



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 9th June, 2016**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP**

Members: **Councillors:**

Tim Mitchell (Chairman)
Nick Evans
Murad Gassanly

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 by ticket, issued from the ground floor reception at City Hall from 9.00am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.

**Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783
Corporate Website: www.westminster.gov.uk**

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

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

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

Licensing Applications for Determination

1. SAINSBURYS SUPERMARKETS LIMITED, GROVE HOUSE, 88-94 WESTBOURNE GROVE, W2

(Pages 1 - 26)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Bayswater Ward / Queenswa y & Bayswater Cumulative Impact Area	Sainsburys Supermark ets Limited, Grove House, 88- 94 Westbourn e Grove, W2	New	16/03507/LIPN

2. THE WINDSOR CASTLE PUBLIC HOUSE, 98 PARK ROAD, NW1

(Pages 27 - 152)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
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2.	Regent's Park Ward / not in cumulative impact area	The Windsor Castle Public House, 98 Park Road, NW1	Review	15/12075/LIRE VP
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Charlie Parker
Chief Executive
3 June 2016

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

GUIDANCE CONSIDERATIONS

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

LIVE MUSIC ACT 2012

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

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

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.

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Item No:	
Date:	9 th June 2016
Licensing Ref No:	16/03507/LIPN - New Premises Licence
Title of Report:	Sainsburys Supermarkets Limited Grove House 88 - 94 Westbourne Grove London
Report of:	Director of Public Protection and Licensing
Wards involved:	Bayswater
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	David Sycamore Senior Licensing Officer
Contact details	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	7 April 2016		
Applicant:	Sainsbury's Supermarket Limited		
Premises:	Sainsburys Supermarkets		
Premises address:	88 - 94 Westbourne Grove London W2 5RT	Ward:	Bayswater
		Cumulative Impact Area:	YES
Premises description:	A supermarket which is to sell a broad range of groceries, Household products and alcohol.		
Premises licence history:	This is new application for premises licence. The existing Sainsburys stores will be demolished and this application is intended to replace the current licence 15/00554/LIPDPS.		
Applicant submissions:	Nothing further than application as of publication.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			OFF
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations:		None					
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:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations:		None					
Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	David Nevitt
Received:	5 th May 2016
<p>I refer to the above application which seeks a Premises Licence to include the following Licensable activities:</p> <p>The Supply of Alcohol 'Off' the premises 0700hrs-2300hrs, 7 Days a Week.</p> <p>The applicant has proposed Conditions which are under consideration.</p> <p>I wish to make Representations on the following grounds:</p> <p style="text-align: center;">Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.</p> <p>The premises is located in the Queensway/Bayswater Cumulative Impact Area. The hours sought are in excess of the 'Core Hours' as defined in the City Council's Licensing Policy. The application will need to be adjudicated at a Hearing of the Licensing Sub-Committee.</p>	
Responsible Authority:	Metropolitan Police
Representative:	Pc Marriot
Received:	27 th April 2016
<p>Application 16/03507/LIPN – Sainsburys – 88 Westbourne Grove, W2</p> <p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.</p> <p>It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.</p> <p>The venue is situated in the Queensway and Bayswater cumulative impact area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.</p> <p>The following conditions listed below are those that police would like you to attach to your operating schedule as I believe they will address police concerns in relation to crime and disorder.</p> <p>On the Sunday and Monday of the Notting Hill Carnival:</p> <ul style="list-style-type: none"> A. There will be no sale of alcohol in glass vessels from the premises; and B. There will be no external advertisement of alcohol promotions at the premises. C. There shall be no sale of alcohol from the premises after 20:00 hours. <p>The hours for sale of alcohol you have applied for are also beyond the sale of core hours which are:</p> <p>Mon – Sat 0800-2300 Sun – 1000-2230</p>	

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	4 TH May 2016		
<p>I write to make a representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted in its current form, would be to harm the licensing objective of prevention of public nuisance. I also object on the basis of the 'cumulative impact' of the existing licensed premises in this area.</p> <p>Introduction</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>There are three flats in the block in which I live. Noise late at night and early in the morning from e.g. deliveries to the premises is a noise nuisance to residents trying to sleep or relax.</p> <p>The application</p> <p>The application is for a supermarket convenience store, to replace the current convenience store after the building has been redeveloped. Accordingly, the premises currently has a premises licence under Licensing Act 2003, and currently benefits from planning permission, with certain restrictions. Due to the redevelopment, a new premises licence is sought (the application on which I make this representation), and a planning application has also been made.</p> <p>I am keen to ensure that the hours for sale of alcohol, the hours of opening, and the times at which deliveries to the premises are permitted are appropriate, proportionate, and compliant with the City Council's Statement of Licensing Policy 2016.</p> <p>Sale of alcohol is sought from 7am to 11pm Mon-Sun. The opening hours are proposed to be the same. Although a number of conditions are proposed with the application, there is nothing proposed to limit times for deliveries to times when residents are less likely to be disturbed.</p> <p>I have the following points to make:</p> <ol style="list-style-type: none"> 1. The opening time is very early, particularly on a Sundays, bank holidays and public holidays. Although I appreciate that a convenience store will want to open early – and currently does so- 7am is very early to open and to sell alcohol, particularly on Sundays, bank holidays and public holidays. 2. The premises is situated in a 'cumulative impact area' as designated in the City Council's Statement of Licensing Policy. The application therefore engages Policy CIP, the 'cumulative impact' policy, and Policy OS2. 3. An opening time and commencement time of 7am for sale of alcohol Mon-Sun does not comply with Policy HRS1. No explanation is provided in the application as to why the operating hours should be outside of 'core hours'. Perhaps the time for sale of alcohol should be amended to comply with 'core hours'. 4. An opening hour of 7am means that staff will be arriving even earlier than this, with the potential for associated noise. 			

5. A terminal hour of 11pm on a Sunday seems late.

6. Very importantly, and regardless of what hours are permitted for the licence to operate, deliveries and other servicing are liable to cause a nuisance unless appropriate conditions are imposed. My experience of the operation of the current licence is precisely this. We have been experiencing a chronic noise nuisance from the deliveries to the Sainsbury's store since 2009. The lorries and vans arrives past 11pm, many a times leave the engine running while the trolley cages are loaded and unloaded which adds to the noise. My family has been woken up several times due to the noise and we are unable to leave our windows open during the summer months due to the loud noise and disturbance from Sainsbury. A history of noise complaints against Sainsbury's is available with the Westminster Noise Team

7. I attach a couple of photographs demonstrating the late night deliveries. Deliveries frequently take place as late as 12.30 am and at times, as early as 5am. More photos and videos of late night deliveries available at request.

Proposed conditions

1. Although there is no condition on the current licence restricting servicing times, condition 17 on planning permission ref: 14/10572/FULL states that 'All servicing for the retail (Class A1) unit hereby approved must take place between 07.00 and 22.00 Monday to Saturday and 10.00 and 16.00 on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)'. Whilst noting for the record that this condition does not appear to be fully complied with, we would like a condition on the licence setting out the same hours, but also including bank holidays and public holidays, as follows:

'No servicing shall take place between 22.00 and 07.00 on the following day on Monday –Saturday, or between 16.00 and 10.00 on the following day on Sundays, bank holidays and public holidays. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building'

The current planning permission (ref: 14/10572/FULL) does not permit customers to be on the premises before 8am on Sundays, bank holidays and public holidays. I feel very strongly that some respite for residents should be available on these days, and so propose a condition as follows:

'Customers shall not be permitted on the premises before 07.00 or after 23.00 Mon-Sat, or before 08.00 or after 22.30 Sundays, bank holidays and public holidays.'

Conclusion

For the reasons stated, I am opposed to the application being granted in the terms applied for.

Thank you for considering the contents of this letter. I look forward to being kept informed of any developments, including the date of the hearing if matters cannot be resolved.

██████████

Name:	John Zamit		
Address and/or Residents Association:	SEBRA – Resident Group		
Status:	Valid	In support or opposed:	Opposed
Received:	3 rd May 2016		

SEBRA objects to grant of Premises Licence as proposed by applicant

We consider that sale of alcohol should be restricted to WCC 'core Hours' for 'off sales' so as to be same as other outlets in the Queensway / Bayswater Stress Area.

We agree with representation attached from Sue Semrani and in respect hours of operation and of

deliveries hours - we have witnessed on several occasions large Sainsbury's truck delivering / collecting past 23.00 and causing noise nuisance etc, especially from numerous movements of 'stacking trollies'

3. Policy & Guidance

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

Policy OS2 applies	Applications will be granted subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy HRS1 applies	Applications for hours outside the core hours will be considered on their merits
Policy CIP1 applies	Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents – None
Appendix 3	Premises history – Current Licence
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	David Sycamore Senior Licensing Officer
Contact:	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk

None



Schedule 12
Part A

WARD: Bayswater
UPRN: 100023484111

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/00554/LIPDPS

Original Reference:

05/04824/LIPCV

Part 1 – Premises details

Postal address of premises:

Sainsbury's
Grove House
88 - 94 Westbourne Grove
London
W2 5RT

Telephone Number: 0207 792 5201

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

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 Sunday: 07:00 to 23:00

The opening hours of the premises:

Monday to Sunday: 07:00 to 23:00

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

Alcohol is supplied for consumption off the Premises.

Part 2

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

Sainsbury's Supermarkets Limited
33 Holborn
London
EC1N 2HT
Business Phone Number: 0207 695 6000

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

03261722

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

Name: Mr Mohamed Rifaz Jamaldeen

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: 005582
Licensing Authority: Slough Borough Council

Date: 4th February 2015

This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Operational Director - Premises Management.

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 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.
- 5(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.
- 5(ii) For the purposes of the condition set out in paragraph 5(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.

- 5(iii). Where the permitted price given by Paragraph 5(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.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(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 which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

6. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 2 – Conditions consistent with the operating Schedule

None

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

7. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

Monday to Sunday - 07:00 to 23:00

NOTE - The above restrictions do not prohibit:

- (a) 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;
 - (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - (c) sale of alcohol to a trader or club for the purposes of the trade or club;
 - (d) 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.
8. CCTV cameras will be maintained with particular emphasis on alcohol display areas. The precise position of the cameras may be agreed with the police from time to time.
9. There will be no sales of beers or ciders with alcohol content over 5.5% by volume.
10. No more than 15% of sales area shall be used to any one time for the sale, exposure or display of alcohol.
11. The applicant will at all times maintain adequate levels of staff and uniformed security. Such staff levels will be disclosed, on request, to the licensing authority and police.
12. All cashiers will be trained to require evidence of age from any person seeking to buy alcohol and appearing to the cashier to be under the age of 18. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example thumb print or pupil recognition) is introduced.
13. Prominent notices will be displayed at points of sale advising customers that they may be asked to provide evidence of age.
14. Intoxicants to be secured outside of permitted hours by a secure lockable shutter.

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: Bayswater
UPRN: 100023484111

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

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/00554/LIPDPS

Part 1 – Premises details

Postal address of premises:

Sainsbury's
Grove House
88 - 94 Westbourne Grove
London
W2 5RT

Telephone Number: 0207 792 5201

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music

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

Monday to Sunday: 07:00 to 23:00

The opening hours of the premises:

Monday to Sunday: 07:00 to 23:00

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

Alcohol is supplied for consumption off the Premises.

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

Sainsbury's Supermarkets Limited
33 Holborn
London
EC1N 2HT

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

03261722

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

Name: Mr Mohamed Rifaz Jamaldeen

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

Restricted

Date: 4th February 2015

This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Operational Director - Premises Management.

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 preceding 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the trading area of the premises (and for the avoidance of doubt this does not include the alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers.
12. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
13. There shall be no self-service of spirits except for spirit mixtures with an ABV not exceeding 5.5% ABV
14. There shall be no sale of beer, lager or cider with an ABV content of 5.5% ABV or above save for premium products which have been agreed with the police (email authority will suffice).
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) any complaints received concerning crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system
 - (e) any refusal of the sale of alcohol
 - (f) any visit by a relevant authority or emergency service.
16. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
17. 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.
18. The premises licence holder will at all times maintain adequate levels of staff and security. Such staff and security will be disclosed, on request, to the licensing authority and police.
19. Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

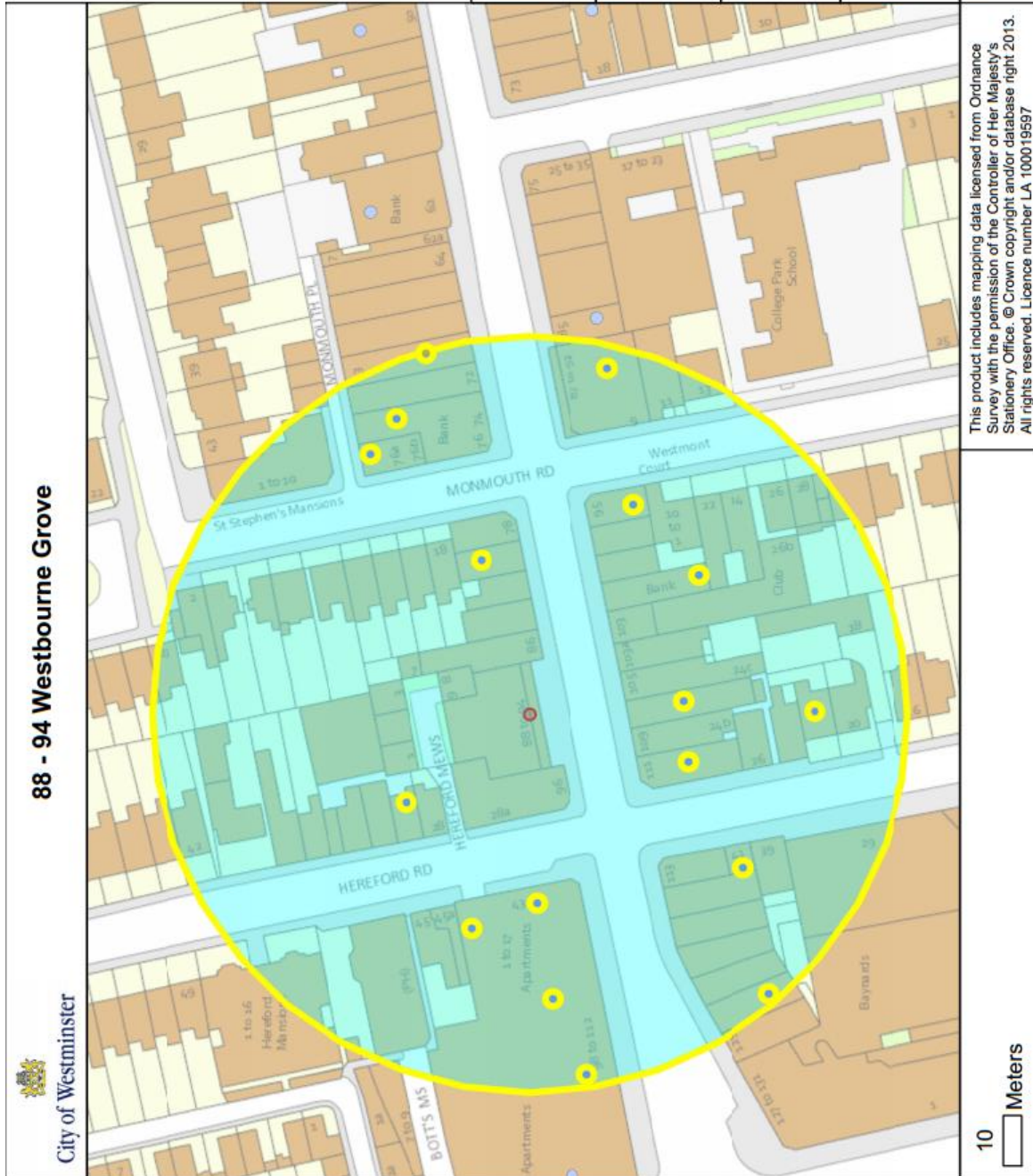
Conditions proposed by the Environmental Health

None submitted

Conditions proposed by the Police but not agreed with applicant

On the Sunday and Monday of the Notting Hill Carnival:

21. There will be no sale of alcohol in glass vessels from the premises; and
22. There will be no external advertisement of alcohol promotions at the premises.
23. There shall be no sale of alcohol from the premises after 20:00 hours.



Residential / Proposed Residential	333
Under Construction	n/a
Other Uses	n/a
Proportion Residential of all Uses	%AllUses%
Data Source: Uniform Database Date: 26/05/2016	

Premises within 75 metres of: 167-169 Wardour Street

Licence number	Name of Premises	Premises Address	Licensed Hours
15/02486/LIPDPS	Commander	Flat B 43A Hereford Road London W2 5AH	Thursday to Saturday 10:00 - 00:00 Monday to Wednesday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 23:00
16/00028/LIPDPS	Byron	101 Westbourne Grove London W2 4UW	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
06/11786/WCCMAP	Rodizio Rico	107 Westbourne Grove London W2 4UW	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/02298/LIPDPS	Bit Me Pizza	95 Westbourne Grove London W2 4UW	Friday to Saturday 11:00 - 00:00 Sunday 11:00 - 22:30 Monday to Thursday 11:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00
15/00554/LIPDPS	Sainsbury's	Ground Floor 80 Westbourne Grove London W2 5RT	Monday to Sunday 07:00 - 23:00
16/01281/LIPT	Ping Pong	70 Westbourne Grove London W2 5SH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/11706/WCCMAP	Inaho Restaurant	First Floor And Second Floor Maisonette 22 Hereford Road London W2 4AA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/01914/LIPN	Not Recorded	Flat 3B Third Floor 121-123 Westbourne Grove London W2 4UP	Monday to Sunday 10:00 - 23:30
14/02177/LIPVM	Bestone	98A Westbourne Grove London W2 5RU	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
13/03006/LIPDPS	Artisan Du Chocolat	87-93 Westbourne Grove London W2 4UL	Monday to Thursday 10:00 - 19:00 Friday 10:00 - 20:00 Saturday 10:00 - 20:00 Sunday 12:00 - 17:00
15/05402/LIPDPS	Cote	104 Westbourne Grove London W2 5RU	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00 Sundays before Bank Holidays 12:00 - 23:30
14/10029/LIPDPS	Planet Organic	Flat 2 76A Westbourne Grove London W2 5SH	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
16/01943/LIPDPS	W2 Express	76 Westbourne Grove London W2 5SH	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
14/11306/LIPDPS	The Phoenix	30 Hereford Road London W2 4AJ	Sunday 07:00 - 23:00 Monday to Saturday 07:00 - 23:30
15/12081/LIPDPS	Carluccio's	Ground Floor East And Mezzanine 108 Westbourne Grove London W2 5RU	Monday to Saturday 08:00 - 00:30 Sunday 09:00 - 00:00
10/08943/LIPD	Saran Supermarkets	41 Hereford Road London W2 4AB	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
13/01175/LIPT	Loco Mexicano	111A Westbourne Grove London W2 4UW	Monday to Saturday 12:00 - 00:00 Sunday 12:00 - 23:00

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Ms Selani Objection	May 2016
5	SEBRA Obejection	May 2016
6	Police Rep	May 2016
7	EH Rep	May 2016
8	Notice of Hearing to all	May 2016
9	Emails to and from Police and Solicitor	May 2016



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

15/12075/LIREVP

Date:

9th June 2016

Classification:

For General Release

Title of Report:

**The Windsor Castle Public House
98 Park Road
London
NW1 4SH**

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Mr Darren O'Leary
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 1884
E-mail: doleary@westminster.gov.uk**

APPLICATION DETAILS

Application Type:	Review of a Premises Licence application under the Licensing Act 2003.		
Applicant:	Mr Neil Packer and Miss Richelle Wilder	Date Application Received:	23 rd December 2015
Premises Name and Address:	The Windsor Castle Public House 98 Park Road London NW1 4SH		
Ward Name:	Regents Park	Cumulative Impact Area:	None
Description of Premises:	The premises are operated as a public house.		
Please Note:	The application was previously scheduled for two hearings, 31 st March 2016 and 28 th April 2016 but was adjourned to 9 th June 2016 following adjournment requests that was made by the Licensee.		

