - 86 Wardour Street London W1F 0TQ
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	13 July 2023		
Applicant:	Legal And General Assurance (Pensions Management) Limited		
Premises:	Shadow Licence		
Premises address:	84 - 86 Wardour Street London W1F 0TQ	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application form, the application is for a shadow licence under the same terms, plans and conditions as the granted licence 21/14512/LIPN.		
Premises licence history:	The premises have held a premises licence since July 2013. A copy of the current premises licence (Licence number 21/14512/LIPN) appears at appendix 2. A full licence history for the premises appears at appendix 4.		
Applicant submissions:	The applicant has attempted to mediate with the objector. A copy of the email appears at appendix 3.		
Applicant amendments:	None		

1-B	Proposed licensable activities and hours						
Live music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	01:00	02:00	02:00	01:00
Seasonal variations/ Non-standard timings:			From the start time on New Year's Eve to the terminal hour for New Year's Day				

Recorded music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	01:00	02:00	02:00	01:00
Seasonal variations/ Non-standard timings:			From the start time on New Year's Eve to the terminal hour for New Year's Day				

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	23:00
End:	01:00	01:00	01:00	01:00	02:00	02:00	01:00
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for 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	10:00
End:	01:00	01:00	01:00	01:00	02:00	02:00	01:00
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					

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:	01:30	01:30	01:30	01:30	02:30	02:30	01:30
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	27 July 2023 (withdrawn 28 September 2023)

I write in relation to the application submitted for a new shadow licence for 84 - 86 Wardour Street, London W1F 0TQ.

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

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

The application seeks the following:

Live Music

Sunday to Thursday: 10:00 to 01:00

Friday to Saturday: 10:00 to 02:00

Recorded Music

Sunday to Thursday: 10:00 to 01:00

Friday to Saturday: 10:00 to 02:00

Late Night Refreshment

Sunday to Thursday: 23:00 to 01:00

Friday to Saturday: 23:00 to 02:00

Sale by Retail of Alcohol On and Off Premises

Sunday to Thursday: 10:00 to 01:00

Friday to Saturday: 10:00 to 02:00

Non-standard Timings: From the start time on New Year's Eve to the terminal hour for New Year's Day.

Opening Hours to Public

Sunday to Thursday 10:00 to 01:30

Friday to Saturday 10:00 to 02:30

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and RNT1.

The application is made by the freeholder of the premises for a 'shadow' licence of 21/14512/LIPN.

The Licensing Authority has reviewed the application against Licence number 21/14512/LIPN and the application has been made on the exact terms and conditions as the current issued licence.

The Licensing Authority encourages the applicant to consider Westminster's model condition 97 below

The shadow licence will not take effect when the current licence is in operation, or it lapses, is surrendered or revoked.

Should the applicant consider model condition MC97 it will allow the Licensing Authority to consider this application as a genuine application for a shadow licence.

The Licensing Authority looks forward to receiving submissions from the applicant and then access the application against any further policy considerations.

Please accept this as a formal representation.

Following agreement of a further condition, the Licensing Authority withdrew their representation on 28 September 2023. The agreed condition appears at appendix 5

2-B Other Persons	
Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	24 July 2023
<p>I am a long-term resident and circa 7-year homeowner at the ██████████ ██████████. This residential property, housing around 15 flats, is situated ██████████ the premises currently under review at 84-86 Wardour Street. Hence I feel the need to voice significant concerns regarding the proposed licensing changes at 84-86 Wardour Street (Reference: 23/04677/LIPSL).</p> <p>My wife, ██████████, along with our neighbours within the ██████████ and several other residents in the densely populated residential areas of Soho on Meard Street, are convinced that these proposed amendments are in direct conflict with the principles of the Licensing Act 2003 and that they would result in substantial public harm.</p> <p>The former tenant on site 84-86 Wardour Street, Vapiano —a family-friendly Italian restaurant — was conscientious in maintaining community welfare and public safety. By ending operations at circa 11pm and by not ever hosting live music on their premises, Vapiano minimised public disturbances and fostered a quiet and respectful community-friendly environment.</p> <p>Furthermore, other businesses in the vicinity of the premises under review, both adjacent (Rudy's at 80 Wardour, Tortilla at 88 Wardour) and opposite (Amathus Liquor at 113 Wardour, Banana Tree at 103 Wardour Street), all cease operations before midnight and none of these other businesses host live music on site. This has facilitated a healthy balance between commercial activities and public tranquillity in our immediate residential vicinity.</p> <p>The proposed licensing change would transform 84-86 Wardour Street from a family-friendly restaurant into what appears to be a nightclub with live music.</p> <p>The potential adverse public impacts of these changes are profound and could create harm:</p> <ul style="list-style-type: none"> - Harm to Children: As my wife and I eagerly anticipate the birth of our daughter in the next few weeks, our worries are heightened for her well-being, as well as for other children living in our building. The potential surge in noise and possible disorderly behaviour linked to a nightclub's presence directly opposite our residence could severely impact her mental health and disrupt the essential sleep patterns of a young newborn. Numerous studies underscore the absolute importance of sleep for babies and young children (not to mention adults). A deficit in sleep has been linked to numerous detrimental outcomes for young children, such as cardiometabolic risk factors, an elevated likelihood of ADHD and diminished cognitive performance, impaired emotional regulation, compromised academic achievement, and a reduced overall quality of life. - Expansion of Crime and Disorder: The venue's shift from a family-oriented restaurant to a nightclub operating until 2 am with live music would also elevate the risk of crime and disorder in the immediate vicinity. We worry about a potential rise in drug abuse, street harassment, and public intoxication, especially given the narrow pavements in this area. These factors could result in disturbances spilling into residential zones and negatively impacting our quality of life. - Expanded Public Nuisance, Unrest, and Heightened Threat to Public Safety: The proposed changes to the venue's operational nature and hours could escalate noise pollution, 	

litter, and foot traffic during unsocial hours. The anticipated influx of patrons, potentially intoxicated late at night, could jeopardise the safety of our usually peaceful streets. Minor changes in venue operations can have considerable implications for public safety in this high-density area, and we fear that this might include harassment of my wife and young child by potentially unruly club patrons.

