



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Thursday 1st March, 2018**

Time: **10.00 am**

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

Members: **Councillors:**

Melvyn Caplan (Chairman)  
Karen Scarborough  
Aziz Toki



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

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



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

**Email: [jdeacon@westminster.gov.uk](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
Corporate Website: [www.westminster.gov.uk](http://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. BELGRAVE SQUARE GARDEN, OPEN SPACE, BELGRAVE SQUARE, SW1

(Pages 1 - 78)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Knightsbridge and Belgravia Ward / not in cumulative impact area	Belgrave Square Garden, Open Space, Belgrave Square, SW1	New Premises Licence	17/14880/LIPN

#### 2. WINGSTOP RESTAURANTS, BASEMENT TO SECOND FLOOR, 138-140 SHAFTESBURY AVENUE, W1

(Pages 79 - 106)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	St James's Ward / West End	Wingstop Restaurants,	New Premises Licence	18/00145/LIPN

	Cumulative Impact Area	Basement To Second Floor, 138-140 Shaftesbury Avenue, W1		
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**3. THE PLAZA, 116-128 OXFORD STREET, W1**

**(Pages 107 - 180)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / West End Cumulative Impact Area	The Plaza, 116-128 Oxford Street, W1	New Premises Licence	17/14610/LIPN

**4. TRATTORIA DA ALDO, BASEMENT AND GROUND FLOOR, 51 GREEK STREET, W1**

**(Pages 181 - 224)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	West End Ward / West End Cumulative Impact Area	Trattoria Da Aldo, Basement And Ground Floor, 51 Greek Street, W1	Variation of a Premises Licence	18/00322/LIPV

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.

### **CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES** (As set out in the Council's Statement of Licensing Policy 2016)

- 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.

Item No:	
Date:	1 March 2018
Licensing Ref No:	17/14880/LIPN - New Premises Licence
Title of Report:	Belgrave Square Garden Open Space Belgrave Square London SW1X 8PS
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	19 December 2017		
<b>Applicant:</b>	Belgrave Square Garden Events Committee		
<b>Premises:</b>	Belgrave Square Garden		
<b>Premises address:</b>	Open Space Belgrave Square London SW1X 8PS	<b>Ward:</b>	Knightsbridge and Belgravia
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	This application is for a new premises licence for Belgrave Square Garden.		
<b>Premises licence history:</b>	The premises has never had a benefit of a premises licence. However, it has operated under Temporary Events Notices. The full premises licence history can be found at Appendix 2.		
<b>Applicant submissions:</b>	None		
<b>Plans:</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

<b>1-B Proposed licensable activities and hours</b>							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	
<b>Seasonal variations/ Non-standard timings:</b>			On a maximum of 5 occasions per calendar year late night refreshment may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests.				

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			On a maximum of 5 occasions per calendar year sale of alcohol may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests.				

<b>Plays:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			On a maximum of 5 occasions per calendar year performances of plays may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests.				

<b>Films:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			On a maximum of 5 occasions per calendar year exhibition of film may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests.				

<b>Live music:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			On a maximum of 5 occasions per calendar year performances of live music may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests.				

<b>Recorded music:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			On a maximum of 5 occasions per calendar year performances of recorded music may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests.				

<b>Performance of dance:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			On a maximum of 5 occasions per calendar year performances of dance may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests.				

<b>Anything of a similar description:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			On a maximum of 5 occasions per calendar year performances of plays may take place until 01:30.				



Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:30	00:30	23:00
<b>Seasonal variations/ Non-standard timings:</b>	On a maximum of 5 occasions per calendar year the premises may remain open to the public until 02:00 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests.						
<b>Adult Entertainment:</b>	None						

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Reaz Guerra
<b>Received:</b>	11 January 2018
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the problems already experienced in this area.</p> <p>It is for these reasons that we are objecting to the application.</p>	
<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Mr David Nevitt
<b>Received:</b>	16 January 2018
<p>I refer to the recent application for a New Premises Licence which seeks the following:</p> <p><b>Regulated Entertainment:</b></p> <p><i>The exhibition of Films – Mon-Thurs 0900hrs-2330hrs, Fri &amp; Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs</i>, and: ‘On a maximum of 5 occasions per calendar year exhibition of film may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.</p> <p><i>Live Music - Mon-Thurs 0900hrs-2330hrs, Fri &amp; Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs</i>, and: ‘On a maximum of 5 occasions per calendar year performances of live music may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.</p> <p><i>Recorded Music - Mon-Thurs 0900hrs-2330hrs, Fri &amp; Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs</i>, and: ‘On a maximum of 5 occasions per calendar year performances</p>	

of recorded music may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.

*Performance of Dance* - **Mon-Thurs 0900hrs-2330hrs, Fri & Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs**, and: ‘On a maximum of 5 occasions per calendar year performances of dance may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.

*Anything of a similar description to that falling within (e), (f), or (g)* - **Mon-Thurs 0900hrs-2330hrs, Fri & Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs**, and: ‘On a maximum of five occasions during a calendar year performances may take place until 01:30’.

**Late Night Refreshment:**

**Mon-Thurs until 2330hrs, and until 0000hrs on Saturday, and:** ‘On a maximum of 5 occasions per calendar year late night refreshment may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.

**Supply of Alcohol:**

‘On’ and ‘Off’ the premises

**Mon-Thurs 1000hrs-2330hrs**

**Fri-sat 1000hrs-0000hrs**

**Sunday 1200hrs-2230hrs**

**And:** ‘On a maximum of 5 occasions per calendar year sale of alcohol may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.

The applicant has submitted a drawing showing a plan of Belgrave Square Ref: **BelgSqPa-E02** dated 22<sup>nd</sup> August 2011 and a ‘Belgrave Square Gardens Operating Schedule’.

This representation is based on the plans and operating schedule submitted.

I make the following Representation:

1.The hours sought for the Provision of Regulated Entertainment are likely to increase the risk of Public Nuisance in the area and may impact on Public Safety.

2.The hours sought for the Provision of Late Night Refreshment are likely to increase the risk of Public Nuisance in the area and may impact on Public Safety.

3.The hours sought for the Supply of Alcohol are likely to increase the risk of Public Nuisance in the Area and may impact on Public Safety.

4.The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety.

The application does not appear to have sufficiently addressed Appendix 11 of the City Council's Licensing Policy with respect to the possible impact of noise.

**2-B Other Persons**

<b>Received:</b>	17 January 2018
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<b>Support or Objection</b>	Objection
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The application is ill-conceived and unlawful. Belgrave Square has always been a private square for the use of the residents in the area.

<b>Received:</b>	2 January 2018
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<b>Support or Objection</b>	Objection
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I object to the above application because of the additional noise and traffic and people in the vicinity of the square which will detract from the residents quiet of the tranquil amenities if the square garden. I am certain that this licence application is contrary to the London Squares Act of 1931.

<b>Received:</b>	16 January 2018
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<b>Support or Objection</b>	Objection
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What was wrong with the previous Garden Committee which has existed for about 100 years? If Events can be held and permissions obtained, the existing Garden committee could have done it. The Application is by an anonymous "Chairman" at 66 Chester Row, who is head of a committee which apparently does not exist with no explanation as to how such members would be voted into office, with a "Premises Supervisor" who is hiding behind a Mail Box address in Crawford Street, off Edgware Road. When i visited this address last week and asked if the named "Robert Dudley" actually lives in/near Birmingham (according to my own investigations) i was told this was confidential and i would have to write a letter. If there was a problem at one of these proposed events and a bit of a riot it is ridiculous to pretend it could be resolved by writing a letter to a mailbox. The cancellation of the Garden Committee and creation of an Events Committee is clearly trying to circumvent local interests. At a meeting this evening, Nigel Hughes of Grosvenor was unable to give me a reply as to why 1) the existing Garden Committee had to be circumvented and an "Events

Committee" had to be created apart from a weak explanation about previous Temporary Permits 2) why the Chairman of the proposed "Events Committee" is anonymous, 3) why the "Premises Supervisor" has to hide behind a mailbox in a side street off Edgware Road where there are 1084 companies using the same address. He also could not explain how peace might prevail in the area if there are 8 different categories in the Application for which 5 might run until 01:30 in the morning. In other words, at the extreme,  $8 \times 5 = 40$  events until 01:30 in the morning. Is this what Belgravia residents and small business really want? This would appear to be a crafty smoke-and-mirrors job by a hastily created "Events Committee" by anonymous people and the application should be rejected outright. No further discussion.