1. SUMMARY OF APPLICATION

- 1.1 An application submitted by Mr Neil Packer and Miss Richelle Wilder for a review of the premises The Windsor Castle Public House, 98 Park Road, London, NW1 4SH, was received on 23rd December 2015 on the grounds of Prevention of Public Nuisance. Their concerns relate to noise emanating into residential accommodation including children's bedrooms from music within the premises, noise from customers smoking outside the premises and noise from customers dispersing late at night. Please see **Annex A**.
- 1.2 Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 1.3 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.
- 1.4 The premises currently benefits from a premises licence 16/02355/LIPDPS, attached at **Annex B** that permits:

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	11:00 to 00:00
Sunday:	12:00 to 22:30
The opening hours of the premises	
Monday to Saturday;	11:00 to 00:30
Sunday	12:00 to 23:00

1.5 These review proceedings are brought under the licensing objectives on the grounds of the Prevention of Public Nuisance. The concerns raised refer to:

- Music noise emanating from inside the premises into residential accommodation on the opposite side of the street.
- Noise nuisance from groups of customers smoking outside the premises.
- Noise from groups of customers dispersing from the premises late at night.

1.6 The applicants have proposed the following remedial actions which they believe are appropriate and proportionate to promote the licensing objectives.

- Remove the effect of the deregulation provided for by s177A Licensing Act 2003 (as amended) with the intention that any existing conditions have effect and any additional conditions are imposed as if the music was licensable, and that a statement is included on the licence to the effect that s177A Licensing Act 2003 (as amended) does not apply.
- No Customer shall be permitted to be outside the premises building with a drink or a glass container after 9pm.
- The addition of conditions proposed by the applicant and any other conditions the Sub-Committee deemed appropriate and proportionate.

The conditions proposed by the applicant are set out within **Annex A**

2. REPRESENTATIONS:

2.1 The Environmental Health Service, as a responsible authority supports the review application in regards to the prevention of public nuisance licensing objective. **See Annex C**

- 2.2 The review has been supported by 3 local residents on the grounds of public nuisance.
See Annex D
- 2.3 The Licensing Authority has received 27 letters in support of the premises.
See Annex E

3 APPLICANT FURTHER SUBMISSIONS:

- 3.1 The applicant has submitted the following on support of the review application:
See Annex A1 & A2
- Photographs and video footage of the premises.
 - Summary of application and update on current situation.
 - Details of those in support of the premises.

4 OPTIONS

- 4.1 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding three months;
 - (e) to revoke the licence;
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition added.
- 4.2 In accordance with section 52(6) of the 2003 Act, if the authority takes measures to modify conditions or exclude licensable activities from the licence, it may stipulate that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
- 4.3 The licensing authority's determination of this application does not have effect until the 21 day appeal period has expired or if the decision is appealed the date the appeal is determined and / or disposed of.

5 CONDITIONS

- 5.1 The conditions attached to the current licence are set out at **Annex G**

<p>List of Appendices:</p>	<p>Annex A – Application for Review</p> <ul style="list-style-type: none"> • Annex A1 – Photographs of premises during trading hours • Annex A2 – Video footage • Annex A3 – Summary of application and update on current situation • Annex A4 – Details of those in support of the premises. <p>Annex B – Current Premises Licence (16/02355/LIPDPS)</p> <p>Annex C – The Environmental Health Service representation in support of the review</p> <p>Annex D – 3 Local residents representations in support of the review</p> <p>Annex E – 27 letters in support of the premises</p> <p>Annex F – Licence and Appeal History</p> <p>Annex G – Conditions on the current licence and proposed conditions</p> <p>Annex H – Residential Map and list of premises in the vicinity</p>
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Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)



City of Westminster

APPLICATION FOR REVIEW

Please forward one copy of your completed application and any supporting documentation to:

Licensing Service
Westminster City Council
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

AND

You must give one copy of your application and any supporting documentation to the Holder of the Premises Licence and each of the following responsible authorities on the same day that the application is served on the Licensing Service:

- 1. The Chief Officer of Police**
Westminster Police Liaison Team
4th Floor, Westminster City Hall
64 Victoria Street, London, SW1E 6QP
- 2. Fire Safety Regulation:**
South West Area 4
169 Union Street London SE1 0LL
- 3. Premises Management (Environmental Health; Health & Safety; Weights and Measures)**
Westminster City Council
Environmental Health Consultation Team
4th Floor, Westminster City Hall
64 Victoria Street, London, SW1E 6QP

Continued.....

4. Development Planning Services

Westminster City Council
64 Victoria Street
London
SW1E 6QP

5. Area Child Protection Committee

Head of Commissioning – Child Protection & Quality, Social and Community
Services – Children and Families
4 Frampton Street
NW8 8LF

6. Public Health

Estates Lead
NHS Central London Clinical Commissioning Group
15 Marylebone Road
London
NW1 5JD

For boats only:

The Navigation Authority (for vessels not permanently moored)

Tidal Thames

The Harbour Master

The Port of London Authority, 7 Harp Lane, London EC3R 6LB

Non Tidal Thames

The Environment Agency Recreation and Navigation, Thames Region, Kings
Meadow House, Kin

.gs Meadow Road, Reading, RG1 8DQ

Canals

The Leisure Manager

British Waterways Board

1 Sheldon Square, Paddington Central, London W2 6TT

And

The Surveyor General

The Maritime & Coastguard Agency, Orpington Marine Office, Central Court, 1 Knoll
Rise

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Richelle Wilder and Neil Packer

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Windsor Castle Public House 98 Park Road	
Post town London	Post code (if known) NW1 4SH

Name of premises licence holder or club holding club premises certificate (if known) FGM Entertainment Limited Suite 11 Hanover Gate Mansions Park Road London NW1 4SJ

Number of premises licence or club premises certificate (if known) 13/07357/LIPDPS Original reference: 05/06317/LIPCV
--

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below) ✓
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss ✓ Other title
(for example, Rev)

Surname

Wilder

First names

Richelle

Please tick ✓ yes

I am 18 years old or over

✓

Current postal address if different from premises address

128 Rossmore Court

Post town

London

Post Code

NW1 6XZ

Daytime contact telephone number

0207 724 7996

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address:-

Neil Packer
124 Rossmore Court
London
NW1 6XZ

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance ✓
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

The purpose of this review is to request that the licensing authority amends the premises licence to add conditions which promote the licensing objectives. The review is brought on the grounds of 'prevention of public nuisance'.

Prevention of public nuisance -

- Large numbers of customers gathering outside the premises from late afternoon, in the evening to drink and/or smoke.
- Large numbers of customers outside the premises spreading across the pavement in both directions.
- Customers drinking or smoking outside permitted to remain outside until late in the evening
- Noise of customers and music from inside the premises
- Noise from customers leaving the premises at the end of the night, especially between 11pm and through to 12.45am.
- Loud music emanating from the premises

This causes serious disturbance to us as it regularly prevents us from relaxing in our homes, or from sleeping and from opening windows in warm weather.

Please provide as much information as possible to support the application (please read guidance note 3)

Introduction and overview

We are two local residents who live in Rossmore Court, which is situated on Park Road immediately opposite the Windsor Castle Public House ("the pub"). In the last two years, and particularly during the warmer months, we have experienced an increase in noise nuisance caused principally by the numbers of customers who drink outside the premises in the evenings. Although Park Road is busy with traffic during weekdays, it is quieter in the evenings and at weekends. Therefore, the noise from large groups of customers outside, whether drinking, smoking or leaving the pub, causes us a significant amount of nuisance.

It seems to us that the nature of the operation of the pub has changed significantly since it was taken over by the current operators in 2013. Both of us have patronised the premises in the past, but it seems that the premises is now mainly frequented by students from a nearby Business School, including sporting and social groups. It has given the premises more of a 'party' atmosphere than a traditional pub. It sometimes seems more like a Student Union. Most recently, on 22 October 2015 I had to go across to the pub at 10.30pm on a Thursday night because of extremely loud music coming from upstairs, and when the entire pub was taken over for a large student party and live music was being played on the upper story.

The Windsor Castle is opposite Rossmore Court, with Park Road the only buffer between the two. Our flats are directly opposite so we get the full force of the noise directly from the large number of drinkers of the pub. Rossmore Court is constructed in a horse shoe shape which means that the noise becomes amplified as it is trapped. We attach at **Appendix 1** an aerial photograph illustrating this.

The London Business School has a large premises directly next door to the Windsor Castle. The pub is also the last pub between both Baker Street Station and Lords Cricket Ground and next door to Regents Park communal football and cricket playing fields.

We attach at **Appendix 1** a photo showing the location of the block of flats and the pub taken from Neil's flat.

For some while we both put up with the problems without doing anything about it, but when we realised that we would have to do something proactive, we contacted one of our local Councillors for assistance in February 2014, who wrote to the manager.

Council officers also contacted the pub. This was in early summer 2014. After this, the situation did improve a little. Richelle went to the pub and spoke to the (then) manager, Mr Collins. Previously, customers had been permitted to remain drinking outside until midnight, but they started to bring customers in at 11pm. However, the sheer numbers of people outside meant that the noise remained extremely intrusive in our flats until that time, and the practice was not always adhered to.

We subsequently contacted the Citizens Advice Bureau, who wrote on our behalf to the licence holder, setting out the problems we had been experiencing and requesting that a number of specific measures were put in place, including a 9pm curfew on drinking outside (see **Appendix 2**). We felt that this was a reasonable compromise. We enclosed with the letter a couple of photos taken by Richelle to show the numbers outside and how they spread across the street and in front of neighbouring buildings (see **Appendix 2**).

We subsequently met with the representative of the licence holder company, Vic Chhabria, and Daniel Ferrer of Westminster City Council, and had what we did think was a helpful meeting where the management made a commitment to a number of measures, including buying covers for the outside tables so that customers could not sit at the tables late at night and monitor the numbers of drinkers. They also promised to adhere to a 10pm curfew for outside drinking. Although we ideally wanted an earlier time, we decided to give the new measures a chance, having made the management aware of the extent of our concerns.

Unfortunately, the situation did not change for the better in the summer of 2014 nor throughout the colder months. The problems have been the same in the summer of 2015, which is disappointing. We simply do not think that the management have taken our concerns with sufficient seriousness following the meeting we had with them in summer 2014. The situation has remained unacceptable and the 10pm

curfew is, we believe, too late. We would like to make it clear that we appreciate fully that the pub is a commercial operation and needs to be able to make a profit. However, we do not feel that this should come at a disproportionate cost to our ability to enjoy peace and quiet in our homes in the evening, and for Neil's young child to be able to sleep. We strongly feel that the licensing objectives are not being promoted by the current operation, and that as previous measures we have discussed either do not go far enough or have not been fully adhered to, the only viable solution if we are not to endure another summer of noise disturbance is for appropriate conditions to be added to the premises licence to target the issues in a way which reasserts the balance between the right of the business to operate and our right to enjoy peace and quiet in the evenings in our homes. We have suggested some conditions for the consideration of the parties at the end of this document.

The review is supported by the following interested parties:

- Councillor Robert Rigby (local ward Councillor)
- Fabienne Fauritte (resident of Rossmore Court)
- John Jackson Okolo (resident of Rossmore Court)
- William Mackie (resident of Rossmore Court)
- Gousia Hyder (resident of Rossmore Court)
- Fionnula Keneally (resident of Rossmore Court)

Councillor Rigby has provided a supporting statement at **Appendix 3**.

Current Premises Licence

The current premises licence for the pub is attached at **Appendix 4**. It has no conditions on it which address the issues we experience or which would normally be found on a more 'modern' licence.

Prevention of public nuisance

The issues we experience fall under the licensing objective of prevention of public nuisance.

1. Outside drinking/smoking

Since the pub was taken over in 2013, there has been a marked change in the clientele and the continuous, daily use of the outside space. Up until this time there was little outside drinking, very little noise and never large groups of students or sports groups. As such there was no problem with disturbance to our lives.

After the change of ownership in 2013, the outside area of the pub has changed and the space has become a dedicated 'beer garden' – with umbrellas, plants and permanently fixed tables. We have regularly seen 50 to 100 people outside from around 5pm until 10pm at night on weekdays and some weekends during the day and evening. Due to the large number of people, the crowd spills out onto the public pavements.

The numbers of drinkers or the noise level is never monitored or controlled by dedicated outdoor security at these times.

In addition the pub specifically hosts regular weekly student events by the London Business School students or by sporting clubs (the relationship with the pub can be substantiated when the Noise Team found the manager of the pub on the bar in July 2015 handing out awards to students and whipping up noise). These weekly events encourage very large number of student drinkers, all connected by a common event or affiliation which has an impact on the type of communal noise.

At 10pm the pub does bring everyone in but allows smokers to continue to drink and smoke in groups without dedicated outside staff or a doorman, which causes noise issues until the close of the pub as groups leave and continue to make loud noise, sometimes through to 1am. We have produced a chronology at **Appendix 5** which details some of the incidents. Most recently, on Sunday 1st November 2015, at a special event outside organised outside Sunday pub drinking hours, there was loud noise from the pub up until customers dispersed at 2am. Neil took a photo, which is one of the many photos and videos at **Appendix 6**.

After bringing the issues to the attention of our local councillor and the Westminster Noise Team, we began to keep a record of numbers and dates of the noise. In addition we sometimes call out the Noise

Team. The main issue with for us who have our homes here is that we are consistently disturbed by outside activity of large groups either drinking or leaving the pub. The noise can be so bad that you can't sleep or you can't read. You have to counter the levels of noise with creating new levels of noise from TV or music. In addition if one needs to be in bed earlier - if unwell or for traveling the following day, it is impossible.

Appendix 6 is a link to a photobucket.com account which contains some videos and then some photographs taken over different months and times which amply demonstrate the scale of the problem and why residents are asking for conditions to be imposed on the licence. The videos and photos can be viewed at the following link: <http://s392.photobucket.com>. The videos and photos show vast number of people outside late at night. Although the noise is not always as bad as the videos shows, it is representative of the situation on busy evening in the summer and the problem of the noise we have to endure.

Even when the activity remains indoors, windows are left open and we can still hear the noise of music and drinkers shouting in our flats.

We have also had to call the City Council's Noise Team on numerous occasions. We presume that records of these calls exist and can be provided should the Environmental Health Team choose to make a representation in respect of this application. The Noise Team and Licensing Inspectors have visited the premises. On a recent occasion in July 2015, they found the manager of the pub on the bar encouraging the customers.

The photos were taken between summer 2014 and summer 2015. The photos are largely from Thursday, Friday and Saturday evenings, although the issues can in fact occur on any evening or indeed during the daytime at the weekends, due to the student sports clubs holding events. For instance, on 18 October 2015 (a Sunday) in which students gathered from 11.30 onwards and the swell of the noise increased to such loud levels that this incident led to us finally deciding that the only way to resolve the issues was to ask for formal conditions on the licence.

The attached pictures and videos show that we are disturbed by the noise at different days of the weeks and time of day. They are taken on random days, at random times and show that the noise issue is constant rather than on specific days only. We attach a chronology at **Appendix 5**.

2. Noise from inside the premises

The noise from inside the pub is less intrusive than noise from outside, but becomes bad when the pub is used for dedicated student or sports club events or parties. These kinds of events are extremely raucous – with loud shouting and jeering that can be heard in our flats. This is particularly bad on rugby sports events when the crowd is whipped up into a frenzy of screaming and singing. Sometimes the pub has music and the bass sounds pump out and into our flats. All of this noise gets much worse after 10pm when the noise from the outside dies down but only to move inside the pub.

The pub has no double glazing to protect against disturbance.

On one recent occasion (Thursday 22nd October 2015) the noise was from live music at 22.45 which was clearly audible in our flats.

On a review of a premises licence, section 177A(3) of the 2003 Act (as amended) permits a licensing authority to lift the suspension of conditions related to live and/or recorded music provided by the deregulation provisions of s177A, and to give renewed effect to an existing condition relating to the music. Similarly, under section 177A(4), a licensing authority may when determining a review add a condition relating to music as if music were regulated entertainment, and as if that premises licence or club premises certificate licensed the music (amended s182 Guidance para 15.55).

We have therefore proposed that the licensing authority removes the effect of the deregulation provided by s177A (as amended) for the licensable activities of live music and recorded music.

We do not of course object to live or recorded music being provided to a reasonable time as long as there is no noise outbreak.

See the chronology at **Appendix 5** for further details.

3. Dispersal of customers late in the evening

Due to the increased student population frequenting the pub, groups of drinkers leave the premises late and often congregate outside the pub talking and shouting before they leave. This has got increasingly worse since September 2013 and the new management took over the lease. The pub stops serving at midnight but the drinkers can be leaving and making noise until up to 1am both weeknights and Saturday night. This can wake us up or prevent us from getting to sleep which has become an escalating problem as we will have to work the next day.

See the chronology at **Appendix 5** for further details.

4. Other issues – major match days at Lord's

The pub is situated within walking distance of Lord's cricket ground and is the nearest pub between the Baker Street Tube, Marylebone Tube and Marylebone Railway Station and Lords. On major matchdays, the pub is a major draw for fans before or after attending a match. This causes vast numbers to gather outside, and special provision should be made for these occasions.

The impact of the problems on our lives

Richelle-

'I have lived in my flat for 10 years and it is only in the past 2 years, since Autumn 2013 that there has been this issue of noise disturbance from the Windsor Castle Pub. The noise level from the pub has become such an issue that, for some days in the week, it is impossible to be relaxed in my own home. It's as if there is a student frat party happening at least 4 times a week, below my flat, sometimes from 5pm through 10pm. The type of noise is loud din interspersed with shouting and screaming. It is now impossible to be in my own home, to unwind from the working day, to read, relax, think or to prepare for the following day because the amplified sounds from the pub crowd creates a tension for most of the evening. I have to counter noise by creating more noise inside my flat to drown out the excessive noise outside from the pub. Even at 10pm when the mass of drinkers is brought inside, there is still intermittent shouting and screaming from smokers in groups or when people leave the pub. I have been woken up by this on many occasions.

I sometimes have to work from home and the noise affects my ability to do so. I have to wear ear plugs in my own home in order to concentrate

The noise from inside the pub is less intrusive but when there is loud live music or raucous sporting gatherings, the noise travels into my flat, especially the base of the loud music which throbs consistently and stops me sleeping.

When there is no noise disturbance from the pub, the difference in the quality of life in my own home is so extraordinary and unusual in that I am able to have a regular quality of life that most people expect and appreciate in their own homes.