The proposed licensing change seems likely to trigger a significant increase in late-night, loud, and potentially inebriated activity. This presents considerable risks, including severe public nuisance and medical harm to children. While Soho does maintain a delicate balance between commercial, residential, and community activities, the proposed changes at this particular site—running in stark contrast to its prior usage as a family-friendly Italian restaurant with limited hours—warrant rigorous scrutiny.

Please note our concerns would be mitigated if the proposed operating hours for this venue were aligned with its last occupied tenant on site and neighbouring businesses. We suggest that activities cease before 11pm and that live music be avoided on this site. Such a strategy would integrate with this site’s commercial neighbours and reduce any potential for adverse disruption. Deviating from this, we believe, will introduce significant harm and adverse health impacts.

We sincerely appreciate your attention to this pressing matter and await your response. We also remain open to further consultation, if you believe it would be beneficial in your deliberations.

3.	Policy & Guidance
The following policies within the City of Westminster Statement of Licensing Policy apply:	
Cumulative Impact Policy CIP1 applies:	<p>A. It is the Licensing Authority’s policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
Hours Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers

	<p>will be permitted to remain on the premises.</p> <p>5. The proposed hours when any music, including incidental music, will be played.</p> <p>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for this application as defined within this policy are:</p> <p>8. Restaurants Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p>
<p>Policy RNT1(B) applies</p>	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to

	<p>them or they have collected themselves.</p> <p>2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.</p> <p>3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.</p> <p>4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> <p>5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.</p>
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4. Equality Implications

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

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

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

5.	Appendices
Appendix 1	Premises plans
Appendix 2	Premises licence 21/14512/LIPN
Appendix 3	Applicant supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	August 2023
4	Licensing Authority representation	27 July 2023 (withdrawn 28 September 2023)
5	Interested party representation	24 July 2023



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

Schedule 12
Part A

WARD: West End
UPRN: 100023471887

Premises licence

Regulation 33, 34

Premises licence number:	21/14512/LIPN
Original Reference:	21/14512/LIPN

Part 1 – Premises details

Postal address of premises:

Victor's
84 - 86 Wardour Street
London
W1F 0TQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Live Music	
Sunday to Thursday:	10:00 to 01:00
Friday to Saturday:	10:00 to 02:00
Playing of Recorded Music	
Sunday to Thursday:	10:00 to 01:00
Friday to Saturday:	10:00 to 02:00
Late Night Refreshment	
Sunday to Thursday:	23:00 to 01:00
Friday to Saturday:	23:00 to 02:00
Sale by Retail of Alcohol	
Sunday to Thursday:	10:00 to 01:00
Friday to Saturday:	10:00 to 02:00

Non-standard Timings: From the start time on New Year's Eve to the terminal hour for New Year's Day.

The opening hours of the premises:

Monday to Thursday:	10:00 to 01:30
Friday to Saturday:	10:00 to 02:30
Sunday:	10:00 to 01:30

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

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

Part 2

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

Ecc Holdco Limited
Chg House
31-40 West Parade
Newcastle Upon Tyne
NE4 7LB

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

12635528

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

Name: Mr Elliott James West

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: LAPA 0821
Licensing Authority: Lancaster City Council

Date: 29 April 2022

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

Annex 1 – Mandatory conditions

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

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

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

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

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

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

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

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

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

Where -

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

alcohol under such a licence;

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

10. The premises shall only operate as a restaurant (save for in those areas marked with cross hatches on the plans for up to 60 persons),
- a) in which customers are shown to their table or the customer will select a table
 - b) themselves,
 - c) where the supply of alcohol is by waiter or waitress service only,
 - d) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - e) which do not provide any takeaway service of food or drink for immediate
 - f) consumption off the premises,
 - g) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

11. After 21:00, there shall be a minimum of one SIA door supervisor Sunday to Thursday and a minimum of two SIA door supervisors Friday and Saturday. They shall guard the entrance and assist orderly dispersal from the premises. They shall remain on duty until all customers have vacated the premises. They shall display their SIA licenses at all times when on duty.
12. There shall be no off sale of alcohol after 23:00
13. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined and monitored by security. No drinks to be taken outside.
14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
- (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorized council officer

copies of recent CCTV images or data with the absolute minimum of delay when requested.

16. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
17. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
18. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
19. A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:
 - (a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,
 - (b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,
 - (c) The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team,
 - (d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and
 - (e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
20. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
22. All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
23. There shall be no admittance or re-admittance to the premises after midnight except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

25. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to 10 persons at any one time.
26. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
27. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.
28. No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.
29. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
31. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
32. 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.
33. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric.
34. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
35. 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.
36. 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.
37. No licensable activities shall take place at the premises until premises licence 21/02214/LIPT (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection

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

None



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

Schedule 12
Part B

WARD: West End
UPRN: 100023471887

Premises licence
summary

Regulation 33, 34

Premises licence number:

21/14512/LIPN

Part 1 – Premises details

Postal address of premises:

Victor's
84 - 86 Wardour Street
London
W1F 0TQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Live Music

Sunday to Thursday: 10:00 to 01:00
Friday to Saturday: 10:00 to 02:00

Playing of Recorded Music

Sunday to Thursday: 10:00 to 01:00
Friday to Saturday: 10:00 to 02:00

Late Night Refreshment

Sunday to Thursday: 23:00 to 01:00
Friday to Saturday: 23:00 to 02:00

Sale by Retail of Alcohol

Sunday to Thursday: 10:00 to 01:00
Friday to Saturday: 10:00 to 02:00

Non-standard Timings: From the start time on New Year's Eve to the terminal hour for New Year's Day.

The opening hours of the premises:

Monday to Thursday:	10:00 to 01:30
Friday to Saturday:	10:00 to 02:30
Sunday:	10:00 to 01:30

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

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

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

Ecc Holdco Limited
Chg House
31-40 West Parade
Newcastle Upon Tyne
NE4 7LB

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

12635528

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

Name: Mr Elliott James West

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

Restricted

Date: 29 April 2022

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

From: [Alun Thomas](#)
To: [Undisclosed recipients:](#)
Subject: 23/04677/LIPSL: Victors 84 - 86 Wardour Street, London, W1F 0TQ [LEG.2.3]
Date: 03 October 2023 08:58:43

Dear 

Apologies for the delay in reaching out to you.