<b>Received:</b>	17 January 2018
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<b>Support or Objection</b>	Objection
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Belgrave Square Garden is a listed heritage garden with protections in place which excludes holding events, specifically because events in this small garden would cause noise within a protected residential community where causing of noise and disruption is not tolerated, and results in severe penalty.

Westminster Council is there to protect its residents from noise, disruption, antisocial behavior, etc. not to encourage it. It is a fact, that where alcohol is consumed antisocial behaviour follows. Westminster Council is already experiencing and struggling to control the mounting antisocial behaviour associated with alcohol in its licensed restaurants, bars and nightclubs which hold liquor licenses, and the ongoing problems of revellers in open spaces using unlicensed vehicles late at night to take them to and from these establishments, plus all the noisy drunks on the public streets late at night causing huge distress to residents. It would be nothing less than a travesty of justice if Westminster Council was even to consider allowing a protected, unique small garden haven to be allowed to hold events on any day or any night at all, and to have a liquor licence of any sort whatever. As a resident of Westminster, I strongly object to this application, which if it was allowed, would cause a highly prejudicial precedence for all other secluded private residential gardens for a few people to make commercial remuneration at the expense of all the surrounding residents not only because of the noise, distress, and antisocial behaviour, but denying the residents access to their own private garden.

<b>Received:</b>	9 January 2018
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<b>Support or Objection</b>	Objection
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I would like to oppose the granting of this licence on the grounds that it will lead to Residents being prevented from using Belgrave Square Garden, their Garden when an 'event' is held.

Access to Belgrave Square Garden comes under the 1851 Communal Gardens Act, where the open space is for the use of ALL residents. Special interests are not catered for.

Belgrave Square is also Grade II listed, with statutory protections, which the granting of a licence are likely to threaten.

The holding of 'events' will disrupt the environment, create wear on the lawns and interfere with fauna, flora and birds. Large lorries bringing marquees, catering equipment and paraphernalia cannot but impact the Square adversely. The Square is an oasis.

Belgrave Square is the greatest Neoclassical square in London, with wonderful open space framed by palatial houses. Events will do nothing to maintain the environment, rather they will pollute it.

Please refuse this application for a Licence, so that we can maintain the protection of the Square as much as is possible in the 21st century.

<b>Received:</b>	16 January 2018
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<b>Support or Objection</b>	Objection
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I cannot object more strongly to this disconcerting and inappropriate application.

Belgrave Square is a beautiful green haven for residents and key holders. An extraordinary space that is enjoyed by my family, my neighbour's families including pets, where we have a small slice of greenery to convene as a community. It is not intended for special interest groups but for all neighbours and key holders.

The holding of events will undermine all the conservation work of the gardeners, damage the lawns, flora, and fauna. The environment would be impacted by the amounts of rubbish such as food waste, alcohol bottles and related detritus to be dealt with and removed.

This cannot do anything other adversely affect the gardens and surrounding environment of the square.

The most disheartening part of this, is the loss to residents and key holders, of the square, for approximately 30 days in Summer months where we will now be excluded. This is some of the most beautiful times to enjoy this community treasure.

Another major concern is anti-social behaviour due to alcohol use.

We have already experienced increased numbers of noisy, unruly revellers at night with the expansion of Winter Wonderland.

I personally had my front window boxes vandalised by two drunks this winter for the first time in the 12 years I have lived here.

Finally, it is disheartening that we have no protection for community green spaces being commandeered for commercial use. Leaving us all living in an outdoor bar/club with all the associated problems that come with that.