I would ask the review board to create a stipulation about the numbers of outside drinkers, kept within restricted areas, until 9pm at the very latest. I would also like the board to consider limiting outside drinking at weekends. All of which to be monitored always by dedicated door security who can make sure the noise is at acceptable levels. Without changes to the premises licence I will be unable to go about my daily life in my own home in the evenings or weekends and I don't believe this status quo is acceptable for any resident either here in Westminster and elsewhere. We have no wish whatsoever to do anything other than amend the licence conditions. The Windsor Castle is in a residential area and needs to have appropriate safeguards on the licence to maintain the correct balance between the commercial and the residential.'

Neil –

'I have been a resident at Rossmore Court since the summer of 2006, and a resident within the Church Street ward since 1985. As such I have known the Windsor Castle Public House over the past 30 years. Until recently I have had no issues with it whatsoever and have indeed made use of its conveniently close location on many occasions.

In my opinion there has been a marked change in the use, and nature of the establishment over the past 3 or 4 years. I know that there has always been a strong connection between the pub and the LBS, but in recent times I would suggest that the "feel" of the pub has moved away from catering to a wider clientele and has become much more geared towards the student population. Even the decor has changed to accommodate such. I think it would not be unfair to suggest that it is now being run almost exclusively as a student bar, as other potential punters are likely to be put off by the "frat house" nature of the place.

The noise levels from evening sessions has become unacceptable, particularly during the summer months, and although there has been some improvement with regard to outside revelling after the curfew period, the noise from within the pub is still audible and continues most evenings up until closing time. The managers seem to make every effort to encourage drinkers with a succession of events revolving around the sporting and social calendar along with multiple private functions some of which, such as the most recent event on Sunday 1st November did not end until 2 am. I understand that it is the job of management to encourage and grow business, and that the student population is a crucial part of that, But their business has a very public exposure, and it is important for them to make sure that the impact of what they do, on their neighbours is kept to a minimum. I feel that they have lost sight of this particular responsibility in their clamour to extract from the students trust funds.

The problem for me is that along with an increase in noise levels, has come an increased sensitivity to the noise. I don't wish to resort to having to close the windows and turn the radio up in order to drown out the sound of drinkers. If it had always been a noisy pub we would have less cause for complaint, but as I have already suggested, the situation has deteriorated over the last 3 years. I understand that we live in a major City, and that the idea of complete quiet is never going to be an option, but I am more than able to filter out the sounds of traffic, aeroplanes, street cleaning vehicles, the occasional shooting and even the odd party. But it is the sheer regularity of events that have a negative psychological impact. The unusual shape of our building, its proximity to the pub, and certain quirks of acoustic science mean that the noise from the pub is often more pronounced in rooms facing away from the pub, making it impossible to escape from.

There is also something about raised human voices, even in "non threatening" mode that is unnerving and disturbing on a very primitive level.

I think that the pub could do more to curb some of the excesses that occur regularly, and had they adopted some of the measures they had previously suggested, then the situation may have improved. The "pavement culture" is clearly a problem, as is turning out time. If it could be possible to disgorge students via the back entrance, particularly after late sessions this would make some difference.

I am not campaigning on any sort of moral or temperance ticket, god knows there are precious few pubs left these days, and I have enjoyed a great many evenings in some myself over the years, I am only asking that they show a little more care and responsibility and take into account the needs and wishes of their (very) near neighbours.'

Efforts to resolve the problems

We have attempted to reach out to the pub, and to the London Business School both individually and through Cllr Rigby. We have corresponded with the pub individually, through one of our ward Councillors, and through the CAB. We have also enlisted the assistance of Daniel Ferrer, licensing inspector at the City Council. At our request, the CAB wrote to the licence holder (**Appendix 2** – letter dated 28 July 2014), setting out the issues we experienced and our proposals as to how the matters could be remedied. This led to a meeting attended by ourselves, Daniel Ferrer, the CAB, the licence holder, the manager and the DPS on 26 September 2014.

The licence holder appeared to be fairly receptive, although their proposals did not go as far as we wanted and had asked for in the CAB's letter. It was agreed that:

1. Outside drinking would finish at 10pm, and prior to this, numbers would be 'monitored'.
2. The manager would visit our flats to witness the noise.
3. The pub would purchase covers for the benches outside the pub to discourage customers and passers-by from sitting on them and causing noise after 10pm.
4. Staff would be more proactive in the outside area asking customers to keep noise down.
5. The manager would confirm these measures to the CAB in writing.

Unfortunately, there was a further incidence of nuisance that same evening. There was a student rugby event which meant that the noise outside the pub was completely out of control. Richelle went down to the pub to tell the DPS. She also emailed those whose contact details we had been given at the meeting. There was no response. This was followed by incidents on Monday 30 September 2014, when the manager admitted he had not been monitoring the outside area, and Thursday 2 October 2014 (for which we have footage to demonstrate the issues).

There was no written confirmation of the agreed measures, and no response to the CAB's follow up correspondence. This was not encouraging. The pub had agreed to bring customers inside at 10pm, rather than the 9pm we requested, and while this is adhered to, the lack of any effective measures prior to 10pm has meant that the nuisance has continued, although naturally it dropped off somewhat in frequency in winter but only when very cold or rainy. Before 10pm, we understood that they were to keep a watch on the numbers of people outside to see if it was problematic. We also said we were happy for the manager to visit our flats to witness the noise for himself; the offer has not been taken up. After the meeting, we saw no indication that staff are more active in reminding people to be quiet outside; if they are, it is ineffective. One agreement they made was to purchase covers for the outside tables and chairs, to stop them being used by passers-by. Even this has not been done.

We have contacted the manager, the licence holder by text or email whose responses were always terse and defensive. After a short while, we stopped doing so because nothing was done and we got a sense that the management of the pub did not want to be helpful or listen to us about the difficulties the noise continued to create.

Most recently, we have been informed that the new manager had no idea of the previous issues because the details had not been passed on.

Sometimes we have contacted the Noise Team but, given the issues with noise on a near daily basis, it is impossible to call the Noise Team all the time.

Westminster City Council's Statement of Licensing Policy ("the Policy")

The City Council's Policy regarding public nuisance (PN1) anticipates the potential for problems from outside drinking. The considerations (p.19) state that 'Regard will be had to disturbance of people whether at home, at work, staying in, or visiting the vicinity. However, stricter conditions will be imposed on premises licences in areas that have denser residential accommodation or have residential accommodation close to them.' There are 6 considerations a-g in respect of 'Eating, drinking or smoking outside premises' (p.20). Among them are 'Whether the premises are under or near to residential accommodation', 'The hours for the sale of alcohol in open containers or food for consumption outside the premises' and 'Whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink...between certain hours or at all times.'

In addition, the Policy states as follows:

'2.2.10 - Westminster has a substantial residential population and the council as the Licensing Authority has a duty to protect it from nuisance. In certain areas, the increased concentration of entertainment uses and the longer hours of operation have adversely affected local residents. Commercial occupiers of premises also have a legitimate expectation of an environment that is attractive and helps sustain their businesses. The role of the council as Licensing Authority is to maintain an appropriate balance between the legitimate aspirations of the entertainment industry and the needs of residents and other users of the city including, businesses, workers, shoppers and visitors. It will need to satisfy itself that adequate measures to prevent public nuisance are in place and will be maintained. These principles apply also to events in open air sites.

2.2.11 - Playing of music can cause nuisance both through noise breakout transmission through the structure of the building and also by its effect on patrons, who become accustomed to high sound levels and to shouting to make themselves heard, which can lead to them being noisier when leaving premises. The later that music is played, the greater the potential for nuisance. Other major sources of noise nuisance are vehicles collecting customers; the slamming of car doors and the sounding of horns resulting from congestion and pressure for on-street parking space and the need for the servicing of premises. These noises can be particularly intrusive at night when ambient noise levels are lower. Other impacts include: noise from customers smoking, drinking, and eating in the open-air, the servicing of premises, and noise and smells from ducts and ventilation equipment. There are similar issues that apply to the operation of events at open air sites.

2.2.12 - Residents are often subjected to nuisance from the noise of people on their way to and from premises, and loitering in the streets after they have left premises. This can affect residents even at some distance from the premises themselves, especially along routes to transport facilities, and to car parks and parking areas and on routes between late night premises of various types. The nuisance from noise depends on its nature and whether it is during the day, the evening or at night. Late night noise is often unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults but most of it is "high spirits". It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night. The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

The Policy therefore recognises the potential for exactly the type of issues which we have described to arise.

Conclusion

Para 11.2 of the Guidance issued under s182 Licensing Act 2003 states that 'At any stage, following the grant of a premises licence or club premises certificate...any other person...may ask the licensing authority to review the premises licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives'. In fact, we have sought to engage with both Council officers and the pub directly, prior to submitting the application.

The current licence has no conditions on it which address these issues. This was not a problem when the pub operated in a way which did not harm the licensing objectives. However, since the pub changed ownership and has attracted a different type of clientele, the terms of the current licence are not sufficient to ensure that the licensing objectives are promoted. It is therefore appropriate to amend the licence accordingly.

Further, the new manager was not aware of the previous issues. Clearly, if the licence contained conditions on it to address the issues, any new manager would be expected to be familiar with the conditions, and so this communication issue would not arise.

Therefore, we respectfully ask that the Licensing Sub-Committee imposes such conditions as it considers to be appropriate and proportionate, to promote the licensing objectives. We suggest the following conditions as a basis for discussion:

- No customer shall be permitted to be outside the premises building with a drink or a glass container after 9pm.
- Outside tables and chairs shall be rendered unusable by 9pm each day
- Before 9pm, customers permitted to drink and/or smoke outside the premises building shall be limited to [] persons at any one time and shall remain within the premises forecourt
- After 9pm, patrons permitted to temporarily leave and then re-enter the premises building, e.g. to smoke, shall be limited to [] persons at any one time.
- The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway
- Notices shall be clearly and prominently displayed both outside and inside the premises informing customers that this is a residential area and requesting customers to leave the premises quietly and not to loiter outside the premises
- An SIA licensed door supervisor shall be on duty at the premises from []pm on Wednesday, Thursday, Friday and Saturday evenings, and at other times on a risk-assessed basis. The door supervisor's duties shall include monitoring the behaviour of customers drinking or smoking outside the premises and ensuring that the pavement remains clear for pedestrians.
- The premises licence holder shall designate named staff members whose duty it is to manage dispersal from the premises so as to ensure that no public nuisance is caused. At least one

staff member shall be on duty outside the premises after 10pm to manage dispersal.

- A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open to the public. This telephone number is to be made available to residents in the vicinity of the premises.
- The licence holder shall produce and implement a dispersal policy with particular responsibility to a designated member of staff to manage the departure of patrons from premises effectively.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises so as to cause a nuisance.
- All windows and external doors shall be kept closed after 9pm, or at any time when regulated entertainment takes place, except for the immediate access and egress of customers.
- Reduce the hours permitted for recorded music and private entertainment to 10am to 11pm Mon-Sat, midday to 11pm Sun
- That the licensing authority removes the effect of the deregulation provided for by s177A Licensing Act 2003 (as amended) with the intention that any existing conditions have effect and any additional conditions are imposed as if the music was licensable, and that a statement is included on the licence to the effect that s177A Licensing Act 2003 (as amended) does not apply.

Any other such conditions as the Sub-Committee decides are appropriate and proportionate following consideration of this application, submissions from the licence holder, and any representations from responsible authorities and other persons.

All timings etc to be as the Sub-Committee decides are appropriate and proportionate following consideration of this application, submissions from the licence holder, and any representations from responsible authorities and other persons.

Have you made an application for review relating to the premises before

x

If yes please state the date of that application

Day		Month		Year		
↓	↓	↓	↓	↓	↓	↓

If you have made representations before relating to the premises please state what they were and when you made them

n/a

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other *duly* authorized agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature Richelle [Signature]

Date 29th November 2015

Capacity Applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) See previous contact details given for Applicants	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) <u>richelle100@gmail.com</u>	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

The Windsor Castle, 98 Park Road, London NW1 4SH

Review application under s51 Licensing Act 2003

List of appendices

1. Location photographs
2. Relevant correspondence
3. Supporting statements
4. Current premises licence ref:13/07357/LIPDPS
5. Chronology
6. Photos and video footage – see link
<http://s392.photobucket.com>

APPENDIX 1

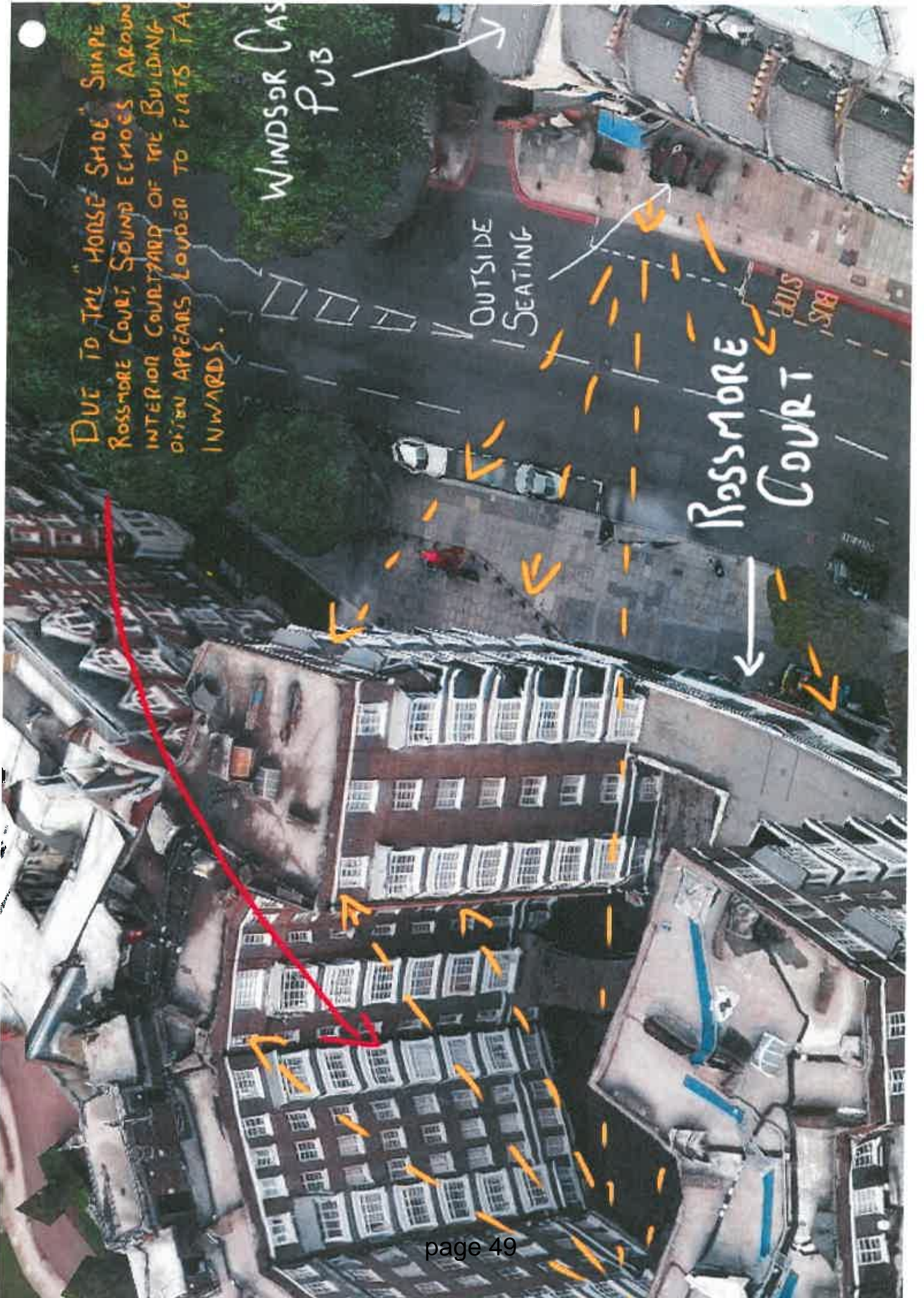
DUE TO THE "HORSE SHOE" SHAPE
ROSSMORE COURT, SOUND ECHOES AROUND
INTERIOR COURTYARD OF THE BUILDING
WHICH APPEARS LOUDER TO FLATS FACING
INWARDS.

WINDSOR CAS
PUB

OUTSIDE
SEATING

ROSSMORE
COURT

BUS
STOP





APPENDIX 2

Westminster Citizens Advice Bureau

Licensing Advice Project

21a Conduit Place
London W2 1HS
Email: licensing@westminstercab.org.uk
Telephone: 020 7706 6029
Fax: 020 7706 6039



FGM Entertainment Limited
Suite 11 Hanover Gate Mansions
Park Road
London
NW1 4SJ

Our ref: RB
Your ref:

28 July 2014

Dear Sirs,

The Windsor Castle Public House, 98 Park Road, London NW1 4SH
Premises licence ref: 13/07357/LIPDPS

We write on behalf of two local residents who live opposite the Windsor Castle, to bring to your attention their concerns as to how the operation of the premises is causing a nuisance and affecting their lives.

Both residents are long-term residents, and have co-existed successfully with the pub in the past, and look forward to doing so again in the future. However, more recently, they have experienced what they consider to be a public nuisance arising from the use of the area outside the pub by drinkers, and consider that the conditions on the licence and current operational procedures are not proving to be sufficient to address the concerns.

The problems consist of:

1. Large numbers of customers gathering outside the premises in the evening to drink and/or smoke. As the evening goes on, these customers tend to become louder and the noise more intrusive to residents as it funnels upwards into their flats. We enclose a couple of photographs taken by a resident on successive Fridays in July which illustrate the numbers outside.
2. Large numbers of customers outside the premises who spread down the pavement in both directions. Permitting this obviously increases the number of people outside.
3. Outside drinkers remaining drinking outside until very late at night, up to 12.30am. One resident counted about 60 customers still outside at 10.40pm on 23 July, at which time management did make an attempt to move them inside. A similar number were still outside at 11pm the following night.
4. Noise from customers leaving the premises at the end of the night. Some customers have been noted to linger outside the premises for some time and do not seem to be moved on by staff. The existence of the tables outside the premises seems to encourage customers to linger longer than they otherwise would.
5. Major matches at Lords seem to increase the problems.

It could be, and indeed is the residents' view, that the issues are partly as a result of the pub becoming more successful and therefore busier. The problems have largely arisen since Summer 2013.

Westminster Citizens Advice Bureau

Licensing Advice Project

21a Conduit Place

London W2 1HS

Email: licensing@westminstercab.org.uk

Telephone: 020 7706 6029

Fax: 020 7706 6039



Residents are pleased that the pub is popular and are perfectly happy that there is a successful establishment in the vicinity. However, they strongly feel that formal measures should be put in place to counteract the effect that the number of customers using the premises is having on their lives, in order that the appropriate balance between the perfectly legitimate aim of running a successful establishment and the equally legitimate right of residents to enjoy their properties in peace in the evening is maintained. We understand that the manager, Mr Collins, had agreed to bring people in from the outside area at 11pm. However, the residents do not see that this is adhered to and in any event consider that 11pm is too late.