I represent the applicant for the licence in respect of which you have made a representation, details of which of course I have seen.

May I explain please:

The applications relate to the basement of the premises. There is no connection in this application with the ground floor, which was previously operated by Vapiano. The application is made by the landlord for a "shadow" licence which is upon the exact same terms as the existing licences. There is no proposal to extend the hours which already exist.

This is merely precautionary to protect the landlord's position should the existing licence lapse for any reason. As such, it's not a new licence or a new use, just something that is mirroring what's effectively in place.

I hope that assists in addressing your concerns, If it would help to have a call with my client, I have of course would be happy to arrange that. Please let me know should you have any queries arising in the meantime on the number below.

With kind regards

Alun Thomas

Thomas & Thomas Partners LLP
38a Monmouth Street
London WC2H 9EP



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Licence & Appeal History

Application	Details of Application	Date Determined	Decision
13/03376/LIPN	New premises licence permitting late night refreshment and sale of alcohol to 00:00 Monday to Thursday, 01:00 Friday and Saturday and 23:00 Sunday	11.07.2013	Granted by Licensing Sub Committee
14/03209/LIPV	Variation – reconfiguration of layout.	22.05.2014	Granted under delegated authority
15/02902/LIPDPS	Application to vary the designated premises supervisor	01.05.2015	Granted under delegated authority
15/09269/LIPDPS	Application to vary the designated premises supervisor	24.11.2015	Granted under delegated authority
16/12527/LIPDPS	Application to vary the designated premises supervisor	03.01.2017	Granted under delegated authority
16/13316/LIPDPS	Application to vary the designated premises supervisor	03.01.2017	Granted under delegated authority
18/02022/LIPV	Variation – Amende conditions to permit off sales by Deliveroo and Uber Eats	10.05.2018	Refused by Licensing Sub Committee
18/06149/LIPDPS	Application to vary the designated premises supervisor	10.07.2018	Granted under delegated authority
19/02052/LIPDPS	Application to vary the designated premises supervisor	07.03.2019	Granted under delegated authority Licence lapsed July 2020
21/14512/LIPN	New premises licence permitting live music, recorded music, late night refreshment and sale of alcohol until 01:00 Sunday to Thursday and 02:00 Friday and Saturday.	29.04.2022	Granted under delegated authority

There is no appeal history

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

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

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

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

Mandatory Conditions

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

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

10. The premises shall only operate as a restaurant (save for in those areas marked with cross hatches on the plans for up to 60 persons),
 - a) in which customers are shown to their table or the customer will select a table
 - b) themselves,
 - c) where the supply of alcohol is by waiter or waitress service only,
 - d) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - e) which do not provide any takeaway service of food or drink for immediate
 - f) consumption off the premises,
 - g) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

11. After 21:00, there shall be a minimum of one SIA door supervisor Sunday to Thursday and a minimum of two SIA door supervisors Friday and Saturday. They shall guard the entrance and assist orderly dispersal from the premises. They shall remain on duty until all customers have vacated the premises. They shall display their SIA licenses at all times when on duty.
12. There shall be no off sale of alcohol after 23:00
13. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined and monitored by security. No drinks to be taken outside.
14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
 - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

16. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
17. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
18. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
19. A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:
 - (a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,
 - (b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,
 - (c) The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team,
 - (d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and
 - (e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
20. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
22. All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
23. There shall be no admittance or re-admittance to the premises after midnight except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

25. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to 10 persons at any one time.
26. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
27. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.
28. No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.
29. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
31. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
32. 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.
33. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric.
34. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
35. 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.
36. 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.
37. No licensable activities shall take place at the premises until premises licence 21/02214/LIPT (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection

Conditions proposed by the Licensing Authority and agreed by the applicant so as to form part of the operating schedule

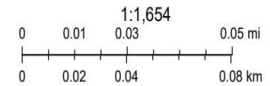
38. The shadow licence will not take effect when the current licence is in operation.

84 - 86 Wardour Street, London, W1



24/10/2023, 07:41:06

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident count: 173

Licensed premises within 75m of 84 – 86 Wardour Street, London, W1				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/14512/LIPN	Victor's	84 - 86 Wardour Street London W1F 0TQ	Restaurant	Sunday; 10:00 - 01:30 Monday to Thursday; 10:00 - 01:30 Friday to Saturday; 10:00 - 02:30

21/02214/LIPT	Lo-Profile	Basement 84 - 86 Wardour Street London W1F 0TG	Club or institution	Monday; 09:00 - 01:30 Thursday; 09:00 - 03:30 Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30 Tuesday to Wednesday; 09:00 - 02:30 Friday to Saturday; 09:00 - 04:00
22/08728/LIPDPS	Rudys Pizza	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 00:00
21/13851/LIPDPS	Tortilla	88 Wardour Street London W1F 0TH	Restaurant	Monday; 08:00 - 23:30 Tuesday; 08:00 - 23:30 Wednesday; 08:00 - 23:30 Thursday; 08:00 - 23:30 Friday; 08:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
23/06202/LIPRW	Ground To Fourth Floor	8 - 14 Meard Street London W1F 0EQ	Office	Not Recorded; XXXX - XXXX
22/05076/LIPRW	Pitch	12 Meard Street London W1F 0EQ	Leisure (other)	Monday; 11:00 - 21:00 Tuesday; 10:00 - 21:00 Saturday; 10:00 - 23:00 Sunday; 10:00 - 18:00 Wednesday to Friday; 11:00 - 23:00
21/10111/LIPV	Amathus	Hammer House 113- 117 Wardour Street	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00