<b>Received:</b>	16 January 2018
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<b>Support or Objection</b>	Objection
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I wish to object to the licence application in the strongest terms.

The application does not specify the number events that could take place, leaving the possibility of endless days of events. This is an open ended application.

Last night, Nigel Hughes of Grosvenor, told a residents meeting that the intention of the application was to give 'comfort' to residents over the planning of events. I do not have any discomfort over the way the current events are planned and see no reason to disrupt the status quo.

Events disrupt the square's environment. They will create wear on the lawns and disturb birds, dog walking, etc.

The square is currently a safe environment for children, elderly, etc. I feel the safety of any registered user would be compromised by the coming and going of contractors.

Users will not be able to use the square when events are on, this contravenes their rights.

Under the 1931 Square Act, the square is for exclusive use of all the key holders. This application contravenes that act and is therefore unlawful.

The application will result in excessive development of the Square along the lines of Hyde Park Winter Wonderland. I recall going to the first Winter Wonderland and it is entirely different on a very large scale. I see no difference in the potential scale of development at Belgrave Square, particularly given that there is no limit to events given in the application.

A one-day event may be one day, but in reality will take several days due to set up/take down, causing disruption for the registered users.

The summer months will be used for events making it unusable for users during the best time of the year.

Events will create unwanted noise/light pollution. I can hear the summer events in Hyde Park, and Winter Wonderland and will certainly be able to hear any noise from Belgrave Square. I don't wish for this disruption and wish for a right for quiet enjoyment of my home.

<b>Received:</b>	2 January 2018
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<b>Support or Objection</b>	Objection
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I strongly object to the above application on the following grounds.

As it will detract from the residents quiet enjoyment of the square gardens and increase the noise levels in the vicinity and the conservation work to protect our wildlife and insects which are in decline.

<b>Received:</b>	13 January 2018
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<b>Support or Objection</b>	Objection
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I object to this application going ahead as I am a local business and I am worried what impact this will have on my business and the possible anti social behaviour in the area.

<b>Received:</b>	14 January 2018
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<b>Support or Objection</b>	Objection
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I would like to object to turning Belgrave Square into an events site where there will undoubtedly be loud music, excess traffic, excess alcohol, bad behaviour and all that that brings. To say that local residents will be disturbed is an understatement, and why, oh why does anyone wish to turn this peaceful little haven in Belgravia into a commercial enterprise when there are other sites available more suitable. I am

strongly against granting an alcohol license for these reasons. What's wrong with bigger open sites such as Hyde Park and Battersea Park where the disturbance to local residents is less. Why does the central area of Belgravia have to be spoilt thus - particularly as it is such a densely packed residential area. I fail to see what commercial advantages will follow.

**Received:** 16 January 2018

**Support or Objection** Objection

I object for reasons having to do with the following: access, traffic, conservation, the environment, wildlife, wear and tear of the garden, noise pollution and disorderly behaviour.

**Received:** 16 January 2018

**Support or Objection** Objection

I think it wholly inappropriate to grant any additional licence facilities to the square which could be extended until 1.30am in a wholly residential area. It is a garden square designed for residents and their families for use throughout the year. There are various functions held in the square already and I would strongly object to a licence being granted which could mean that the square became inaccessible to families and children for what could amount to a month of days during the one of the most advantageous periods of the year as far as garden use is concerned.

**Received:** 9 January 2018

**Support or Objection** Objection

Belgrave Square has a Grade II listing, and is protected under the terms of the London Squares Preservation Act of 1931. Permitted uses of the garden are defined in that Act. The applicant's description is clearly outside the description of permitted uses of the garden. In addition, the applicant is an unincorporated association with no principal named -- only an agent. Yet this unknown - and therefore unaccountable -- applicant intends to offer events that can very well adversely affect the neighborhood and the residents who are already enduring drunken, loutish behavior and late night noise from a recently-licensed private club. These and other attempts to exploit what has historically been a quiet residential neighborhood represent a cynical disregard for the rights, the safety and the peace of mind of Belgravia's residents for the sake of commercial profit, and we shall continue to oppose them.