Accordingly, residents have thought about the matter and would like to propose through us a number of measures which they feel you could implement which should improve the issues:

1. Not permitting outside drinking after a certain time in the evening. Residents propose 9pm as an appropriate time, which would enable customers to drink outside in the early and mid-evening, but allow residents respite from the noise in the later evening when they wish to relax and go to sleep.
2. Restricting the number of drinkers permitted outside before 9pm, and keeping them within the forecourt of the premises, to ensure that noise levels are kept to a minimum.
3. Limit the number of smokers permitted outside after 9pm. Residents suggest 10 smokers as a maximum at any one time.
4. Rendering the tables unusable after 9pm, as the tables simply encourage people to stay outside longer.
5. Having a more proactive approach to managing the outside area, for example a designated member of staff to monitor the area and remind customers to keep noise down.
6. Having a more proactive approach to managing dispersal after, say, 10pm, for example a designated member of staff to monitor dispersal and remind customers to keep noise down as they leave.
7. Special measures during major match days at Lords, for example an SIA-registered doorman to control noise/numbers.

We look forward to hearing from you.

Yours faithfully,

**Licensing Advice Project
Westminster Citizens Advice**

Enc

Cc Cllr Rigby, by email only.





RE: Windsor Castle

The Windsor Castle <cheers@windsor-castle.co.uk>

Wed 20/08/2014 17:44

To:licensing licensing <licensing@westminstercab.org.uk>:

Cc:Vic Chhabria <vic@rescorp.co.uk>;

 4 attachments

Dear Mr Brown.docx; barriers.docx; scan0003.pdf; scan0002.pdf;

Dear Mr Brown

I tried to call several times today but your phone went straight to voicemail.

I'm on holiday from this evening onwards which is why I was quite anxious to get hold of you today.

However, please find attached our points and proposals in relation to your letter which, ideally, I would have liked to have discussed with you prior to sending.

In addition to the main letter, please see attached copy invoices from the SIA security company we used during the Test matches and a visual representation of the crowd control banners which we currently have on order.

I will be back in the business on the 1st of September but will be able to access mail whilst away and would be happy to speak to you in person with any queries. My number is 07403 487 972.

Kind Regards,

Ian Collins

The Windsor Castle Pub
98 Park Road London NW1 4SH
Tel: 0207 723 9262

-----Original Message-----

From: licensing licensing [<mailto:licensing@westminstercab.org.uk>]
Sent: 20 August 2014 11:05
To: The Windsor Castle
Subject: RE: Windsor Castle

Dear Mr Collins,

Thanks for your email - I will send over the two photos.

THE WINDSOR CASTLE

20/8/14

Dear Mr Brown

Many thanks for the letter from you dated 28/7/14 highlighting several concerns raised by two of our neighbours and many apologies for what seems a very late response. This was simply because the original was not received and we only heard via a third party that there had been communication from yourself to both ourselves and LBS.

The ownership of the pub changed on the 23rd September last year & so this has been the first full year of trading under new management.

At the start of the Summer, one of the residents of Rossmore Court came to see me with her concerns leading into the lighter evenings & highlighted the fact that there had been noise leading up to their building, which seems to be exacerbated by the shape of the court itself. At that meeting I gave the resident my private mobile number and asked to call me either day or night if she was having issues with our customer's sound levels. To this day, I have never received one call highlighting any issues.

We have had a couple of subsequent meetings, one of which coincided with the start of the World Cup, the first day of a Test Match at Lords and our traditional busy evening full of LBS students.

At that meeting I stated that this particular weekend would be a difficult one for us due to the sheer numbers we anticipated & that I'd start working on reducing sound levels at the start of the following week.

Indeed, the same lady also visited us as a customer during one of the very busy evenings to watch a game featuring Brazil in the World Cup & she didn't highlight any issues at all. During one of our later conversations, she also acknowledged that we HAD made improvements following our previous discussions.

In terms of your letter, I'd like to cover each point you make, including your list of suggestions alongside our own action points. I'll also attach copy invoices from the Security company we used during the Test Matches and a copy of an e-mail from one of our customers who assisted me with both crowd control and noise reduction on 23rd July:

1. We are very fortunate to have a very loyal customer base here which mainly consists of MBA Students, Executive Programme Students, Faculty and Staff from LBS. We also have customers coming in from our other neighbour (RCOG) and residents from both Rossmore Court and Hanover Gate Mansions. In terms of controlling numbers, there are several "pinch" days which are very hard to predict with LBS as on many occasions we will suddenly have 50+ students appearing from a course via our back entrance, many of whom would naturally gravitate outside in the warm weather. As you can imagine, our relationship would suffer greatly if we were to only serve to, say, 50% of this customer base or tell them that they have to split into two individual units.
2. Spreading Down the street. On the busy days when this has happened, we are very active in "pushing" the drinkers back towards the pub in order to try to keep them as close as we can. Indeed, on many of these days, we have had had people outside to ensure that this does not go too far down the street. The main reason why this happens is also because we are very

THE WINDSOR CASTLE

active in ensuring that the pavement directly to the front of the pub is kept clear at all times. Our regular customers are well aware of these rules & we have been outside every day for the cricket fans (who are generally one-off customers) in order to regulate this as best we can.

3. Following conversations with the resident, we have stuck as close to the agreed time as we possibly can & we would not have any drinkers outside at 12:30am. Indeed, on the very busy nights, we begin the process of getting people back into the pub at 10:30 in order to get the sound levels down.

On the night of the 23rd July we had a private booking from The Bank Softball League (arranged by BNP Paribas) who did bring a lot of people with them. Myself and a regular customer of the pub began the process of getting everyone back through the door before 10:30 and facilitated this very quickly. Indeed, this process also coincided with a visit from a Westminster Noise Abatement officer who should be able to corroborate what I have written above & he seemed very happy with what we had done. Indeed, on that evening I recall standing outside when this group departed reminding them of the need to keep quiet & respect our neighbours. At one stage, I made my way down towards the local bus stop in order to get people to move away more rapidly.

On the 24th, I will concede that we were very much taken by surprise by the numbers coming to us from the Middlesex/Surrey T20 game at Lords & this did become a problem for us on that particular evening. However, the DPS, who was on duty that night called last orders at 11pm simply in order to close the pub earlier & to get the cricket fans to disperse much earlier than they would have done if we had traded until Midnight.

4. We do not let people linger outside the pub on departure & we are always active on moving people away from the pub as soon as possible. I have been told of people sitting outside at, for instance, 1:30am but these are not people who have been in our venue as the staff are, in the main, out of the pub by 1am latest & never do we have our customers outside at that time.
5. We do have "spikes" in our trade when major matches are on at Lords, these being the first two days of any given Test Match and the One Day Internationals. In general, the T20 does not affect us too much apart from the lessons we have learned from "the local derby" as stated above. Whilst I'll cover the Lords actions later in the letter, both myself and registered SIA door staff spent all of the time on crowd control for every major game this season.

On behalf of the owners and staff, I'm very pleased that there are favourable comments with regards to the pub as we DO strive to foster good relations and dearly want to see the premises viewed as an asset to the area, rather than it being an irritating nuisance.

Indeed, when the new owners purchased the premises their original idea was to convert the premises into more of a "Sports Bar" but this plan changed quite quickly in order that we could grow our existing customer base through developing relationships with current customers and neighbours. Indeed, we have placed greater emphasis on the dining element of the pub & are hoping that this will be a major factor in growth over the coming years.

THE WINDSOR CASTLE

Obviously, we DO get a lot of customers in from LBS and they form the majority of our customer base. I believe that some communication has gone to LBS in order to assist the noise reduction element & we would like to say "thank you" for the direct communication.

In terms of your proposed measures, we would see them as follows:

1. We DO think that allowing drinks outside after 9pm is too restrictive a measure & would lead to a drastic loss of trade during the Summer Months but in order to assist the movement of people inside the pub we would like to propose a time of 10pm for this.
2. We have already ordered new barriers to assist in controlling numbers outside & these are being printed saying "no drinks past this point" and "please keep sound levels to a minimum" when outdoors. Given some of the numbers we get coming from LBS on certain evenings, the presence of these should also guarantee that the numbers outside become limited as a result of implementation.
3. I'm not sure how limiting the numbers to 10 outside will work on a practical level as any group of people outside will engage in conversation. We would really need to work together to see how best this could be achieved. Indeed, if there was a group of people standing at the bus stop down the road this would be outside our jurisdiction but would also create sound.
4. The tables outside have a concrete base and so would be impossible to stack on the evening. By the sheer bulk of the tables, they also allow of less people outside at any given time.
5. Whilst we have been proactive in managing the outside area as previously described, we will ensure that we will continue to enforce this every evening with more frequent checks outside on any given evening & will, as per your suggestion, ensure that this is the responsibility of one person per shift in order to ensure that this is adhered to.
6. Again, with dispersal we DO have customers leaving at different time during any given evening and so it would be impossible to monitor everyone going out of the door. We will ensure, however, that we will have someone at the door during the key leaving times (as we mainly do already) and will continue to remind customers of the need to keep noise levels down on departure.
7. We already employ SIA-badges staff for Test Match days & I have enclosed a copy of their invoices from this year accordingly. As soon as the full programme for next year becomes available, we will plan these days well in advance. Also, Just as a side note on this, we ALWAYS serve in plastic glasses during the Lords days.

Obviously, we would like to ensure that going forward we can all co-exist in harmony with the area and residents and so would welcome your comments on this letter as soon as possible. Also, if you thought it applicable both the management and owners of the pub would be very happy to meet with yourself, the local councillor and, if they wished, the residents to see how best we all move forward together.

With regards

Ian Collins

GM

Westminster Citizens Advice Bureau

Licensing Advice Project

21a Conduit Place
London W2 1HS
Email: licensing@westminstercab.org.uk
Telephone: 020 7706 6029
Fax: 020 7706 6039



FAO Mr Ian Collins
The Windsor Castle public House
98 Park Road
London NW1 4SH

Our ref: RB
Your ref:

21 August 2014

Dear Mr Collins,

The Windsor Castle Public House, 98 Park Road, London NW1 4SH
Premises licence ref: 13/07357/LIPDPS

Further to our recent correspondence, we enclose as requested the photographs referred to in my letter dated 28 July sent to the address of the licence holder.

Yours faithfully,

Licensing Advice Project
Westminster Citizens Advice

Enc

Re: Windsor Castle noise 9/10/14

Vic Chhabria <vic@rescorp.co.uk>

Thu 09/10/2014 22:08

To: richelle wilder <richelle100@gmail.com>;

Cc: Ferrer, Daniel <dferrer@westminster.gov.uk>; licensing licensing <licensing@westminstercab.org.uk>; arvokimchi@yahoo.co.uk <arvokimchi@yahoo.co.uk>; Robert Rigby <robertrigby@hotmail.com>;

By 10:05 everyone is inside. I except 3 smokers.

Many thanks & warm regards,

Vic Chhabria

Director
Rescorp Residential
tel: 020 3348 8000 | mob: 07887 988 000
58 Acacia Road, St Johns Wood, London NW8 6AG

Sent from my iPhone 6

On 9 Oct 2014, at 9:53 pm, richelle wilder <richelle100@gmail.com> wrote:

To all

I have text both Ian Collins and Madan Daswaney about the noise levels outside the pub this Thursday evening and asked them to bring people inside. I haven't received any response to my text.

The same unacceptable noise occurred Monday 29th and Thursday 2nd. You are all aware of the Lions Club event of 27th September which was truly shocking and to which no one from the Windsor Castle has commented on.

It has been almost two weeks since we met and there has been no change to monitoring the noise, the number of people outside.

We need to consider where we go from here because this situation cannot be allowed to continue.

Sincerely

Richelle

richelle100@gmail.com
00 44 207 724 7996
00 44 7779 102917

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Windsor Castle Pub, Park Road

richelle100@gmail.com on behalf of richelle wilder <richelle@script-matters.com>

Wed 08/07/2015 17:16

To:kcumming@westminster.gov.uk <kcumming@westminster.gov.uk>;

Cc:Robert Rigby <robertrigby@hotmail.com>; Ferrer, Daniel <dferrer@westminster.gov.uk>; licensing licensing <licensing@westminstercab.org.uk>;

 1 attachment

windsor castle 24714 930pm.m4v;

Hi Kay

Further to your message about the noise from the Windsor Castle Pub on Park Road which, as I write to you at 5pm on 8th July is starting up again.

This pub has been causing noise at an unacceptable level to residents who live directly opposite the pub since new landlords took over the pub in September 2013. I attached an MP3 from last July that demonstrates what we have to constantly put up with.

Residents at Rossmore Court have been speaking with Daniel Ferrer (Westminster **Licensing Inspector**), Richard Brown at Westminster CAB and our local councillor, Robert Rigby about this matter since February 2014.

The noise on Monday 6th July was just another regular disruption from drinkers at Windsor Castle. This pub is on a very old magistrates license without formal restrictions from the Council and, as a matter of good faith, after a meeting last year, we agreed to monitor the noise with a 10pm optional curfew at the pub's discretion.

There are no restrictions to the numbers of outside drinkers which begin to get noisy from 4pm onwards both in the week and weekends. The pub disposes of all its bottles every night about midnight. There is no monitoring of drinkers leaving. Consequently we are subjected to loutish behaviour as the pub closes until up to 1am.

This pub because of its location to LBS, Regents College, Lords Cricket Ground and Regents Park is most frequented by students, rugby teams and cricket fans as we are very near Lords. It now requires Westminster Council to create formal restrictions that take into consideration the pub is in a residential area.

I would appreciate a call when you return to the office on Saturday on 020 7724 7996

All the best

Richelle Wilder

Richelle Wilder

www.script-matters.com

00 44 207 724 7996

00 44 7779 102917

RE: WINDSOR CASTLE PUB today at 6.15pm

Cummings, Kay <kcumings@westminster.gov.uk>

Sat 11/07/2015 18:26

To: richelle wilder <richelle@script-matters.com>;

Cc: licensing licensing <licensing@westminstercab.org.uk>;

📎 1 attachment

Resident's Monitoring Form updated 30.10.14.docx;

Good Afternoon Ms. Wilder,

Please find attached a 'Resident's Monitoring Form' as discussed on the phone. I will speak to the Manager about your recent complaint. I will also advise him that you consider that the undertakings made last year are not sufficient to address your concerns and that the situation is on-going.

I will update you on the result.

Kind regards

Kay

From: richelle100@gmail.com [mailto:richelle100@gmail.com] **On Behalf Of** richelle wilder

Sent: 09 July 2015 18:43

To: Cummings, Kay

Cc: Rigby, Robert

Subject: WINDSOR CASTLE PUB today at 6.15pm

Hi Kay

In light of the manager of the Windsor Castle explaining it was a 'one off noise', please see attached picture with drinkers spilling over into the street. The noise already is loud from the pub.

I look forward to speaking to you Saturday.

Best

Richelle Wilder

Richelle Wilder

www.script-matters.com

00 44 207 724 7996

00 44 7779 102917

RE: Windsor Castle Pub at 12.50 Sunday 18th October

Robert Rigby <robertrigby@hotmail.com>

Wed 21/10/2015 07:14

To: Downes, Ian <idownes@westminster.gov.uk>; richelle wilder <richelle100@gmail.com>;

Cc: Cummings, Kay <kcummings@westminster.gov.uk>; Keegan, Francis <fkeegan@westminster.gov.uk>; licensing licensing <licensing@westminstercab.org.uk>;

Dear Ian Downes

Thank you for your efforts here and it sounds as though your meeting was positive. One of the issues I have is why did the management not recognise there are concerns by local residents and pass these onto the new duty management? It is positive that the new duty manager is willing to take 'positive steps' going forward but unless their license is amended to reflect the concerns of the local residents I fear if there is another change of management in the future then we could be back to square one. I think it is time to ensure their license is amended now to reflect the concerns which have been highlighted over a number of years and then that would help with enforcement by WCC.

Kind regards

Cllr Robert Rigby

From: idownes@westminster.gov.uk

To: richelle100@gmail.com

CC: kcummings@westminster.gov.uk; fkeegan@westminster.gov.uk; rrigby@westminster.gov.uk

Date: Tue, 20 Oct 2015 21:01:08 +0100

Subject: RE: Windsor Castle Pub at 12.50 Sunday 18th October

Good Evening Richelle,

Thank you for your e-mail below which has provided me with good a background to your complaint.

I visited the venue yesterday afternoon and the first thing which was pointed out to me was the complete change of management. I had a long meeting with the new Duty Manager, an Alice Riquer, to whom I pointed out my concerns in respect to your complaint. In addition I brought to her attention details of a meeting I had with former manager last April about management of patrons not just at special events but also during the normal course of business. Ms Riquer has agreed to urgently review their management techniques for addressing outside drinkers/smokers and assured me she will call a meeting with her colleagues and senior management in order to discuss a positive way forward. She will discuss the implementation of your four suggestions below on a trial basis and

depending on the success of this, these may then become part of the licence by way of the venue seeking a minor variation to add them to their Premises Licence. This approach has the benefit of seeking to ensure that they address your concerns and if they do not then we can seek to alter them before they are 'set in stone' to ensure the best outcome. Should the new working practices be acceptable and the venue does not vary their Premises Licence to include these conditions then providing that they operate in accordance with them then further action will not necessarily be required. If however they fail to promote the licensing objectives consideration can be given as to what further action can be taken either by you as a local resident with the assistance of Mr Brown or, if necessary, by a Responsible Authority.

I expect the proposals to be with me by the end of this week and will keep you informed throughout.

Kind regards,

Jan E. Downes

Senior City Inspector

City Operations/City Co-Ordination
Public Protection & Licensing
City of Westminster
4th Floor Westminster City Hall
64 Victoria Street
London, SW1E 6QP

Office: +44(0)207 641 2109 | **Cell:** +44(0)7903 157 501 | **Fax:** +44(0)20 7641 7047
idownes@westminster.gov.uk | www.westminster.gov.uk

From: richelle wilder [mailto:richelle100@gmail.com]
Sent: 19 October 2015 13:52
To: Downes, Ian
Cc: Cummings, Kay; Keegan, Francis; Rigby, Robert (Cllr)
Subject: Re: Windsor Castle Pub at 12.50 Sunday 18th October

Hi Ian

The noise issue is a constant problem since the pub changed ownership in 2013. Since then the owners of the pub actively encourage LBS students to drink in large groups here with regular weekly events and so the Windsor Castle has become the college's defacto bar. Last Sunday was an example of this. In addition there are also regular rugby club events that cause excessive frat party noise from inside the pub.

You should be aware that the last time I personally was driven to complain, the noise team that night found the manager of the pub, on the bar and whipping up students to make noise - this should be in the notes of the noise team.

Many nights, throughout the week, there are large groups of mainly students outside the pub starting to gather around 5pm until 10pm when drinkers are moved inside. However there are also groups of smokers after 10pm who make a noise as well as those leaving in groups when the pub closes.

There is never a restriction on numbers of outside drinkers or dedicated door staff controlling it.

Rossmore Court is very close to the pub and the shape of the building amplifies the noise as it bounces off the horseshoe enclosure. That means the noise is amplified and rises up.

What we would really like the council to do is, finally after two years of complaints, take concrete action. The pub is on a very old magistrates licence and its time to review this. We, the residents, met with the pub owner and then manager in July 2014 with Danny Ferrer from your department and Richard Brown from CAB but the noise remains an issue because of the same factors - late outside drinking, too many large groups drinking and shouting and no dedicated door staff.

We would like the council to enforce the following:-

- a. Restrict numbers outside
- b. Restrict outside drinking to seated drinking only
- c. Restrict outside drinking to 9pm
- d. Dedicated daily door staff.

We are happy to have someone visit our flats to see what the problem is but this issue has been going on, reported on a regular basis since February 2014 reported both to our local councillor and to the council.

In my own case, I cannot read in my own home but have to counter the outside noise from the pub with TV noise.