		London W1F 0UN		
22/09410/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 00:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30
17/05557/LIPT	(Former 'Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Sunday; 07:30 - 23:00 Monday to Saturday; 07:30 - 23:30
19/02509/LIREVP	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Not Recorded	
19/11795/LIPDPS	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Restaurant	Sunday; 12:00 - 23:00 Monday to Wednesday; 09:00 - 02:30 Thursday to Saturday; 09:00 - 03:30
22/09072/LIPDPS	Pickle And Toast	72 Wardour Street London W1F 0TD	Cafe	Thursday; 07:00 - 23:30 Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Monday to Wednesday; 07:00 - 23:00
22/10545/LIPCH	Honest Burgers	Basement And Ground Floor 4 Meard Street London W1F 0EF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
23/04459/LIPVM	Fat Hippo	Basement And Ground Floor 68-70 Wardour Street London W1F 0TB	Cafe	Monday; 11:30 - 22:00 Tuesday; 11:30 - 22:00 Wednesday; 11:30 - 22:00 Thursday; 11:30 - 23:00 Friday; 11:30 - 23:00

				Saturday; 11:30 - 23:00 Sunday; 11:30 - 22:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
22/02465/PREAPM	Not Recorded	68 - 70 Wardour Street London W1F 0TB	Not Recorded	
21/13297/LIPDPS	Moo	99 Wardour Street London W1F 0UF	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
22/02670/LIPDPS	The Breakfast Club	11 Berwick Street London W1F 0PL	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30 Friday to Saturday; 23:00 - 00:00
18/07653/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 03:30
22/06200/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30

20/03127/LIPN	Not Recorded	Royalty House 72-74 Dean Street London W1D 3SG	Office	Sunday; 08:00 - 00:00 Monday to Saturday; 07:00 - 01:00
23/03795/LIPCH	Soho Hotel	Soho Hotel 4 Richmond Mews London W1D 3DH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
22/01465/LIPT	Busaba Eathai	108-110 Wardour Street London W1F 0JL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00
22/11030/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 00:00



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	9 November 2023
Licensing Ref No:	23/04676/LIPSL – Shadow Licence
Title of Report:	Shadow Licence Basement 84 - 86 Wardour Street London W1F 0TG
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	13 July 2023		
Applicant:	Legal And General Assurance (Pensions Management) Limited		
Premises:	Shadow Licence		
Premises address:	Basement 84 - 86 Wardour Street London W1F 0TG	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application form, this is for a shadow licence under the same terms, conditions and plans as premises licence (21/02214/LIPT).		
Premises licence history:	The premises have held a premises licence since October 2005. A copy of the current premises licence (Licence number 21/02214/LIPT) appears at Appendix 2 .		
Applicant submissions:	The applicant has provided a letter which was circulated to the interested party. This can be found at Appendix 3 .		
Applicant amendments:	<p>On submission some timings weren't the same as the original licence due to administrative error, therefore Environmental Health made a representation. The applicant rectified these timings, so it was like for like with the original licence. The hours now applied for can be found at 1-B of the report.</p> <p>During consultation the applicant agreed an amended model condition 97 with the Licensing Authority. This can be found at Appendix 5.</p>		

1-B Proposed licensable activities and hours							
Performance of Dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	N/A
End:	01:00	02:00	02:00	03:00	04:00	04:00	N/A
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					

Live Music:				On or off sales or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	N/A
End:	01:00	02:00	02:00	03:00	04:00	04:00	N/A
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					

Recorded Music:				On or off sales or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					

Anything of a similar description to Live Music, Recorded Music or Performance of Dance:				On or off sales or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	N/A
End:	01:00	02:00	02:00	03:00	04:00	04:00	N/A
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					

Late Night Refreshment: Basement				On or off sales 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:	01:30	02:30	02:30	03:30	04:30	04:30	N/A
Seasonal variations/ Non-standard timings:		The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.					

Late Night Refreshment: Ground Floor				On or off sales 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	23:30	23:30	N/A
Seasonal variations/ Non-standard timings:		The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.					

Retail Sale of Alcohol: Basement				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	02:00	02:00	03:00	03:00	03:00	22:30
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					

Retail Sale of Alcohol: Ground Floor				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	N/A
End:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					

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	12:00
End:	01:30	02:30	02:30	03:30	04:00	04:00	23:00
Seasonal variations/ Non-standard timings:		From the start time on New Year's Eve to the terminal hour for New Year's Day					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Sally Fabbriatore
Received:	17 August 2023 (Withdrawn 17 August 2023)
<p>I refer to the application for a new Premises Licence for the above premises. The premises does currently benefit from a premises licence, 21/02214/LIPT. The premises is situated in the West End Cumulative Impact Zone.</p> <p>This representation is based on the Operating Schedule and the submitted plans, for the basement and ground floor titled with address.</p> <p>The applicant is seeking to allow exactly the same permissions as permitted on the current premises licence, 21/02214/LIPT. However, an extra permission has been requested on a Sunday for 'Anything of a similar description to Live Music, Recorded Music or Performance of Dance' for 20:00-03:00 hours. This is not permitted on the existing licence. I wish to make the following representation in relation to this, as the additional hours on a Sunday may impact on public nuisance within the cumulative impact area.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me</p> <p>After applicant corrected the hours to reflect the same as current licence, Environmental Health withdrew their representation on 17 August 2023.</p>	
Responsible Authority:	Licensing Authority
Representative:	Roxsana Haq
Received:	17 August 2023 (Withdrawn 24th October 2023)
<p>Dear Sirs</p> <p>I write in relation to the application submitted for a new shadow licence for: Basement, 84 - 86 Wardour Street, London W1F 0TQ.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p>	

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

The application seeks the following:

Live Music

Mondays: 09:00 to 01:00
 Tuesday to Wednesday: 09:00 to 02:00
 Thursdays: 09:00 to 03:00
 Friday to Saturday: 09:00 to 04:00

Recorded Music (basement)

Monday to Sunday – Unrestricted.