Other local pubs including the Sir John Balcombe on Balcombe Street have strict outside drinking policies and dedicated door staff that protects the residents which is what needs to happen at the Windsor Castle.

Sincerely

Richelle Wilder

Richelle

richelle100@gmail.com

00 44 207 724 7996

00 44 7779 102917

On 19 October 2015 at 13:07, Downes, Ian <idownes@westminster.gov.uk> wrote:

Good Afternoon Ms Wilder,

The issue you have highlighted below has been brought to my attention by Ms Cummings.

A visit was undertaken on Sunday following your complaint at which time there were fewer people outside. The new duty manager was made aware of the complaint and she was unaware of the previous undertakings. I will be visiting the premises to discuss the situation

more fully with them and to see what additional management techniques they intend to implement to prevent a reoccurrence.

Further monitoring will be undertaken. It would however, be useful to monitor the situation from your premises as previous visits at ground level have found that the ambient street noise has covered some of the noise from the outside customers when previous monitoring was undertaken.

Kind regards,

Jan E. Downes

Senior City Inspector

City Operations/City Co-Ordination

Public Protection & Licensing

City of Westminster

4th Floor Westminster City Hall

64 Victoria Street

London, SW1E 6QP

Office: +44(0)207 641 2109 | **Cell:** +44(0)7903 157 501 | **Fax:** +44(0)20 7641 7047

jdownes@westminster.gov.uk | www.westminster.gov.uk

From: [richelle wilder](#)

Sent: 18/10/2015 13:19

To: [Cummings, Kay](#)

Cc: licensing@westminstercab.org.uk; [Rigby, Robert](#)

Subject: Windsor Castle Pub at 12.50 Sunday 18th October

Hi Kay

There is, yet again, unacceptable noise coming from the Windsor Castle. It is now Sunday lunchtime and a large group of students have gathered outside, shouting and spilling over into the public areas making very loud noise. They are all similar dressed for some student activity during the day.

page 68

And, yet again, despite assurances from the management of this pub to yourself and to us, the residents of Rossmore Court, there is no barrier set up or door staff to oversee activity or numbers.

This is unacceptable especially given the assurances made that the pub would make sure outside drinking was monitored and controlled. And disturbing noise continues to be a problem because there isn't sufficient management of numbers or ANY dedicated door staff.

I am copying Robert Rigby, our local ward councillor and Richard Brown of Westminster CAB who are both fully aware of the ongoing noise issues since the takeover of the pub in 2013 and its proactive relationship with LBS students to become a dedicated drinking and meeting student venue.

I look forward to hearing your proposal to manage this ongoing issue with the Windsor Castle.

Sincerely

Richelle Wilder

richelle100@gmail.com

00 44 207 724 7996

00 44 7779 102917

Look out for your electoral registration form in the post. It's important you respond to ensure you remain on the electoral register even if you're already registered.
www.westminster.gov.uk/annual-canvass-2015.

Report fly-tipping at westminster.gov.uk/report-it or let us know on twitter using #FightTheFlytippers.

Did you know, your two-year-old could qualify for up to 15 hours of free childcare a week. Apply now at westminster.gov.uk/childcare.

THE WINDSOR CASTLE

25/3/14

Dear Councillor Rigby

Many thanks for your letter dated 18th March in relation to possible noise pollution concerns related to outside drinking in the forthcoming warmer Months ahead.

Naturally, it is our intention to strive to be a good neighbour to Rossmore Court and sit firmly within the remit of our licence at the same time.

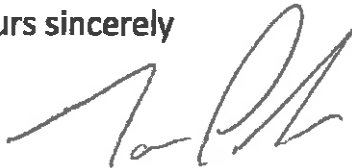
Therefore, over the course of the next week, we shall be putting up reminder notices to our customers that they are within a residential area and ask for due consideration to sound levels when both outside and leaving the venue.

As a matter of course with more people drinking outside during the warmer weather, our presence there will be more evident with glass collections etc. and we will endeavour to ensure that reminders are given each evening & every member of staff will be briefed on this accordingly.

We very much appreciate your early letter on this and are glad that you are pleased to have a pub in the ward you represent & we'll strive to keep this in harmony.

Should you have any concerns going forward, I would be more than happy to speak to you in person at any stage.

Yours sincerely



Ian Collins

General Manager

APPENDIX 3

8th November 2015

Licensing Service
Westminster City Council

To whom it may concern

**Re - Application for the review of a premises licence for The Windsor Castle
Pub, 98 Park Road**

I am writing in support of the application to review the premise licence for The Windsor Castle Pub, which is located in Regent's Park ward.

Issues of noise and public nuisance concerning this pub were first brought to my attention by residents living in Rossmore Court, which is located directly opposite, in February 2014. Since that time and despite numerous attempts to engage with not only the pub owners as well as the LBS whose students frequent this pub, the problems persist and are therefore affecting the resident's amenity.

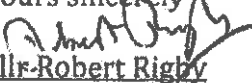
The key issues include customers drinking outside the pub until late into the evening (vertical drinking), the number of customers who converge on the pub both inside and outside therefore in breach of health and safety and the music played and the resulting noise pollution. The Westminster noise team have been called on numerous occasions and I have been in constant communication with the residents since this issue was brought to my attention.

I would ask the Licensing Sub-Committee to look at introducing conditions which will help to mitigate these issues and protect the amenity of the residents who live close to this public house.

I therefore support the proposal to impose a 9pm curfew for the outside of the pub which includes banning the use of tables and chairs after this time. Limit the number of customers who converge on the forecourt including those who smoke after the proposed 9pm curfew. The forecourt to be properly supervised by staff, currently it is a bit of a free for all with little or no control which causes obstruction onto the public walkway. The introduction of proper signage within and outside the pub informing customers of the need to be quiet when leaving as well as a dispersal policy with proper supervision by the staff. Restrict the use of music and ensure windows and doors are not left open after 9pm.

I hope very much members of the Committee will look favourably on this request and impose the necessary restrictions needed to ensure the amenity of residents is not continually compromise.

Yours sincerely


Clr Robert Rigby

Regent's Park ward

APPENDIX 4



Schedule 12
Part A

WARD: Regent's Park
UPRN: 010033540477

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/07357/LIPDPS

Original Reference:

05/06317/LIPCV

Part 1 – Premises details

Postal address of premises:

The Windsor Castle Public House
98 Park Road
London
NW1 4SH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment
Monday to Saturday: 23:00 to 00:00

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

Sale by Retail of Alcohol
Monday to Saturday: 11:00 to 00:00
Sunday: 12:00 to 22:30

For times authorised for New Year see conditions at Annex 1 and 2

The opening hours of the premises:

Monday to Saturday: 11:00 to 00:30
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:

FGM Entertainment Limited
Suite 11 Hanover Gate Mansions
Park Road
London
NW1 4SJ
Electronic Mail : vik@rescorp.co.uk

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

08612952

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

Name: Madan Daswaney

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: PERS-LIC710
Licensing Authority: London Borough Of Camden

Date: 30 October 2013

Signed: pp

Operational Director - Premises Management

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 hold a personal licence.
4. (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.
5. 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (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.

8. 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 premises 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.

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

9. 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.

10. 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

11. Alcohol may be sold or supplied:
- (a) On weekdays, 11:00 to 00:00
 - (b) On Sundays, 12:00 to 22:30
 - (c) 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.

12. To join and take an active role in Pub Watch Schemes and Westminster /Police initiatives.
13. The outside areas is to be cleared on a daily basis.
14. Children must be accompanied by a person over the age of 18 and are only permitted in the dining room and outside areas of the premises,

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

None

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: Regent's Park
UPRN: 010033540477

Premises licence
summary

Regulation 33, 34

Premises licence number:

13/07357/LIPDPS

Part 1 – Premises details

Postal address of premises:

The Windsor Castle Public House
98 Park Road
London
NW1 4SH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment
Monday to Saturday: 23:00 to 00:00

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

Sale by Retail of Alcohol
Monday to Saturday: 11:00 to 00:00
Sunday: 12:00 to 22:30

For times authorised for New Year see conditions at Annex 1 and 2

The opening hours of the premises:

Monday to Saturday: 11:00 to 00:30
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:

FGM Entertainment Limited
Suite 11 Hanover Gate Mansions
Park Road
London
NW1 4SJ

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

08612952

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

Name: Madan Daswaney

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

Restricted

Date: 30 October 2013

Signed: pp

Operational Director - Premises Management

APPENDIX 5

Windsor Castle P.H., 98 Park Road, London NW1 4SH

Review application under s51 Licensing Act 2003

Chronology

Date and time	Details	Action taken eg call to Noise Team	Outcome
Mon 2/11/15	Noise from partygoers after late night private party at pub on Sun night up to 2am. TEN in force but WCC records show it was only in force until midnight	Photographs taken of customers leaving premises	
Thurs 22/10/15	Live music pounding out of first floor of pub up to 10.30pm. Private student party.	Richelle went over to the pub to complain.	The manager was very pleasant and immediately stopped the music. However, it was apparent that she was unaware of previous concerns.
Sun 18/10/15	Unacceptable noise from the pub at Sunday lunchtime. Large group of students have gathered outside, shouting and spilling over into	Photo graphs taken. Email to Kay Cummings, WCC.	Email correspondence from Ian Downes, WCC. The new manager was unaware of previous undertakings given by the

	the public areas making very loud noise.		licence holder.
Thurs 9/7/15	Customers drinking outside spilling over onto the pavement and blocking it.	Photo taken and sent to Kay Cummings, WCC.	Kay Cummings to advise manager that the we considered the undertakings agreed to in 2014 to be insufficient and that the situation is ongoing.
Weds 8/7/15	Noise from outside drinkers 5pm onwards.	Email sent to Kay Cummings, WCC.	
Mon 6/7/15	Unacceptable noise from outside pub at 10.30pm.	Noise Team called at 10.30pm.	Kay Cummings telephoned Richelle to pass on apology from manager for noise.
27/6/15	Noise complaint to WCC from unknown resident		
20/11/14	Noise from inside the pub persisted until 12.30am		
?/10/14	Loud noise from outside drinkers up to 10pm.		Richelle could not sleep for an early flight the next morning.
Thurs 9/10/14	Unacceptable noise levels outside pub at 9.30pm	Text from Richelle to Ian Collins (manager) and Madan Deswaney (DPS) asking them to bring	No response to text. No change in monitoring of outside area or numbers outside since meeting on 26/9/14.

		people inside. Email 9.53pm to Vic Chhabria, licence holder.	Response from Mr Chhabria 10.08pm confirming that all drinkers were now inside.
Fri 3/10/14		Email from Westminster CAB to the manager, on behalf of Neil and Richelle, asking for written confirmation of the measures suggested at the meeting on 26/9/14.	No response.
Thurs 2/10/14	Unacceptable noise from customers outside the pub, 6pm to 10pm. About 150 people outside from 6pm onwards.	Stills and audio taken.	Crowd brought in just after 10pm
Mon 30/9/14	Unacceptable noise from customers outside pub 7pm to 10pm.	Richelle went over to the pub at 9.45pm to speak to the manager.	Manager admitted he had not been monitoring the outside area. He was no apologetic or concerned.
Fri 26/9/14 until	Lions Rugby Annual Event. Noise inside the pub was out of control.	Richelle went in to the pub to tell the DPS the following day.	No response from pub.

	Screaming, shouting and jeering until midnight. More like a frat house than a pub.	Also emailed various members of the management.	
Fri 26/9/14		Meeting between residents and the management at the pub.	<p>Measures we noted at the meeting:</p> <ol style="list-style-type: none"> 1. The pub would not agree to take people in at 9pm, but confirmed that they would bring in drinkers at 10pm. Before 10pm, they would monitor the numbers outside to see if it was problematic. We suggested that your input would be important and that we should contact the pub when there is an issue. 2. Mr Collins is to visit our properties at an appropriate time, to witness the noise. 3. Mr Collins is to purchase covers for the outside tables/benches,

			to discourage them from being used after hours. 4. Staff will be more active in the outside area eg. reminding people to be quiet.'
Fri 22/8/14	Noise from people drinking outside the pub.	Photos taken by Richelle.	Visit by Daniel Ferrer, WCC.
Weds 20/8/14	Email from manager of pub to CAB, attaching response to CAB letter dated 28/7/14. See appendix 2.		
Fri 15/8/14	Very loud noise from 80-100 people gathered outside pub from 7pm onwards. Seemed to be London Business School Students.		
Weds 6/8/14	Loud noise from people gathered outside the pub. Seemed to be London Business School students.	Photos taken.	
Mon 28/7/14	Letter sent by CAB to licence holder. See		

	appendix 2.		
Sun 27/7/14	A group of approximately 6 people sat outside from 11.15am to 7pm playing loud drinking games.		
Weds 23/7/14	Loud noise from people drinking outside the pub until 10.40pm. It was noted that about 60 people were outside at 10.40pm, and that the inside of the pub seemed to be virtually empty.	Noise Team contacted. Video taken.	
Thurs 22/5/14	Very large and loud number of people outside the pub up until 11pm. Noise died down at 12.45am.	Video taken.	
25/3/14	Letter from manager of pub to Cllr Rigby. See appendix 2.		

APPENDIX 6

See <http://s392.photobucket.com>

Summary of application and update on current situation

Summary

The background for the application and evidence in support is set out in full in the application and supporting documents. The purpose of the application is to request that the licensing authority amends the premises licence, specifically by adding a number of conditions to address the issues that the applicants have experienced.

The application can be briefly put in context as follows. Both applicants have frequented the pub in the past. Its operation used to give little cause for concern. The licence changed hands in 2013. The applicants subsequently noted an increase in noise to a level that impinged disproportionately on their ability to peacefully enjoy their homes. The applicants' perception is that a large part of the change is due to increased use by students of the immediately adjacent London Business School (LBS).

The noise affects the applicants and those who have written in support of the review in a way which may not be obvious from street level because of traffic noise, due to the acoustics of the building. The applicants believe that this can be attributed to the physical shape of Rossmore Court. Put simply, the noise rises above the noise of traffic and into the 'bowl' shape created by Rossmore Court, where it reverberates and amplifies. An aerial photo is at p23 of the LSC Report.

The applicants have corresponded and met with the management of the pub and Council officers. The most recent engagement was in October 2015 (see email correspondence with Ian Downes, who was liaising with the pub, at pp38-43). The applicants were told by Mr Downes that the new manager was not aware of the previous undertakings.

It is to the management's credit that they run a popular pub. However, the corollary is that the terms of the licence from which they benefit are no longer sufficient to promote the licensing objectives. There are no conditions of the type one would expect to see on a more 'modern' licence.

Update

I have sought the applicants' comments on the situation since the application was issued. They have commented as follows:

'Whilst there has been less noise in recent months from numbers of customers outside, this is mainly due to inclement weather. As the weather has become warmer in recent weeks, the noise has increased. Monday 11 April 2016 was particularly bad- It's like someone having a party below your house. For example, last Wednesday 20th April (not Thursday or Friday) there was a large young crowd - looked like an organised event by LBS - that made a terrible racket until they were brought inside at 10pm. Then we had the sporadic screaming and shouting as young punters left between 10.30pm and 12.30am. And this noise is without windows being open which is an additional issue for us in the summer months. And there is the issue of Lords cricket crowds and parties/events for LBS

students, which can be on any day of the week including Saturday and Sunday day time, with large numbers outside.

There has been a lot more noise when the pub empties. As the customers leave, there has been an enormous amount of shouting and screaming with each other before they disperse - often because they are waiting for cabs on the street. This can go on till 1am.

The main problem for us is allowing crowds outside until 10pm and also the numbers. These crowds are large collective groups of young students and as LBS grows so will the problem of noise disturbance.'

Conclusion

A number of the representations in support of the premises refer to the fear that the licence will be revoked. The applicants would like to make it clear that there was never any intention that this review application should lead to the revocation of the licence. The aim of the application is simply to ask that appropriate and proportionate conditions are added to the licence to address the concerns expressed in the application.

The applicants believe that the conditions proposed in the application amount to a proportionate response.

Yours sincerely,

Richard Brown, Licensing Advice Project, Citizens Advice Westminster – on behalf of the applicants.

Details of those in Support of WC pub

Luis Figueira – MBA Student LBS

Julio Florian – Student LBS

Natasha Bhalla – 90 Rossmore Court

David Strugnell – involved with 2 sporting clubs for teens and adults in area.

Chris Rea – AFL London Chairman and a semi regular attendee of pub

Matt Stevens – not local but who lives near ‘The Star ‘ on St John Wood Terrace

Kate Cosbie – small woman who uses pub to drink in cos she’s not hit on in there

Quentin Keeble – Lives in Camden and member of North London Lions Australian Football Club

Michelle Loneragan – Trains at a football club sponsored by WC who is financially supporting team once a week and uses pub

Gordon Beggy – lives in ‘local area’ and member of local football team that trains at Regents Park.

Anish Patel – ‘I have been visiting for a number of years’ – when, from where is not detailed.

Matt Wood – exercises in Regents Park with friends and uses pub to drink and eat in.

Jake Mckintosh – who ‘lives in area’ but doesn’t say where

Lee Harte – belongs to a club that congregates in WC

Carolyn Nielsen – member of a sports team that trains in Regents Park

Jay Treloar – Club president of North London Lions who socialize in pub and have ‘chase sponsorship’ and whose children play ‘safely’ in the WC – isn’t this against the licence to have kids in the pub?

Georgios Christakis – Student at LBS

E A Stok – LBS student.

Bart van de Velde – lives on Melcombe Street (so not affected by noise of pub)

Finuala Kennelly – 87 Rossmore Court who both supported the review and the pub.

Carine Kesservani – resident of Hanover Gate Mansions

Kailash Assomull – 88 Rossmore Court

Richard Abraham – very old LBS student who likes the pub to drink in

James Tsolakis – Hanover Mansion resident who complains about Lords attendees and wants the council to ‘curb the noise, bad behavior, offensive language and anti social conduct from drunks leaving Lords’

Michael Sultan - who says that he lives directly across the road but not all the time as he says ‘he was in London over the christmas period and was not disturbed in anyway.

Paul Matthews – 41B Hanover Gate Mansions

Hetul Patel – 51b Hanover Gate Mansions.

6 ‘residents’ in support of pub

- 3 in Rossmore Court – F Kennedy in support and against
- 3 in Hanover Mansions

8 residents wanting licence review

- All residents of Rossmore Court against pub (including F Kennedy)



Schedule 12
Part A

WARD: Regent's Park
UPRN: 010033540477

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

16/02355/LIPDPS

Original Reference:

05/06317/LIPCV

Part 1 – Premises details

Postal address of premises:

The Windsor Castle Public House
98 Park Road
London
NW1 4SH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment
Monday to Saturday: 23:00 to 00:00

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

Sale by Retail of Alcohol
Monday to Saturday: 11:00 to 00:00
Sunday: 12:00 to 22:30

For times authorised for New Year see conditions at Annex 1 and 2

The opening hours of the premises:

Monday to Saturday: 11:00 to 00:30
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:

FGM Entertainment Limited
Suite 11 Hanover Gate Mansions
Park Road
London
NW1 4SJ
Electronic Mail : vik@rescorp.co.uk

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

08612952

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

Name: Reinaldo Araujo Bispo

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: LN/200800323
Licensing Authority: London Borough Of Enfield

Date: 22nd March 2016

This licence has been authorised by Mr Darren O'Leary 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 hold a personal licence.
4. (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.
5. 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (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.

8. 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 premises 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.

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

9. 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.

10. 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

11. Alcohol may be sold or supplied:
- (a) On weekdays, 11:00 to 00:00
 - (b) On Sundays, 12:00 to 22:30
 - (c) 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.

12. To join and take an active role in Pub Watch Schemes and Westminster /Police initiatives.
13. The outside areas is to be cleared on a daily basis.
14. Children must be accompanied by a person over the age of 18 and are only permitted in the dining room and outside areas of the premises,

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

None

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: Regent's Park
UPRN: 010033540477

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

16/02355/LIPDPS

Part 1 – Premises details

Postal address of premises:

The Windsor Castle Public House
98 Park Road
London
NW1 4SH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment
Monday to Saturday: 23:00 to 00:00

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

Sale by Retail of Alcohol
Monday to Saturday: 11:00 to 00:00
Sunday: 12:00 to 22:30

For times authorised for New Year see conditions at Annex 1 and 2

The opening hours of the premises:

Monday to Saturday: 11:00 to 00:30
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:

FGM Entertainment Limited
Suite 11 Hanover Gate Mansions
Park Road
London
NW1 4SJ

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

08612952

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

Name: Reinaldo Araujo Bispo

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

Restricted

Date: 22nd March 2016

This licence has been authorised by Mr Darren O'Leary on behalf of the Director - Public Protection and Licensing.

Consultee Comments for Licensing Application 15/12075/LIREVP

Application Summary

Application Number: 15/12075/LIREVP

Address: Windsor Castle 98 Park Road London NW1 4SH

Proposal: Review of a Premises Licence

Case Officer: Mr Darren O'Leary

Consultee Details

Name: Mr Dave Nevitt

Address: Westminster City Hall 64 Victoria Street, London, City of Westminster SW1E 6QP

Email: dnevitt@westminster.gov.uk

On Behalf Of: Environmental Health Administration

Comments

I support this application for a Review of a premises Licence on the grounds of Prevention of Public Nuisance. I wish to attend the Hearing of the Licensing Sub Committee.

EH Continued....

98 Park Road

NOISE/COMPLAINT HISTORY:

(Informant/complainant details redacted)

**15/28323/ELREAC Public complaint regarding outside drinkers
18.10.2015:**

19/10/15 at 13:35 by lphilli

reacting to complaint received I passed the premises within 30 mins of receiving complaint found 4 people sitting outside causing no noise nuisance at all. upon checking photographs provided by complainant several people in the photographs were not holding drinks and may have been waiting for the bus for the bus stop within yards from the pub.

20/10/15 at 13:03 by spackir

18.10.15 15:45hrs SK & MT further to the public complaint regarding noise and staff not controlling the customer outside. We met with duty manager Ms Farah Abdi. Informed her there has been a complaint and she assured me that staff regularly go to the outside area and keep everything in control, asking customers to be considerate. She did tell us that there had been a student event. When we arrived the noise was very minimal and the noise from the traffic was much greater. There were approximately 10-15 customers outside of which 5-6 were leaving. Advised the manager to keep a log of any interactions with the customers outside regarding noise or any other issue.

19/10/15 at 12:41 by kcummings

18.10.15 KCU - email from complainant received whilst 'off duty'. Full details in IDOX Email sent to Late Turn City Inspectors requesting a visit be undertaken to see the situation. Email also sent to Mr. Downes to discuss as he is due to inspect premises shortly.

And, yet again, despite assurances from the management of this pub to yourself and to us, the residents of Rossmore Court, there is no barrier set up or door staff to oversee activity or numbers.

This is unacceptable especially given the assurances made that the pub would make sure outside drinking was monitored and controlled. And disturbing noise continues to be a problem because there isn't sufficient management of numbers or ANY dedicated door staff.

I am copying Robert Rigby, our local ward councillor and Richard Brown of Westminster CAB who are both fully aware of the ongoing noise issues since the takeover of the pub in 2013 and its proactive relationship with LBS students to become a dedicated drinking and meeting student venue.

I look forward to hearing your proposal to manage this ongoing issue with the Windsor Castle.

Sincerely

XXXXXX



**15/17801/ELREAC Public complaint regarding operation of venue
08.07.2015**

24/08/15 at 05:19 by kcummings

22.08.15 KCU - visit undertaken see 15/22437/ELSELF

24.08.15 KCU - the premises have not been subject to further complaint and monitoring has not highlighted potential public nuisance at this time. As a result this complaint can be closed.

29/07/15 at 16:40 by kcummings

08.07.15 KCU - made aware of recent noise complaint so contacted the complainant. Message left on her phone to contact me if there were ongoing issues and an email was received - see notepad.

11.07.15 KCU - spoke to the complainant at length on the phone. She states that she has suffered noise nuisance from the venue for a number of years since they changed hands. She is in contact with Richard Brown and other residents who are also suffering nuisance.

11.07.15 KCU - email sent to Mr. Collins (DPS - Manager) about the recent concerns. He sent initial response stating that they didn't have any event on the 27/6 and tend to be very quiet on a Saturday evening so this particular complaint comes as a big surprise. He will review the CCTV for this date and time & will send the images. With regard to the past two days, both were LBS's graduation days & he mentions that he did say at our meeting that these would be pressure points for us. He states he was out on the road as much as possible on both days to keep any spillover in place which was very effective. On both evenings we had a lot of people coming up from the school to say goodbye to their study colleagues but not drinking at the pub. It's the first time we have had any comments about putting bags into the bins & we are acting on that from this evening onwards as we can keep any post-10pm disposal out of the back of the pub until the following morning.

12.07.15 KCU - further email sent to Mr. Collins stating that there were two separate complainants and that one is in contact with Mr. Richard Brown of the CAB. Awaiting further response.

13.07.15 KCU - email from Knight Training (Ms. Claire Danson) stating their dealings with FGM Entertainment were limited to facilitating a premises licence transfer application and a DPS variation back in September 2013. As such, they have had no further contact with them since this time. The only contact information they have is the email address I had unsuccessfully already tried and a mobile number for Vic Chhabria with whom they were dealing - Subsequent to this email telephoned Mr. Chhabria and advised him of recent concerns then forwarded him a copy of the remedial email sent to Mr. Collins. He will liaise with Mr. Collins and a response will be forthcoming but he would also like to meet when he is back in England and will contact me when he is in the Country.

13.07.15 KCU - phone message left from Mr. Collins wishing to speak to me. Phoned him on NNNNNN During the conversation he

stated that the CCTV for the 27.06.15 was not available but he was speaking to the Engineer to see if it could be recovered. He stated photo from complainant was misleading and he had CCTV that would confirm this so advised to retain it. He considers that there are only two complainants and that they want the outside area closed. He has had no direct complaints to the public house even though his details were provided to them at a resident's meeting last year. We discussed our meeting in May and I said that despite him stating that some events would be very busy I had made it clear that venue still had to ensure that the licensing objectives are promoted. He does not accept venue is causing as much nuisance as suggested and he will respond in writing when he has spoken to the owner. In the interim advised him with the 'Ashes' this week to ensure robust management of outside of venue. He did at one point seek to suggest that some of the noise issues related to Hyde Park Concerts but I advised him that the complainants say it was his venue.

18.07.15 20:25 hrs KCU and SK - observations undertaken to monitor outside drinkers. 4 x SIA on duty with 3 outside and 1 inside venue. All customers in delineated area with the majority seated but some stood up talking. Approx 31 persons outside. Overall the observations did not highlight any real nuisance on this occasion. Most conversational noise not audible over ambient traffic noise however when traffic subsided then a murmur of conversation and occasional raised voice or laughter could be heard across the street which became less when standing outside Hanover Gate Mansions

23.07.15 KCU received email from Ian Collins stating he had arranged door staff between 8pm and midnight this evening for the Middlesex/Surrey game as we were very busy for it last year & the lords staff I know tell me it is a sell out.

29.07.15 10:30 hrs KCU and AKI - attended meeting with Ian Collins and Mr. Vic Chhabria (Director) 07887 988 000 vic@rescorp.co.uk Discussed the ongoing complaints which the venue believe originate from one resident only who Mr. Collins has seen looking out of her window for long periods even when no one is outside the public house. They are not aware of any other complaints but they believe that the majority of residents support the venue and have no concerns. They have SIA Door Supervisors; They get everyone inside the venue by at 21:00 hrs and they intervene if there is noise from an individual or group. They believe that the photos recently provided do not give an accurate picture and they showed CCTV footage but part of the footpath shown in the photo was obstructed by an umbrella where the alleged blockage was although it was clear that neither the DPS or the Owner fully appreciated that this was the case. They showed joggers going past and thought that evidenced that there was not a blockage but it was not possible to tell from the footage if they had had to wait to get past; stop or slow down or even go into the road so it really was not of great evidential value. After a long discussion they will implement additional signage; record all public nuisance issues whether related to venue or otherwise and continue to monitor the outside area. They will also check noise from the opposite

side of the road which they state they already do but try to view it objectively and deal with any issues highlighted.

Venue to be subject to further monitoring but the reality is the main Cricket Events and the College Events have ended for a few months so they should be much quieter but nonetheless they would like to find a final solution as they wish to be seen as a 'resident/local' pub that works with the community. They are even willing to listen to noise from resident's flats to try and identify steps they can take to resolve concerns. They also provided details of a resident who they think will support them plus additional CCTV footage.

16:26 hrs KCU phoned Ms. Xxxxx She lives opposite the pub and generally does not hear a lot of noise in her flat When they do notice some noise it appears to rise quickly and then also stop quite quickly. She is aware that they have security so when it is planned the pub seems to be aware of the issues. Her flat is in horseshoe shape so their kitchen is to the front as is their bedroom. Their living room is to the rear and she did admit that if the sitting room was to the front then she would notice the noise and have to close her windows. She is however aware she lives in London and is accepting of noise from the street; buses; police sirens and some noise from the public house when drinkers sit outside. She is also a customer of the venue. She did state she has lived next to other pubs which were much more problematic and she thinks that the managers are trying their best to be considerate and deal with problems quickly. She also stated that she has heard music from Hyde Park when the British Summer Time Festival takes place but that is dependent on wind direction.

15/17230/ENC45 Loud Music/Screaming/Shouting by patrons of a Pub known as the Windsor Castle on Park 06.07.2015 22:25

07/07/15 at 13:02 by kcummings

07/07/15 at 12:59 by kcummings

07.07.15 12.56 hrs KCU - spoke to the DPS, Ian Collins on the phone. The college were holding an end of term party at the public house which had originally been arranged for another day but was moved to yesterday. The public house was extremely busy with a lot of people at the rear of the premises which is the agreed leaving point. When Mr. Collins was seen on the bar he was issuing 'Windsor Awards' to some of the students who had attended his venue over the last two years and he was not trying to 'whip up the crowd' but he now understands how his actions could be perceived. The venue has one more college event and then the Ashes which he has SIA in place for to prevent concerns. He apologised for last night and wishes this passed on to the complainant.

07.07.15 13:01 hrs KCU - message left on the answering service for the complainant advising the resident of the above and indicating that her details are NOT known to the venue.

Actions currently complete

O'Leary, Darren

From: richelle wilder <richelle100@gmail.com>
Sent: 19 January 2016 15:12
To: O'Leary, Darren
Cc: arvokimchi@yahoo.co.uk
Subject: Fwd: Windsor Castle Noise Complaint

Hi Darren

RE:- Windsor Castle Noise/License Review

Please find below an email from Prashanthy Shankar who is a resident of Rossmore Court and is severely affected by the noise of the Windsor Castle pub.

All the best

Richelle

richelle100@gmail.com
00 44 207 724 7996
00 44 7779 102917

----- Forwarded message -----

From: **Prashanthy Shankar** <prashanthy.shankar@gmail.com>
Date: 19 January 2016 at 15:08
Subject: Windsor Castle Noise Complaint
To: richelle100@gmail.com

Dear Richelle,

I believe that you are corresponding with Westminster Council about the noise levels of the Windsor Castle pub and would like to let you know that we have been suffering terribly from the increasing noise levels of the pub.

There has been a noticeable increase in the noise levels since the new owners of the pub took over. The pub clientele has been standing and drinking on the pavement and there is constant noise from about 5pm - 1am in the morning. I have a young child aged 18 months and am soon expecting a newborn baby and it is so disruptive hearing all the noise of people standing outside drinking. It prevents us from having a good night's rest and when you have young kids, getting a good night's sleep is the only way you can survive!

I have been outside in my dressing gown on several occasions and had to ask the pub to ask their customers to keep the noise down. Despite last orders being at 11pm, the noise still continues until 1am or later as people are clearly getting several drinks which last them until this time.

The noise is especially bad in the summer months but last year this continued into December.

I am very surprised that Westminster Council have not done anything about this ongoing noise as it is clearly a nuisance to all the residents of the buildings surrounding the pub.

Please do not hesitate to contact me if you need any further information.

Kind regards,
Prashanthy
07957 154 660

O'Leary, Darren

From: richelle wilder <richelle100@gmail.com>
Sent: 18 January 2016 13:59
To: O'Leary, Darren
Cc: arvokimchi@yahoo.co.uk; Rigby, Robert; licensing@westminstercab.org.uk
Subject: Fwd:

Hi Darren

Please find below a letter from Fabienne Fauritte, a resident of Rossmore Court with respect to the noise disturbance of the Windsor Castle pub and in support of the changes to the licence for the premises.

All the best

Richelle

richelle100@gmail.com
00 44 207 724 7996
00 44 7779 102917

----- Forwarded message -----

From: **fabienne fauritte** <guarneria@hotmail.com>
Date: 18 January 2016 at 09:57
Subject:
To: richelle wilder <richelle100@gmail.com>

To whom it may concern

RE WINDSOR CASTLE NOISE

My name is Fabienne Fauritte and I am a resident of Rossmore Court.

I am writing to you as I am heavily affected by noise made by drinkers at the Windsor Castle pub and it is making my home life very uncomfortable.

This noise is mainly from outside drinkers who congregate in large numbers, usually from the London Business School. It is almost everyday, particularly bad in the summer and this winter due to the mild weather.

It is usual to start around 5pm/early evening during the week. However, last year, noise from large crowds has began on Saturday and Sunday late mornings and is really problematic.

The noise comes from the very large numbers of outside drinkers drinking and socialise. Given the proximity of the pub next door to a large college, it is mainly students from the London Business School and that creates a younger crowd who has a commonality.

In the summer, there are large numbers of cricket fans attending Lords as well as other large groups from Regents Park sports grounds.

The problems of noise began in 2013 and since this time has got increasing worse. The drinkers actions or numbers are not monitored by dedicated security personnel. Consequently there is very loud shouting and sometimes screaming.

The noise is so bad that I cannot open my windows in summer. It affects how I am able to relax in my flat, to read, to think. Many times I am unable to get to sleep.

Even when the drinkers are brought in at around 10pm, those leaving the pub from this time until closing often congregate outside, shouting to each other. This can go on until up to 1am in the morning.

Please could you take my experience into consideration. This situation has become intolerable.

Yours faithfully

Fabienne Fauritte.

O'Leary, Darren

From: richelle wilder <richelle100@gmail.com>
Sent: 05 January 2016 11:49
To: O'Leary, Darren
Cc: licensing@westminstercab.org.uk; Rigby, Robert
Subject: Fwd: Application to review premises licence ref 13/07357/LIPDPS

Hi Darren

Please find below email from Jonathan Davis in support of our application.

I did send hard copies via recorded delivery yesterday including a USB of photo evidence. It should be with you today.

All the best

Richelle

richelle100@gmail.com
00 44 207 724 7996
00 44 7779 102917

----- Forwarded message -----

From: **Davies Jonathan (NHS CENTRAL LONDON (WESTMINSTER) CCG)**
<jonathan.davies11@nhs.net>
Date: 5 January 2016 at 11:44
Subject: RE: Application to review premises licence ref 13/07357/LIPDPS
To: richelle wilder <richelle100@gmail.com>

Dear Richelle, I can confirm that I have read the review application for the premises licence although unfortunately I couldn't seem to make the 'Photobucket' login work correctly.

On balance, whilst it does seem that the licensees have made promises of change, that these changes appear not to have been delivered on and that from a health perspective it is well known that repeated exposure to externally generated noise over a long period of time can lead to detrimental health effects both mentally and physically. On this basis the CCG is happy to support the review application and you are welcome to share this with the licensing officer dealing with the review.

In the meantime if you have any queries please don't hesitate to get in touch, thanks and regards, Jonathan

Jonathan Davies

Programme Manager, Primary Care Transformation

NHS Central London Clinical Commissioning Group

15 Marylebone Road

London NW1 5JD

Direct: 020 3350 4663

Mobile phone: 07971 952 016

Switchboard: 020 3350 4000

Email: jonathan.davies11@nhs.net

Website: www.centrallondonccg.nhs.uk



From: richelle wilder [mailto:richelle100@gmail.com]

Sent: 23 December 2015 08:44

To: licensing@westminster.gov.uk; MetPoliceLicensingTeam@westminster.gov.uk; ehconsultationteam@westminster.gov.uk; firesafetyregulationsw@london-fire.gov.uk; planninginformation@westminster.gov.uk; Davies Jonathan (NHS CENTRAL LONDON (WESTMINSTER) CCG); childprotectionlicensing@westminster.gov.uk

Cc: licensing@westminstercab.org.uk; Robert Rigby; arvokimchi@yahoo.co.uk

Subject: Application to review premises licence ref 13/07357/LIPDPS

Dear Sir/Madam,

The Windsor Castle Public House, 98 Park Road, London NW1 4SH
Application to review premises licence ref: 13/07357/LIPDPS under s51 Licensing Act 2003

We are two local residents who live in Rossmore Court NW1, opposite the Windsor Castle Public House.

O'Leary, Darren

From: Luis Figueira <lfigueira.mba2016@london.edu>
Sent: 19 January 2016 18:47
To: PremisesLicensing
Subject: The Windsor castle - pledge to keep premise licence

Dear,

My name is Luis Figueira, I am a MBA student at London Business School. I am writing to corroborate the importance of the Windsor Castle as a paramount location for our community life and socialization.

I believe I am not the first one to write that our favorite pub (commonly recognized by its first name, "The Windsor") is the top of mind location for LBS students to meet and socialize. Indeed, I can cite several events that took place in that pub that were important to my experience in the school or in London itself. There we hold some "flat hunting" meetings, where new students can come and meet other potential flat seekers and find a match for their flat mates necessity. We also meet after tests, to discuss results and relax after a stressful period.

The Windsor is also the top choice when it comes to official LBS events. Several Clubs hold meetings there, such as the board gaming club or the Marketing club. The sports clubs, with the manager's permission, use the pub premises to gather and watch the most wide varieties of sport, from rugby and football to American football. Indeed, there is where I had the unfortunate experience (as a first-time supporter of the England rugby team, being a Brazilian national and therefore almost nationless in terms of rugby) being eliminated from last year's world cup. There is where I will hope and support for a better luck at the 6 nations.

In addition to the pub current importance, it is safe to say that there is no other alternative of the same caliber in the neighborhood. Indeed, we students consider the Windsor a place to relax and organize gatherings, where there are few restrictions of size or the type of event. Other pubs are close to school (to cite a few: the Globe, the Volunteer or the Sir John Balcombe), but none of them offers the conviviality, proximity and intimacy that the Windsor does. And as several students live around the school, the pub is a natural center of gravity for us.

Summarizing, we LBS students recognize the Windsor as an extension of the school, and would really consider loosing of the license as a turning point in the school's socialization.