Performance of Dance (basement)

Mondays: 09:00 to 01:00
 Tuesday to Wednesday: 09:00 to 02:00
 Thursdays: 09:00 to 03:00
 Friday to Saturday: 09:00 to 04:00

Anything of a similar description to that falling within (e), (f) or (g)

Mondays: 09:00 to 01:00
 Tuesday to Wednesday: 09:00 to 02:00
 Thursdays: 09:00 to 03:00
 Friday to Saturday: 09:00 to 04:00
 Sundays: 20:00 to 03:00

Monday to Saturday (Basement) Sunday: 20:00 to 03:00 (Basement, Ground and First Floors)

Late Night Refreshment

Mondays: 23:00 to 01:30
 Tuesday to Wednesday: 23:00 to 02:30
 Thursdays: 23:00 to 03:30
 Friday to Saturday: 23:00 to 04:00

Monday to Saturday: 23:00 to 23:30 (Ground Floor) Monday to Saturday: Hours above relate to (Basement)

Sale by Retail of Alcohol On and Off Premises

Mondays: 10:00 to 01:00
 Tuesday to Wednesday: 10:00 to 02:00
 Thursday to Saturday: 10:00 to 04:00
 Sundays: 12:00 to 22:30

Monday to Saturday: 10:00 to 23:00 (Ground Floor) Monday to Saturday hours above relate to the Basement

Non-standard Timings:

The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

(and all other conditions on Annexe 1 attached to premises licence 21/02214/LIPT)

Opening Hours to Public

Mondays: 09:00 to 01:30

Tuesday to Wednesday: 09:00 to 02:30
Thursdays: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:00
Sundays: 12:00 to 23:00

The premises is located within the West End Cumulative Impact Zone and as such various policy points must be considered, namely CIP1, HRS1 and MD1.

The application is made by the freeholder of the premises for a 'shadow' licence of 21/02214/LIPT.

The Licensing Authority has reviewed the application against Licence number 21/02214/LIPT and the application has been made on the exact terms and conditions as the current issued licence.

The Licensing Authority encourages the applicant to consider Westminster's model condition 97 (amended) below

"The shadow licence will not take effect when the current licence is in operation".

Should the applicant accept the above condition it will allow the Licensing Authority to consider this application as a genuine application for a shadow licence.

The Licensing Authority looks forward to receiving submissions from the applicant and then access the application against any further policy considerations.

Please accept this as a formal representation.

Following agreement of a further condition, the Licensing Authority withdrew their representation on 24 October 2023. The agreed condition appears at Appendix 5.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	6 August 2023
[REDACTED]	
<p>This proposed venture would be next door at 84-86 Wardour Street.</p> <p>Residents of the Soho Lofts complex have had a long history of problems with our neighbour at 100 Wardour Street. Blaring music and lots of people milling noisily in the street during early morning hours.</p> <p>What guarantees are there that this new venture demanding a liquor licence up to 0400 in the morning on Friday and Saturday as well as live music will in any way be regulated?</p> <p>In my opinion, there would need to be detailed tests and controlled limits to police the noise levels and I would strongly object to a liquor licence being granted past 0100 in the morning on any night. After all, people need to sleep.</p>	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel

	<p>home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>6. Pubs and bars, Fast Food and Music and Dance venues Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to Midnight. Sunday: Midday to 10.30pm. Sundays immediately prior to a bank holiday: Midday to Midnight.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p>Policy MD1 applies</p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a music and dance premises or similar entertainment in Clause D. <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1, and/or, 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The operation of any delivery services for alcohol and/or latenight

	<p>refreshment meeting the Council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</p> <p>3. The application and operation of the venue continuing to meet the definition of a music and dance premises in Clause D.</p> <p>D. For the purposes of this policy a music and dance premises is defined as a premises whereby the primary purpose of the venue is to:</p> <ol style="list-style-type: none"> 1. Provide regulated entertainment in the form of music, either in the form of live performances or recorded, to customers. 2. Provide regulated entertainment in the form of music, either as live performances or recorded, and provide facilities for the provision of dance. 3. The sale by retail of alcohol may be provided as either a considerable element of the operation of the premises or ancillary to the provision of regulated entertainment. <ol style="list-style-type: none"> a. Examples of venues that would fall within this policy are night clubs or bars that provide music and dancing. b. De-regulated entertainment (as set out in the glossary will not be subject to this policy).
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4. Equality Implications

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

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

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

5. Appendices

Appendix 1	Premises plans
Appendix 2	Premises Licence 21/02214/LIPT
Appendix 3	Applicant supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	August 2023
4	Environmental Health Service (Withdrawn 17 August 2023)	17 August 2023
5	Licensing Authority (Withdrawn 24 October 2023)	17 August 2023
6	Representation 1	6 August 2023



Schedule 12
Part A

WARD: West End
UPRN: 010033570822

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

Premises licence

Regulation 33, 34

Premises licence number:

21/02214/LIPT

Original Reference:

05/10236/LIPC

Part 1 – Premises details

Postal address of premises:

Lo-Profile
Basement
84 - 88 Wardour Street
London
W1F 0TG

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Tuesday to Wednesday: 09:00 to 02:00 (Basement)
Friday to Saturday: 09:00 to 04:00 (Basement)
Monday: 09:00 to 01:00 (Basement)
Thursday: 09:00 to 03:00 (Basement)

Provision of facilities for Dancing

Tuesday to Wednesday: 09:00 to 02:00 (Basement)
Friday to Saturday: 09:00 to 04:00 (Basement)
Monday: 09:00 to 01:00 (Basement)
Thursday: 09:00 to 03:00 (Basement)

Provision of facilities for making Music

Tuesday to Wednesday: 09:00 to 02:00 (Basement)
Friday to Saturday: 09:00 to 04:00 (Basement)
Monday: 09:00 to 01:00 (Basement)
Thursday: 09:00 to 03:00 (Basement)

Performance of Live Music

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

Playing of Recorded Music

Unrestricted

Provision of facilities for entertainment of a similar description to making music or dancing

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

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

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

Late Night Refreshment

Monday to Saturday:	23:00 to 23:30 (Ground Floor)
Tuesday to Wednesday:	23:00 to 02:30 (Basement)
Friday to Saturday:	23:00 to 04:00 (Basement)
Monday:	23:00 to 01:30 (Basement)
Thursday:	23:00 to 03:30 (Basement)

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 23:00 (Ground Floor)
Tuesday to Wednesday:	10:00 to 02:00 (Basement)
Thursday to Saturday:	10:00 to 03:00 (Basement)
Monday:	10:00 to 01:00 (Basement)
Sunday:	12:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1***The opening hours of the premises:**