My sincere regards,

--

Luis Figueira | MBA 2016 Candidate
London Business School | Regent's Park | London NW1 4SA | United Kingdom
Mobile: +44 7476 363536 (UK)
Email: lfigueira.mba2016@london.edu

O'Leary, Darren

From: Julio Florian <julio.florian.alva@gmail.com>
Sent: 19 January 2016 18:43
To: PremisesLicensing
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

Dear Council members,

I am writing to you as a member of the London Business School community. I am currently studying at this school and will do so for approximately 18 more months.

I have heard of the Windsor for many years before even applying to LBS. Many alumni speak of it so fondly that it is hard to not have immediate love for the place.

As a result, I have been going to the Windsor ever since I arrived in London. I know of fewer landmarks with which I can identify as much as with the Windsor. For me it represents so much more than a bar, its a gathering of friends, a chance to bond with the community and my opportunity to add my grain of sand to the many stories and amazing history that the Windsor is creating on a daily basis.

I must emphasise the Windsor's extremely respectful atmosphere and its amazing ability to congregate the entire community, not only from the school, but also from around the premises.

Thank you very much and take care,

Julio Florian

O'Leary, Darren

From: Natashaa Bhalla <natashaa.bhalla@gmail.com>
Sent: 19 January 2016 16:03
To: PremisesLicensing
Subject: Windsor Castle : Ref Is 15/12075/LIREVP

To whomsoever it may concern,

Please find this email with regard to Ref 15/12075/LIREVP.

I, Natashaa Bhalla, a resident of 90, Rossmore Court, Park Road, London NW1 6XZ, do not agree with the licence review of Windsor Castle. The pub is part of the community and is not a public nuisance whatsoever.

Regards,
Natashaa Bhalla

O'Leary, Darren

From: David Strugnell <d.strugnell@exacta.co.uk>
Sent: 19 January 2016 14:57
To: PremisesLicensing
Cc: ronaldo@windsor-castle.co.uk
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

Importance: High

To Whom It May Concern,

It has been brought to my attention that the license for the Windsor Castle is currently being reviewed.

I have been involved in two sporting clubs for underprivileged teens / adults local to the Windsor Castle for the past five years.

Both these clubs give back significantly to the local community and we hire out a dedicated pitch at Regents park every Sunday.

The Winsor has been a important contributor to these clubs allowing us store equipment, providing shelter & food (when there is not much else open on a Sunday).

On the many occasions I have been there I have never seen any reasons for this fine & independently run establishment to be reviewed.

It would be extremely detrimental to both our clubs & the wider public as a whole if the Windsor was to lose any of its current licenses.

I do hope it continues to serve the local community for many years to come.

I thank you for your kind consideration & taking the time to read this.

Best Regards

David Strugnell MCMI
Group Sales Director
0203 056 6895

Exacta Plc
125 Old Broad Street
London
EC2N 1AR

<http://www.exacta.co.uk>

<http://www.linkedin.com/pub/david-strugnell/16/537/2b6>

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Corporate details can be found [here](#)

O'Leary, Darren

From: AFL London Chairman <chairman@afllondon.com>
Sent: 19 January 2016 10:25
To: PremisesLicensing
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

To whom it may concern,

RE. Windsor Castle Licence review

I recently became aware of the pending licence review regarding the Windsor Castle Pub, and am writing to share my support for this establishment.

For the past 5 years I have been a semi-regular attendee of the pub, and always impressed by the atmosphere and environment provided by the management team. In my role as a small business owner I have chosen to work from the Windsor at points during the business day as it provides a quiet and calm location. In my role as Chairman of the sporting competition AFL London, I've held both formal meetings and events at the Windsor. I've also visited the pub with my family and children for meals and social activities, again due to the friendly and safe environment provided.

In my experience, the Windsor Castle does an exceptional job of catering to a broad range of patrons. Including Park users, social sporting groups, students from the business school, professionals, families, and on rare occasions also patrons attending Lords for cricket events. The team always provide appropriate staff levels and security to ensure a great experience, and the atmosphere is one of the most positive and friendly I've experienced.

In the 10 years I have been based in London and frequenting this particular area, I've been shocked at the number of pubs that have closed. The area really needs places like the Windsor Castle, that foster a sense of community and shared experiences.

I fully support the Windsor Castle in this licence review, and I sincerely hope the team are allowed to continue providing such a great experience to all those in the community that value it so highly.

Best regards

Chris Rea
AFL London - Chairman
Rare Bird Partners - Founder & Owner
07963488527

Licensing

From: Matt Stevens <matthewtstevens@yahoo.com>
Sent: 19 January 2016 00:06
To: Licensing
Subject: Representation re: Application for Review of Premises License (Windsor Castle)

Ref: 15/12075/LIREVP

Dear sir / madam,

I write to submit a representation in reference to the Application for Review of Premises License for the Windsor Castle pub, 98 Park Road.

I am a Westminster resident and taxpayer from 2003-2007 (Maida Vale) and 2009-present (St John's Wood). I have been a patron of the Windsor Castle on many occasions, especially in the past 12 months, and am surprised and perturbed that its license may be reviewed – and for all reasons, "Prevention of Public Nuisance".

The Windsor Castle is a small-capacity pub, with a friendly atmosphere and a mixed clientele. I go there with my wife, often to read, or work on a laptop, which we can do without being disturbed. I'm 43 years old and would guess I'm about in the midpoint of the typical age range.

I have never experienced anything other than a positive, friendly environment; never encountered excessive noise; never seen anything other than full compliance with licensing laws concerning hours, drinking-up time, and closing time. The pub is kept clean inside and out. In short, I have never observed anything remotely definable as "a public nuisance".

In my experience, the pub is relatively quiet. It has a recognisable set of regulars who appear to be local residents, and otherwise is typically populated by groups of mature students from the London Business School, and a reasonable number of tourists. A handful of days a year – Test matches and other major events at Lords – there will be a large number of cricket spectators who use the pub too (this is the only instance where you find significant numbers of customers outside the pub). In my experience, the atmosphere and behaviour remains positive at all these times.

I live right next to The Star on St John's Wood Terrace, which closed last year suddenly and against the wishes of its many locals. Good pubs are increasingly rare in this area, and to hear that yet another good community pub is under threat bothers me greatly. Westminster becomes a less attractive place to live with each closure.

I strongly support the Windsor Castle's continuing operation and service to the local community.

Yours sincerely,

Matt Stevens
Flat 1
60 Charles Lane
London
NW8 7SB

O'Leary, Darren

From: Kate Crosbie <katecrosbie87@gmail.com>
Sent: 18 January 2016 21:34
To: PremisesLicensing
Subject: Windsor castle

Reference No: 15/12075/LIREVP - Windsor Castle Pub

The Windsor Castle is more than just a pub to enjoy a pint or two and a burger it's part of the local community. The atmosphere has always been respectable, comfortable and friendly making it essential to the people living, studying and working in the area. In the years I have been going there I have never witnessed antisocial behavior or behavior that could be seen as public nuisance. As I small women I also feel safe and respected unlike many other pubs where drunks constantly try hit on me and cause trouble with others. I am very upset by the news the license is under review.

I only hope you make the right decision to let such a valued local establishment continue to provide a respectable service.

Kind Regards

Kate Crosbie

O'Leary, Darren

From: Quentin Keeble <quentink@essentialliving.uk.com>
Sent: 18 January 2016 17:22
To: PremisesLicensing
Cc: 'ronaldo@windsor-castle.co.uk'
Subject: The Windsor Castle Pub - Reference No: 15/12075/LIREVP

I write in support of the Windsor Castle pub near Baker Street.

I am a resident of Camden, from the other side of Regents park, so I have used the pub over the course of the past ten years. I'm also a member of the North London Lions Australian Football club who are sponsored by the pub and owe our ongoing success and growth to the support of the pub and the interaction it provides with our community. Over the ten years that I have been using the pub I have found the owners and management to be a massive asset to the local community. There is always a warm and welcoming atmosphere in the pub which cultivated through responsible alcohol service. The pub provides its clientele with a great place to meet and make connections, not just for local residents, but also students and other sports people who use Regents Park.

I would strongly urge Westminster council to retain the pub's current license conditions. I urge you not to be swayed by NIMBY's, this is a highly urban location which has benefited from the Windsor Castle for many, many, years. London has many less urban locations and residents offended by the noise and social activation of a pub would be better suited to such places, not the other way around.

Regards

Quentin Keeble
122a Camden St
Camden
London

This message has been scanned for malware by Websense. www.websense.com

O'Leary, Darren

From: Michelle Loneragan <michelle_loneragan@hotmail.com>
Sent: 18 January 2016 16:05
To: PremisesLicensing
Cc: ronaldo@windsor-castle.co.uk
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

To whom it may concern

I write to you regarding the review of the Windsor Castle pub's license following noise complaints from surrounding neighbours.

The Windsor Castle Pub is a beautiful, cosy venue that is used by locals and tourists alike as it is close by to Regents Park and Lord's Cricket ground. The pub has been in operation since the 1800s, much longer than the complaining residents have been in the area. The staff are lovely, the food delicious and the atmosphere is very relaxed and respectable. Never in my time there have I witnessed loud music or obnoxious behavior.

I visit the Windsor Castle once a week following football training, have a pint, a meal and enjoy the evening with friends. The pub is a sponsor of my football club, and it has been a vital component to reigniting the social spirit of the club and helping the club grow. With the pubs financial and social support it has helped us start the clubs first female team which is about to play its second ever season in 2016.

The club and the time I spent in the Windsor have help me to settle in as a new resident in the UK and was a wonderful environment to make friends and have a good time. The pub is financially supporting a club that encourages improving physical health, building positive relationships, teamwork, confidence and higher self esteem. Without the pubs existence our club wouldn't have a supportive atmosphere to plan, fundraise and build social relationships.

It would be a huge loss to myself personally and to the club if the Windsor Castle's pub license was revoked. I believe it is also very much loved by the students who attend the london business school next door as well.

Please consider my email when reviewing the license for this great establishment

Kind regards

Michelle Loneragan

O'Leary, Darren

From: Gordon Beggy <gordonbeggy@hotmail.com>
Sent: 18 January 2016 12:06
To: PremisesLicensing
Cc: ronaldo@windsor-castle.co.uk
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

To whom it may concern,

I recently became aware that the Windsor Castle licence is currently under review which is most disappointing to hear. I would like to strongly state my support for this fantastic establishment that I have been frequenting since I moved to the area in 2011. I also joined a local football team that trains in Regents Park and we would often enjoy a pub meal and a beer after a game most weeks. Without the Windsor Castle we would not have an equivalent venue so close to the park that can provide the same level of service and friendly and warm atmosphere. As far as I am aware the pub has been operating for over 100 years and should remain for 100 more.

I hope the council sees that this pub serves the local community and without it the area will be lesser for it.

Regards,

Gordon Beggy
07769242709

O'Leary, Darren

From: Anish Patel <anishpatel18@gmail.com>
Sent: 18 January 2016 11:07
To: PremisesLicensing
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

Re: Reference No: 15/12075/LIREVP - Windsor Castle Pub

To whom it may concern,

News has reached me that the Windsor Castle's premises license is under review, and I felt it appropriate to share my experiences of the establishment.

I have been visiting for a number of years, and would say that I have as good a grasp of the nature of this place as anyone. In my experience, the Windsor Castle exudes a soft buzz of energy which captures everything that is to be valued in a pub situated in the heart of a great metropolis.

People from all walks of life - tourists, locals, professionals, young, old, sports teams, individuals - are frequently found interacting with each other and sharing a moment which is so rare to come by these days.

The Windsor Castle gives the area a real sense of identity, and a true injection of the best kind of culture - community.

As the body charged with protecting the best interests of the City of Westminster, it is your duty to recognise the contribution which such establishments make and see to it that this is encouraged, not threatened.

In accordance with this, I ask that you renew the Windsor Castle's Premises license.

Many thanks,

Anish Patel

O'Leary, Darren

From: Matt Wood <matt.wood@jamieoliver.com>
Sent: 18 January 2016 10:09
To: PremisesLicensing
Cc: ronaldo@windsor-castle.co.uk
Subject: 15/12075/LIREVP - Windsor Castle Pub

Hello,

I am writing to you after hearing that The Windsor Castles license is under threat. I have been going to the pub for almost 5 years now and thoroughly enjoy it and its location.

My friends and I live all over London and meet once a week to exercise at Regents Park, afterwards we head the The Windsor Castle for a meal and a drink and to catch up with each other. We know there are other pubs in the area but none are as inviting and friendly as The Windsor Castle.

More and more it is harder to find a pub with a friendly environment and where you don't have to worry about idiots ruining your time cause they think a good time involves getting ridiculously drunk and starting fights.

I think losing a pub that has such great British charm in an area that sees so many tourists would be a real blow.

Thank you

--

Matt Wood


Facilities Coordinator | Jamie Oliver Group

T: +44 (0) 20 3375 5602

A: 19/21 Nile Street, London, N1 7LL

W: www.jamieoliver.com



 Please don't print this e-mail unless you really need to

O'Leary, Darren

From: Jake McIntosh <mcintosh.jake@gmail.com>
Sent: 17 January 2016 19:45
To: PremisesLicensing
Cc: Ronaldo@windsor-castle.co.uk
Subject: Windsor Castle License - 15/12075/LIREVP

To whom it may concern,

I'm writing with regard to the review of the license for The Windsor Castle Pub, reference number 15/12075/LIREVP.

As a local resident of the area I believe it is an essential part of the local community. It is a family orientated pub where I'm happy to meet friends, family and to bring children along. They serve fantastic food, have a great atmosphere and offer everything a quintessential English pub should.

Furthermore it's quite an iconic place where people can gather after watching a cricket game at Lords, or in my case after exercising at nearby Regents Park on the weekend.

I recently had my parents here from Australia and they often recall the nice lunch we had there where we could sit and chat in a relaxed atmosphere, without some of the louder type behaviour you get at other establishments.

I wholeheartedly hope that the license is renewed and The Windsor Castle can continue to be a thriving part of the local community.

I would be happy to be contacted on any of the particulars below should that be necessary.

Email: McIntosh.jake@gmail.com
Phone: 07542996290

Kind regards,

Jake McIntosh

--
Jake McIntosh

mcintosh.jake@gmail.com

O'Leary, Darren

From: Info/Queries <info@giddyupcoffee.co.uk>
Sent: 17 January 2016 10:32
To: PremisesLicensing
Cc: ronaldo@windsor-castle.co.uk
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

To the licensing department,

It has come to my attention that the Premises Licensing team are reviewing the premises license for the Windsor Castle.

I'd like to take this opportunity to support the premises and acknowledge the Windsor Castles unique community contributions, management and welcoming atmosphere.

As part of a club we have visited the Windsor Castle many times and I've always been surprised by the varied groups of people we meet there but by the staff who have a real knack of being kind and attentive to the needs of all their patrons.

Owned by the royal family since the 1840's the Windsor Castle was redeveloped by John Nash and has been a social hub for over 160 years. The pressure on London to accommodate over 200,000 extra people a year is being felt in departments such as yours and I understand the challenge.

However the Windsor Castles contribution to the area would be sadly missed if the conditions placed upon the venue restricted the owner and reduced his services.

From the basement to the attic this Georgian building is a culturally significant part of London and we want it to be here for many more years.

Thank you for your time,

Lee Harte

Dir.
Giddy Up Coffee
giddyupcoffee.co.uk

O'Leary, Darren

From: Carolyn Nielsen <carolyn_nielsen@hotmail.co.uk>
Sent: 16 January 2016 14:53
To: PremisesLicensing
Cc: ronaldo@windsor-castle.co.uk
Subject: 15/12075/LIREVP - Windsor Castle Pub

Dear Sir or Madam,

I'm writing in support of the Windsor Castle as I understand their license is under review for some reason.

I am a member of a sports team that trains in Regent's Park and the Windsor has been an essential part of the club for many years, allowing us to eat together and socialise after our training sessions. I can tell the pub is very important for the students at the adjacent London Business School as well.

My teammates and I would have no reason to spend time in the Park Road area if it weren't for the Windsor, and as such I am sure we support the local community through eating and shopping at other businesses on the way to Baker St station. There really are no other pub options as convenient for Regent's Park, and it would be a real shame for the Windsor to have its opening hours restricted or otherwise closed down. From a personal level, it would be essentially disastrous for our team too as I don't know where we would be able to go and if training would have to be moved elsewhere.

The Windsor has always done an excellent job of managing patrons in terms of controlling the level of noise, and I am very surprised any complaints have been made at all, especially given the location on an A road in central London.

I hope you'll seriously consider the important role the Windsor plays in the local community during your review.

Best wishes,

Carolyn Nielsen

O'Leary, Darren

From: North London Lions <info@aussierules.co.uk>
Sent: 16 January 2016 12:26
To: PremisesLicensing
Subject: Ref. No. 15/12075/LIREVP - Windsor Castle Pub

To whom it may concern,

I'm sending this email in response to the licensing review currently underway for the Windsor Castle pub at 98 Park Road, NW1 4SH.

The Windsor Castle pub is an iconic venue in the Baker Street area which offers a wonderful opportunity for the many visitors to Westminster to experience a respectable, tasteful and traditional pub experience. More importantly, the Windsor Castle allows both local residents and those who work in the area to meet and socialise but also hold meetings and small conferences which is one of the key reasons behind us joining up. If the pub was too noisy we wouldn't be able to carry out the basic functions of the club in holding meetings and team selections. Another of the biggest determining factors in helping us decide to chase sponsorship with this respectable venue is its child friendly nature. At our club we have a number of members who have young families and would otherwise not be a part of the club if it wasn't for the ability for their children to socialise and play safely in the Windsor Castle while we conduct our business.

In the time of our partnership with this venue, we have never found it or any of its patrons to be a nuisance as the clientele it attracts are professionals who seem to enjoy the relaxed and sensible atmosphere the Windsor Castle offers. Further to this, any patrons who do appear to be out of order are swiftly refused service and asked to leave the premises quickly and quietly in respect of the Windsor Castle's neighbours. With such a stance on the responsible service of alcohol and what is deemed to be appropriate behaviour whilst on the premises, I can only assume that any issues arising from the pub are a result of the actions of these individuals rather than the conduct of the pub itself.

As an amateur, grass-roots sports club whose unofficial base is in Westminster, we genuinely appreciate what the Windsor Castle offers in it being more than just a place where alcohol is sold. Our 200 plus members who have and still do patronise the Windsor Castle sincerely hope that your council will see it fit to allow it to continue trading and holding its vital place in the make-up of the local area. Without it, you would be refusing many respectable citizens from the local community the opportunity to not only relax and unwind but also to conduct the business that allows them to be a part of Westminster.

Thank you for your time and consideration.

Yours sincerely,

Jay Treloar - Club President

North London Lions
aussierules.co.uk



O'Leary, Darren

From: Giorgos Christakis <gixristakis@gmail.com>
Sent: 16 January 2016 01:22
To: PremisesLicensing
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

Dear Sir/Madam,

I have hopelessly been informed that the licence of Windsor Castle Pub will be reviewed. I want to mention my experience. I came in London last August from Greece to study at London Business School. Windsor was the place that I met my first classmates and a places that stands out in the commercialized neighborhood. There is no other pub between Regents Park and St John's Wood.

Apart from that the owner and the people truly respect the customers and offer quality service. The music is quite low all day long and they provide us with crucial standpoint to forget about studies, while breathing true London. I usually study in classrooms next to Windsor (E Wing of London Business School) and it never was a nuisance.