Tuesday to Wednesday:	09:00 to 02:30
Friday to Saturday:	09:00 to 04:00
Monday:	09:00 to 01:30
Thursday:	09:00 to 03:30
Sunday:	12:00 to 23:00

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:

ECC Holdco Limited
CHG House
31-40 West Parade
Newcastle Upon Tyne
NE4 7LB

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

12635528

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

Name: Mr Trevor Martin

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: LBWANDS/02479
Licensing Authority: London Borough of Wandsworth

Date: 06 April 2021



Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. 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.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(8)
 - (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(7)
3. Where the permitted price given by Paragraph (b) of paragraph 2 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.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.
5. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
6. 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.
7. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
8. (1) The responsible person shall take all reasonable steps to 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 in

a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;

- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
9. The responsible person shall ensure that no alcohol is dispensed 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).
10. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
11. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
12. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

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.

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

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

Conditions relating to Regulated Entertainment

14. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
15. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
16. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on Monday to 01:00 on the day following, and from 23:00 on each of the days Tuesday to Wednesday to 02:00 on the day following, from 23:00 on Thursday to 03:00 on the day following and from 23:00 on Friday and Saturday to 04:00 on the day following.
17. An attendant shall be stationed within the basement cloakroom during the whole time the basement is open to the public.
18. This use of the premises under this licence shall remain purely ancillary to the main/lawful use (class A3).
19. All refuse must be paid, properly presented and must not be left on the street for more than 2.5 hours.
20. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway or upon any building, structure, works, street furniture, tree or any other property and shall not be distributed in the street to the public that advertises or promotes the establishment, its premises or any of its events, facilities, goods or services.
21. The Licensee shall ensure that queuing by patrons outside the premises is conducted in a quiet and orderly manner and is monitored by at least 2 registered door supervisors at all times.
22. The Licensee shall ensure that the exit of patrons from the premises after the terminal hour is monitored by at least 4 registered door supervisors so that minimal noise and disturbance is caused to residents.
23. The Licensee shall use his best endeavours to ensure that customers do not congregate or cause a nuisance on the public highway outside the premises or in the vicinity of the premises.
24. Notices shall be displayed at all exits to the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
25. The licensee shall issue loudspeaker requests 15 minutes before closing asking patrons to leave quietly.
26. At all material times during the hours when this licence is operative the licensee is to ensure that security/search wands are used by security staff to check customers

entering the premises (subject at all times to any reasonable explanation for such wands not being used in a particular case).

27. The number of persons accommodated (excluding staff) at the premises shall not exceed: Basement - 470.

Conditions for Sale of Alcohol

Such parts of the basement and ground floor as are shown more particularly coloured and edged red on the deposited plan.

28. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
29. In respect of the basement of the premises, intoxicating liquor may only be sold or supplied to:
- (a) Persons who have paid a minimum admission fee on Mondays to Wednesdays of £3.00 and on Thursday to Saturday a fee of £5.00 after 23:00 for the purpose of music, dancing and entertainment (not to be credited against consumables).
 - (b) Persons who have paid a minimum annual admission fee of £100. Payable in advance (not to be credited against consumables).
 - (c) Bona fide guests of the proprietor specially invited prior to admission with individual's details kept at the reception for inspection.
 - (d) Persons employed at the premises.
 - (e) Persons attending a private function at the premises with individual's details kept at the reception for inspection.
30. No striptease, no nudity and all persons on the premises to be decently attired.
31. No gaming on the premises.
32. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.

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

Permitted hours for the sale of alcohol

33. For the Ground Floor (Monday to Sunday) and Basement (Sunday only):
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).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty 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.

34. For the Basement (Monday to Saturday) only:

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

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 (12:00 on Christmas Day and Good Friday) and extend until 01:00 Monday, 02:00 Tuesday and Wednesday and 03:00 Thursday to Saturday on the morning following, except that -
 - (i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00:00 midnight and 01:00, 02:00 or 03:00, the permitted hours shall end when the music and dancing end.
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
 - (i) with the substitution of reference to 04:00 for references to 03:00 or one hour following the hour actually specified.
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;

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

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

35. 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.

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

37. 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

38. The authorisations permitted by this premises licence will have no effect whilst the premises licence issued by the committee on 12th July 2013 (premises Licence Number 13/03376/LIPN) which covers the ground and first floor of the premises remains in force.

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

None



City of Westminster
64 Victoria Street, London, SW1E 0QP

Schedule 12
Part B

Premises licence
summary

WARD: West End
UPRN: 010033570822

Regulation 33, 34

Premises licence number:

21/02214/LIPT

Part 1 – Premises details

Postal address of premises:

Lo-Profile
Basement
84 - 86 Wardour Street
London
W1F 0TG

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

Provision of facilities for Dancing

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

Provision of facilities for making Music

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

Performance of Live Music

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

Playing of Recorded Music

Unrestricted

Provision of facilities for entertainment of a similar description to making music or dancing

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

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

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

Late Night Refreshment

Monday to Saturday:	23:00 to 23:30 (Ground Floor)
Tuesday to Wednesday:	23:00 to 02:30 (Basement)
Friday to Saturday:	23:00 to 04:00 (Basement)
Monday:	23:00 to 01:30 (Basement)
Thursday:	23:00 to 03:30 (Basement)

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 23:00 (Ground Floor)
Tuesday to Wednesday:	10:00 to 02:00 (Basement)
Thursday to Saturday:	10:00 to 03:00 (Basement)
Monday:	10:00 to 01:00 (Basement)
Sunday:	12:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1***The opening hours of the premises:**

Tuesday to Wednesday:	09:00 to 02:30
Friday to Saturday:	09:00 to 04:00
Monday:	09:00 to 01:30
Thursday:	09:00 to 03:30
Sunday:	12:00 to 23:00

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:

ECC Holdco Limited
CHG House
31-40 West Parade
Newcastle Upon Tyne
NE4 7LB

Registered number of holder, for example company number, charity number (where applicable)
12635528

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

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

Date: 06 April 2021

A handwritten signature in blue ink, appearing to read 'Roxsana Haq', is written over a horizontal line.

Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

From: [Alun Thomas](#)
Subject: 84 - 86 Wardour Street, London
Date: 12 September 2023 10:29:38

Dear [REDACTED]

I act for the applicant, who is the landlord of the building and have asked the licensing authority to pass on a copy of this note for your consideration.

The application is made for a "shadow" licence (i.e. something that's on the same terms as the existing licence). The reason for this is that the existing tenant is no longer in occupation of the premises and my client is merely seeking to protect the existing position. It's therefore likely that we won't ever have to use the licence.

[We would be more than happy to have a call or a meeting with you to understand your concerns if that might be of assistance.](#) I hope my explanation assists to some extent in the meantime.

Please feel free to contact me should it help to discuss.

With kind regards

Yours sincerely

Alun Thomas
Thomas & Thomas Partners LLP
38a Monmouth Street
London WC2H 9EP

D: 020 7042 0412
M: 07956 805464
W: www.tandtp.com

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Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/10236/LIPC	Conversion Licence	3 October 2005	Granted under Delegated Authority
06/00084/LIPDPS	Premises Licence – Vary DPS	7 January 2006	Granted under Delegated Authority
06/03839/LIPT	Transfer of Premises Licence Holder from Dickon Adam to London & Henley Restaurants Six Limited	23 May 2006	Granted under Delegated Authority
08/01418/LIPT	Transfer of Premises Licence Holder from London & Henley Restaurants Six Limited to Bar Profile Ltd	6 March 2008	Granted under Delegated Authority
09/01479/LIPDPS	Premises Licence – Vary DPS	30 March 2009	Granted under Delegated Authority
09/01986/LIPDPS	Premises Licence – Vary DPS	7 April 2009	Granted under Delegated Authority
10/08486/LIPDPS	Premises Licence – Vary DPS	14 December 2010	Granted under Delegated Authority
13/00337/LIPT	Transfer of Premises Licence Holder from Bar Profile Ltd to Legal And General Assurance (Pensions Management) Limited	21 February 2013	Granted under Delegated Authority
14/03817/LIPVM	Minor Variation – To add conditions	28 May 2014	Granted under Delegated Authority
21/02214/LIPT	Transfer of Premises Licence Holder from Legal And General Assurance (Pensions Management) Limited to ECC Holdco Limited	6 April 2021	Granted under Delegated Authority

There is no appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

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

Conditions relating to Regulated Entertainment

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on Monday to 01:00 on the day following, and from 23:00 on each of the days Tuesday to Wednesday to 02:00 on the day following, from 23:00 on Thursday to 03:00 on the day following and from 23:00 on Friday and Saturday to 04:00 on the day following.
13. An attendant shall be stationed within the basement cloakroom during the whole time the basement is open to the public.
14. This use of the premises under this licence shall remain purely ancillary to the main/lawful use (class A3).
15. All refuse must be paid, properly presented and must not be left on the street for more than 2.5 hours.
16. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway or upon any building, structure, works, street furniture, tree or any other property and shall not be distributed in the street to the public that advertises or promotes the establishment, its premises or any of its events, facilities, goods or services.
17. The Licensee shall ensure that queuing by patrons outside the premises is conducted in a quiet and orderly manner and is monitored by at least 2 registered door supervisors at all times.
18. The Licensee shall ensure that the exit of patrons from the premises after the terminal hour is monitored by at least 4 registered door supervisors so that minimal noise and disturbance is caused to residents.
19. The Licensee shall use his best endeavours to ensure that customers do not congregate or cause a nuisance on the public highway outside the premises or in the vicinity of the premises.
20. Notices shall be displayed at all exits to the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

21. The licensee shall issue loudspeaker requests 15 minutes before closing asking patrons to leave quietly.
22. At all material times during the hours when this licence is operative the licensee is to ensure that security/search wands are used by security staff to check customers entering the premises (subject at all times to any reasonable explanation for such wands not being used in a particular case).
23. The number of persons accommodated (excluding staff) at the premises shall not exceed: Basement - 470.

Conditions for Sale of Alcohol

Such parts of the basement and ground floor as are shown more particularly coloured and edged red on the deposited plan.

24. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
25. In respect of the basement of the premises, intoxicating liquor may only be sold or supplied to:
 - (a) Persons who have paid a minimum admission fee on Mondays to Wednesdays of £3.00 and on Thursday to Saturday a fee of £5.00 after 23:00 for the purpose of music, dancing and entertainment (not to be credited against consumables).
 - (b) Persons who have paid a minimum annual admission fee of £100. Payable in advance (not to be credited against consumables).
 - (c) Bona fide guests of the proprietor specially invited prior to admission with individual's details kept at the reception for inspection.
 - (d) Persons employed at the premises.
 - (e) Persons attending a private function at the premises with individual's details kept at the reception for inspection.
26. No striptease, no nudity and all persons on the premises to be decently attired.
27. No gaming on the premises.
28. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.

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

Permitted hours for the sale of alcohol

29. For the Ground Floor (Monday to Sunday) and Basement (Sunday only):
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).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty 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.

30. For the Basement (Monday to Saturday) only:

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

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 (12:00 on Christmas Day and Good Friday) and extend until 01:00 Monday, 02:00 Tuesday and Wednesday and 03:00 Thursday to Saturday on the morning following, except that –
 - (i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00:00 midnight and 01:00, 02:00 or 03:00, the permitted hours shall end when the music and dancing end.
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
 - (i) with the substitution of reference to 04:00 for references to 03:00 or one hour following the hour actually specified.

- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

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

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

31. 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

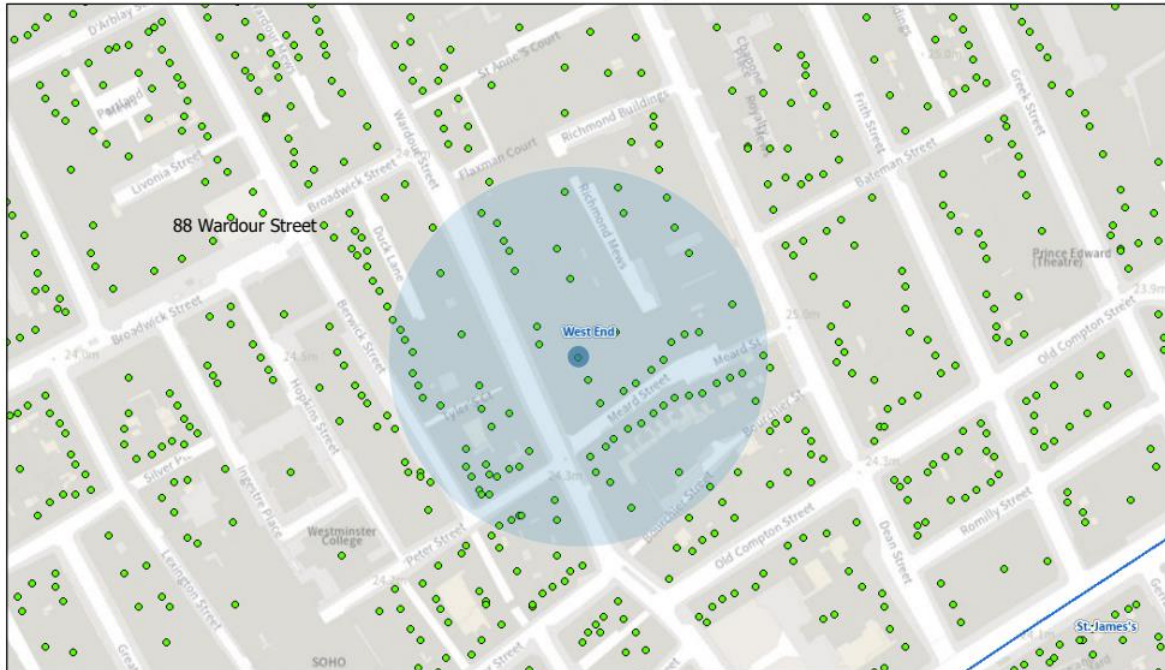
apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

32. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
33. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
34. The authorisations permitted by this premises licence will have no effect whilst the premises licence issued by the committee on 12th July 2013 (premises Licence Number 13/03376/LIPN) which covers the ground and first floor of the premises remains in force.

Conditions proposed by the Licensing Authority and agreed by applicant to form part of the operating schedule

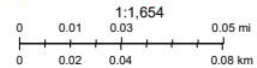
35. The shadow licence will not take effect when the current licence is in operation.

84 - 86 Wardour Street, London



27/10/2023, 09:45:20

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count = 171

Licensed premises within 75 metres of 84-86 Wardour Street, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/14512/LIPN	Victor's	84 - 86 Wardour Street London W1F 0TQ	Restaurant	Sunday; 10:00 - 01:30 Monday to Thursday; 10:00 - 01:30 Friday to Saturday; 10:00 - 02:30
21/02214/LIPT	Lo-Profile	Basement 84 - 86 Wardour Street London W1F 0TG	Club or institution	Monday; 09:00 - 01:30 Thursday; 09:00 - 03:30 Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30 Tuesday to Wednesday; 09:00 - 02:30 Friday to Saturday; 09:00 - 04:00
22/08728/LIPDPS	Rudys Pizza	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 00:00

21/13851/LIPDPS	Tortilla	88 Wardour Street London W1F 0TH	Restaurant	Monday; 08:00 - 23:30 Tuesday; 08:00 - 23:30 Wednesday; 08:00 - 23:30 Thursday; 08:00 - 23:30 Friday; 08:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
23/06202/LIPRW	Ground To Fourth Floor	8 - 14 Meard Street London W1F 0EQ	Office	Premises Closed to Public
22/05076/LIPRW	Pitch	12 Meard Street London W1F 0EQ	Leisure (other)	Monday; 11:00 - 21:00 Tuesday; 10:00 - 21:00 Saturday; 10:00 - 23:00 Sunday; 10:00 - 18:00 Wednesday to Friday; 11:00 - 23:00
17/05557/LIPT	(Former 'Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Sunday; 07:30 - 23:00 Monday to Saturday; 07:30 - 23:30
21/10111/LIPV	Amathus	Hammer House 113-117 Wardour Street London W1F 0UN	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
22/10545/LIPCH	Honest Burgers	Basement And Ground Floor 4 Meard Street London W1F 0EF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/09410/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 00:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30
19/11795/LIPDPS	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Restaurant	Sunday; 12:00 - 23:00 Monday to Wednesday; 09:00 - 02:30 Thursday to Saturday; 09:00 - 03:30
22/09072/LIPDPS	Pickle And Toast	72 Wardour Street London W1F 0TD	Cafe	Thursday; 07:00 - 23:30 Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Monday to Wednesday; 07:00 - 23:00
23/04459/LIPVM	Fat Hippo	Basement And	Cafe	Monday; 11:30 -

		Ground Floor 68-70 Wardour Street London W1F 0TB		22:00 Tuesday; 11:30 - 22:00 Wednesday; 11:30 - 22:00 Thursday; 11:30 - 23:00 Friday; 11:30 - 23:00 Saturday; 11:30 - 23:00 Sunday; 11:30 - 22:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
21/13297/LIPDPS	Moo	99 Wardour Street London W1F 0UF	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
20/03127/LIPN	Not Recorded	Royalty House 72-74 Dean Street London W1D 3SG	Office	Sunday; 08:00 - 00:00 Monday to Saturday; 07:00 - 01:00
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30 Friday to Saturday; 23:00 - 00:00
18/07653/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 03:30
17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00
22/11030/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 00:00
23/03795/LIPCH	Soho Hotel	Soho Hotel 4 Richmond Mews London W1D 3DH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
22/02670/LIPDPS	The Breakfast Club	11 Berwick Street London W1F 0PL	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
22/06200/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 -

				00:30
22/01465/LIPT	Busaba Eathai	108-110 Wardour Street London W1F 0JL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/10218/LIPDPS	Soho Dean Street	76 Dean Street London W1D 3SQ	Club or institution	Monday to Sunday; 07:00 - 01:00

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