Moreover it attracts people and this is beneficial and crucial for other shops in the area too. Believe me that the LBS people are attracted by Windsor only and if it's closed the area will loose this customers.

Thank you for your consideration and patience,

Kind regards,

Georgios Christakis

O'Leary, Darren

From: E.A Stok <stok.eric@gmail.com>
Sent: 12 January 2016 17:39
To: PremisesLicensing
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

Dear Premises Licensing Committee,

I have received the news that the Windsor Castle Pub has been placed under review and I would like extend my support to this pub and hope you will decide to continue its current license.

The Windsor Castle serves as a gathering spot for a wide array of people and social classes. From London Business School (LBS) Students to young professionals and from tourists to senior citizens. As an LBS alumnus the Windsor has been our meeting spot for intellectually challenging discussions regarding school affairs, UK politics and world affairs. Additionally, the pub serves as a melting pot of cultures from all over the world to gather and respectfully enjoy the social company of each other.

The Windsor Castle is the heart and soul of the community that is London Business School, as well as an inviting place for outsiders regardless of their background. It is a place that embodies the spirit of London, "Diversity makes London the best place in the world". Finally, it is a gathering spot to celebrate the ups and downs of life. Whether it is the LBS France club coming together to moan about the attacks in Paris, or the German club coming together to celebrate the world cup victory.

The Windsor Castle is an asset to the great city that is London, and I hope you decide to cherish a place that brings people together by not taking away their premises license.

Kind Regards,
Eric Stok

O'Leary, Darren

From: Bart van der Velde <bcvandervelde@gmail.com>
Sent: 12 January 2016 17:21
To: PremisesLicensing
Subject: Reference No: 15/12075/LIREVP - Windsor Castle Pub

Dear Sir/Madam,

Hereby I would like to express my support towards the Windsor Castle Pub. This pub is one of the landmarks of the neighbourhood, and besides being a vibrant student pub a most welcome meeting place for everyone living in this neighbourhood. There could indeed come some little noise from the pub, but definitely not more than any other bar around the area. This pub is vital for our neighbourhood since it ensures the livelihood of the area.

Kind regards,

Bart van der Velde

Bart van der Velde
Flat 3, 22A Melcombe Street
NW1 6AH London
United Kingdom

O'Leary, Darren

From: Finuala Kennelly <finualakennelly@gmail.com>
Sent: 12 January 2016 16:12
To: PremisesLicensing
Subject: Windsor Castle Pub

Dear Sir/Madam

Ref. Is 15/12075/LIREVP.

I am writing to say that I do not agree with the complainant that the Windsor Castle Pub's licence should be reviewed and I do not consider the Windsor Castle pub a public nuisance. In fact I have friends who come over to London annually from India and they say it is a very pleasant pub. I agree with that.

I live at flat 87 Rossmore Court and I spoke to my friends - Mr and Mrs Matar who live in flat 92, yesterday. They are with their family currently in Dubai but they wish to register the fact that they do not consider the WindsorCastle pub to be a public nuisance - in fact they commented it has a wonderful ambiance.

Finuala Kennelly

O'Leary, Darren

From: carine kesserwani <carine_ck1@hotmail.com>
Sent: 12 January 2016 13:30
To: PremisesLicensing
Subject: 15/12075/LIREVP

Ref: [15/12075/LIREVP](#)

Dear Sirs

I have been a resident at Hanover Gate Mansions since 2011 and would like to show my support for the Windsor Castle Public House. I feel that the Windsor attracts professional people and do not know of issues taking place at that pub. It is a good focal point in our neighbourhood and holds great value for its community.

Kind Regards
Carine Kesserwani

Sent from my iPhone

O'Leary, Darren

From: Kailash assomull <getkailash@gmail.com>
Sent: 12 January 2016 11:22
To: PremisesLicensing
Subject: 15/12075/LIREVP . WINDSOR Castle.

Dear Sir/Madam,

I refer the above mentioned review and can categorically state that the pub Windsor Castle, opposite my flat is not a public nuisance .

I have no objection what so ever, to you renewing their license.

Yours sincerely,

Kailash Assomull.
Flat 88 Rossmore Ct.
Park Road.
London NW1 6XZ.

O'Leary, Darren

From: Richard Abraham <richard_a_abraham@hotmail.com>
Sent: 12 January 2016 09:44
To: PremisesLicensing
Subject: REF 15/12075/LREVP Windsor Castle.

This submission relates to the license review being carried out under the above reference.

The undersigned has been a regular patron of the Windsor Castle for more than 40 years and dating from the time when I was a student at LBS which adjoins the premises.

I strongly object to the notion that this is a noisy or unruly pub whose current and long standing license should be called into question:

1)The pub has a student patronage but is not by any means a normal student pub ; LBS students are mainly from overseas and pay heavily for their attendance and work long hours and are restrained in their pub usage.

2)The pub is alongside a wide and permanently busy road and could never cause noise inconvenience to local residents in the same way as a pub situated in a quiet street or residential mews.

3)Because of its roadside location the exterior area is little used except during Lords events and at those times the passing pedestrian flow is vastly more significant than the few people who would stand outside the pub to drink.

4) There is a lack of nearby pubs in the area especially to the North, and at least one has closed in recent years while another has converted to primarily a gastro offering.The pub has been an important community asset for many years and should remain so.

5)The pub is under competent relatively new management who are keenly aware of their responsibilities to maintain public order.

A R Abraham.

O'Leary, Darren

From: James Tsolakis <jtsolakis@hotmail.co.uk>
Sent: 11 January 2016 22:12
To: PremisesLicensing
Subject: License review - The Windsor Castle - Ref Is 15/12075/LIREVP

Dear Sir/Madam

I refer to the above License Review.

I live across the road from the pub at Hanover Gate Mansions, and have been there for eleven years.

I reject entirely the need for any license review. I regularly attend the pub and am one of many constituents or stakeholders in the local community with an interest in the long term success and prosperity of the pub, noting that it has stood for very many years and served the local community well.

If Westminster Council has an interest in retaining good order, quiet and reasonable social norm, in the City of Westminster, may I suggest directing your attention to Lord's Cricket Ground during the summer. Anything which can be done to curb the noise, bad behaviour, offensive language and anti social conduct of drunks leaving Lord's and pouring out of the MCC and polluting our streets with noise, indecencies and other offensive behaviour is overdue and welcome.

Please do not disrupt a good local small business which provides an important service to the local community.

Thanks and regards
James Tsolakis

O'Leary, Darren

From: Michael Sultan <Michael@endocare.co.uk>
Sent: 11 January 2016 16:28
To: PremisesLicensing
Subject: Windsor Castle Ref 15/12075/LIREVP

Dear Sir/ Madam

I live directly across the road from the Windsor Castle and would like to support the application for the renewal of the licence. Ref 15/12075/LIREVP

It is a beautiful, well managed pub which is an asset to the area.

I have more problems with traffic noise than I do with the noise of the pub and as such causes me no nuisance at all.

There are of course busy times for example during cricket matches at nearby Lords but the crowds walking to the cricket ground are noisier than anything that emanates from the Pub.

I was in London over the Christmas period and was not disturbed in anyway.

I do think that this is pub is an asset to the local community and fully support renewal of the licence

Yours sincerely

Michael Sultan
16 Hanover Gate Mansions
London NW1 4SJ



Michael Sultan BDS MSc DFOD FICD
Clinical Director EndoCare
99 Harley Street
London
W1G 6AQ
www.endocare.co.uk

O'Leary, Darren

From: Paul Matthews <paulranimatthews@googlemail.com>
Sent: 11 January 2016 15:05
To: PremisesLicensing
Subject: Is15/12075LIREVC: WINDSOR CASTLE, PARK ROAD NW1

I have learnt that a licensing review has been called for concerning the Windsor Castle on Park Street, NW1. I am writing to give you my reasons for opposing such a review, which I consider totally unnecessary. I live at 41B Hanover Gate Mansions (HGM) virtually opposite.

Far from being a nuisance, I consider the Windsor Castle to be a valuable amenity for the people who live, work and study near its location. Not only does it serve as a local pub, it also offers a venue upstairs for functions such as birthday parties and meetings. We recently held an "open house" upstairs to celebrate our daughter's 40th birthday. As a former Board member of HGM Limited, I recall that we have hosted two "drinks evenings" for residents in the main downstairs bar. In recent years, we have lost two local pubs, the Gloucester Arms (now part of the Francis Holland School) and The Feathers on Linhope Street. It would be a grave loss to this part of town to withdraw the license from the Windsor Castle, especially as it appears to attract a generally well behaved and appreciative clientele, and I would assume, is doing good business.

I am told that the objection to the Windsor Castle originates in Rossmore Court and have no idea if it is from one individual or from all owners. I am confident that you will find no objections from HGM; quite the contrary, I believe that the majority of its residents would echo my views above.

I trust that you will take account of my position and reject the demand for a licensing review, thereby saving both time and money and maintaining for the majority of residents in its catchment area the welcoming amenity that is the Windsor Castle.

Sincerely,

Paul Matthews.

Sent from my iPad

O'Leary, Darren

From: Hetul Patel <contacthetul@gmail.com>
Sent: 11 January 2016 13:10
To: PremisesLicensing
Subject: Ref is. Is 15/12075/LIREVP

Dear Sir/Madam,

I understand that there is a premises license review in respect of the pub, the Windsor Castle on the basis that the pub is a public nuisance. I am a local resident and live opposite the above pub. I do not agree to a review of the premises licence as the pub is not a public nuisance.

The pub is a vital part of the local community and there is no noise, other anti social behaviour or other public nuisance generated by its presence. It is a respectable place with respectable patrons and which offers good food in a tranquil atmosphere.

Regards

H Patel
51b Hanover Gate Mansions, Park Road, London NW1 4SN

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
Covert and Vary 05/06317/LIPCV	To convert and vary the premises licence	02.09.2005	Granted under delegated authority
Transfer 13/07356/LIPT	To transfer the premises licence holder	30.10.2013	Granted under delegated authority
Vary DPS 13/07357/LIPDPS	To vary the designated premises supervisor	30.10.2013	Granted under delegated authority
TEN 14/00416/LITENP	Notification of a temporary event notice (02.02.2014 – 03.02.2014)	22.01.2014	Event allowed to proceed
TEN 14/01319/LITENP	Notification of a temporary event notice (02.03.2014)	17.02.2014	Event allowed to proceed
TEN 14/01413/LITENP	Notification of a temporary event notice (23.02.2014)	20.02.2014	Event allowed to proceed
TEN 14/04545/LITENP	Notification of a temporary event notice (18.06.2014)	10.06.2014	Event allowed to proceed
TEN 15/00387/LITENP	Notification of a temporary event notice (01.02.2015 – 02.02.2015)	21.01.2015	Event allowed to proceed
TEN 15/09009/LITENP	Notification of a temporary event notice (01.11.2015 - -02.11.2016)	20.10.2015	Event allowed to proceed
TEN 15/10108/LITENP	Notification of a temporary event notice (27.11.2015 – 28.11.2015)	20.11.2015	Event allowed to proceed
Vary DPS 16/02355/LIPDPS	To vary the designated premises supervisor	22.03.2016	Granted under delegated authority
TEN 16/03572/LITENP	Notification of a temporary event notice (23.04.2016 – 24.04.2016)	14.04.2016	Event allowed to proceed

There is no appeal history for this premise.

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

When determining an application for a review of a 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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions (if any) which are consistent with the operating schedule, or proposed as appropriate 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.

Current conditions on the existing licence: 16/02355/LIPDPS

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 hold a personal licence.
4. (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.
5. 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).
 6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 7.
 - (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.
 8. 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.

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

9. 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.

10. 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

11. Alcohol may be sold or supplied:
- (a) On weekdays, 11:00 to 00:00
 - (b) On Sundays, 12:00 to 22:30
 - (c) 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.

- 12. To join and take an active role in Pub Watch Schemes and Westminster /Police initiatives.
- 13. The outside areas is to be cleared on a daily basis.
- 14. Children must be accompanied by a person over the age of 18 and are only permitted in the dining room and outside areas of the premises,

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

None

Conditions sought by the applicant to be attached to the licence by way of review application:

- 15. No customer shall be permitted to be outside the premises building with a drink or a glass container after 21:00.
- 16. Outside tables and chairs shall be rendered unusable by 21:00 each day.

17. Before 09:00, customers permitted to drink and/or smoke outside the premises building shall be limited to [] persons at any one time and shall remain within the premises forecourt.
18. After 21:00, patrons permitted to temporarily leave and then re-enter the premises building, eg to smoke, shall be limited to [] persons at any one time.
19. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
20. Notice shall be clearly and prominently displayed both outside and inside the premises informing customers that this is a residential area and requesting customers to leave the premises quietly and not to loiter outside the premises.
21. An SIA licenced door supervisor shall be on duty at the premises from [] on Wednesday to Saturday evenings, and at other times on a risk-assessed basis. The door supervisor's duties shall include monitoring the behaviour of customers drinking or smoking outside the premises and ensuring that the pavement remains clear for pedestrians.
22. The premises licence holder shall designate named staff members whose duty it is to manage dispersal from the premises so as to ensure that no public nuisance is caused. At least one staff member shall be on duty outside the premises after 22:00 to manage dispersal.
23. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open to the public. This telephone number is to be made available to residents in the vicinity of the premises.
24. The licence holder shall produce and implement a dispersal policy with particular responsibility to a designated member of staff to manage the departure of patrons from premises effectively.
25. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises so as to cause a nuisance.
26. All windows and external door shall be kept closed after 21:00, or at any time when regulated entertainment takes place, except for the immediate access and egress of customers.

Reduce the hours permitted for recorded music and private entertainment to 10:00 to 23:00 Monday – Saturday, midday to 23:00 Sunday.

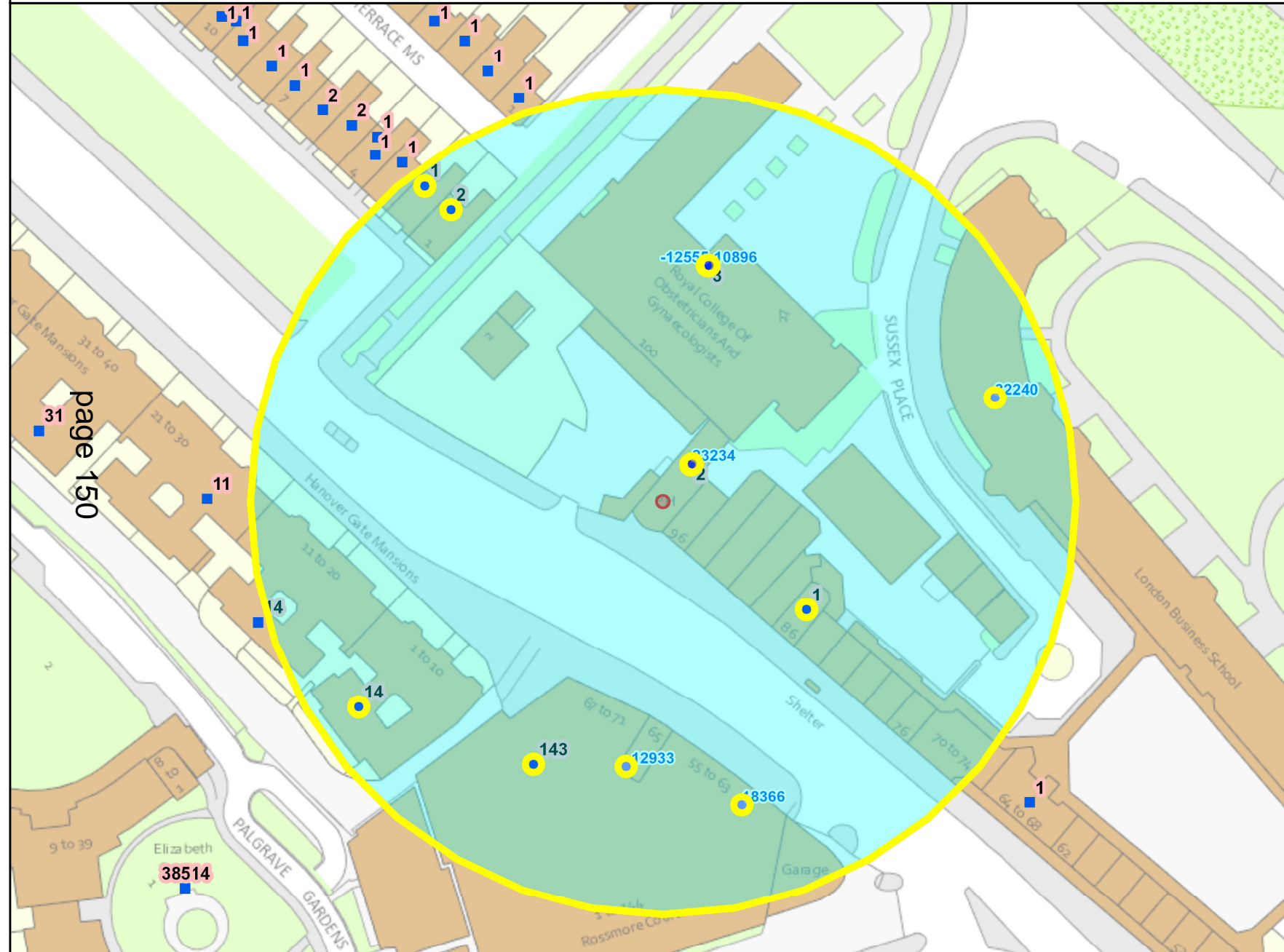
That the licence authority remove the effect of the deregulation provided for by s177A Licensing Act 2003 (as amended) with the intention that any existing conditions have effect and any additional conditions are imposed as if the music was licensable, and that a statement is included on the licence to the effect that s177A Licensing Act 2003 (as amended) does not apply.

Any other such conditions as the Sub-Committee decides are appropriate and proportionate following consideration of the application, submissions from the licence holder, and any representations from responsible authorities and other persons.

All timings etc to be as the Sub-Committee decides are appropriate and proportionate following consideration of the application, submissions from the licence holder, and any representations from responsible authorities and other persons.



The Windsor Castle Public House



page 150

Residential / Proposed Residential	166
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10
 Meters

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Data Source: Uniform Database
 Date: 27/05/2016

Premises within 75 metres of: Windsor Castle, 98 Park Road, London, NW1 4SH

p / n	Name of Premises	Premises Address	Opening Hours
18366	The Light Of India	59 Park Road London NW1 6XU	Monday to Saturday 12:00 - 15:00 Sunday 18:00 - 23:30
32240	London Business School	London Business School Sussex Place Regents Park London NW1 4SA	Monday to Saturday 10:00 - 00:30 Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 00:30 Sunday 12:00 - 00:00
-12933	La Maison Rouge	Ground Front 65 Park Road London NW1 6XU	Monday to Sunday 07:00 - 23:00
-12555	Royal College Of Obstetricians And Gynaecologists	Basement And Ground Floor 27 Sussex Place Regents Park London NW1 4RG	Monday to Saturday 07:00 - 01:30
-10896	The Royal College Of Obstetricians Gynaecologists	27 Sussex Place London NW1 4RG	Monday to Sunday 08:00 - 02:00
23234	The Windsor Castle Public House	Windsor Castle 98 Park Road London NW1 4SH	Monday to Saturday 11:00 - 00:30 Sunday 12:00 - 23:00

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