**Received:** 17 January 2018

**Support or Objection** Objection

I have enjoyed access to this square as a local resident for several years, together with my four year old daughter. Its really delightful for local families and residents and is their park. Green communal space is so scarce in London and I think it is awful that it should effectively be turned into a commercial space. The Garden Square members also pay for the upkeep of the Square so it is quite unfair to turn it into a Grosvenor commercial space. It would be much more fair and I expect acceptable to residents to allow the local schools to have some access to the Square. There are lots of clubs, hotels and restaurants available to adult social entertainment but precious few places in London where children can run around freely and have space and fresh air. I think allowing this licence would set a very poor precedent and really would endanger all of London's garden squares. It is also surprising to me that a family owned and enormously wealthy firm should be prepared to trample on residents rights and risk destroying a public amenity originally developed by their ancestors to benefit local residents and families.

<b>Received:</b>	13 January 2018
<b>Support or Objection</b>	Objection
It is entirely inappropriate that this fine neoclassical square should be licensed, resulting in events which will undermine its nature and environment. Damage will be caused not only by events which are held in the square but by the erection and dismantling of any temporary facilities as well as the associated transport and parking activity.	
<b>Received:</b>	9 January 2018
<b>Support or Objection</b>	Objection
I am writing as a garden user and near neighbour of the square garden, to object to the application for an alcohol licence by the unknown Belgravia Events committee on the grounds of conservation, disturbances to natural wildlife insect and birdlife. This could seriously disrupt and displace quality of life and in turn have a detrimental effect on preservation of habitats for local wildlife. Overuse and commercialisation by an unaccountable faceless garden committee also invites unnecessary noise pollution and threatens safety by possible late night revellers and promotes an unhealthy quality of life for local residents of Belgravia not to mention going against the London Squares Preservation Act. I therefore vehemently object to the above licensing proposal.	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Objection
Belgrave Square Gardens is not a suitable place for parties. It is an amenity for all who live in the area, and should not be exploited for commercial use, to the financial benefit of those whose will organise such activities.	
<b>Received:</b>	14 January 2018
<b>Support or Objection</b>	Objection
<p>I object to the granting of the application on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The operating schedule (OP) (not accessible) is only in support of the application. The number of specified events is therefore only the current intention and can be increased.</li> <li>2. Even if it were binding, 15 events (mainly over the summer) is unacceptable. An event can last for multiple days and access will be denied the day before and the day after for set up and dismantling. Thus even if the operators do not change the OP (unlikely given profitability) there will be at least 60 days when the Square will not be available for access by residents and there will be disruption and late night drinking.</li> <li>3. Other than the arguably illegal commercialisation of a London Square the residents pay for the upkeep of the Square and for access. Whatever is currently being said by those profiting from these events the profits will not be ploughed back into the Square.</li> <li>4. The licensing hours are far too late. Revellers will not clear Belgravia until well after Midnight for most events and 2pm for the later events.</li> <li>5. For those who are sober after 5 hours plus of drinking there will be significant traffic issues as they leave at midnight around the Square combined with a high risk of harm for revellers leaving on foot.</li> <li>6. A number of residents have lodged objections with the BRA (as the named Parish association). However no evidence of an objection has been noted.</li> </ol> <p>Please make sure that the BRA passes on to you the objections that they have received.</p>	



<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Objection
<p>Worried about having a commercial activity in this private garden. Late night nuisance a concern with the potential increase in crime and traffic in the area. Police is stretched and understaffed in the area. There are so many other public places available in the area more suitable for this use, like Hyde Park for example. Very concerned about people damaging the garden.</p>	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Objection
<p>I strongly object to this garden square being given a licence for liquor. This is an environment for the quiet enjoyment of residents and those of us who pay an annual subscription towards the upkeep of the garden. It is used for walks and for a safe environment for children to play in. It should not be turned into a venue for events with liquor and all the problems that will ensue.</p>	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Objection
<p>This square is a garden for the enjoyment of those who pay for its upkeep and selling alcohol will adversely affect those who use the garden as well as adversely affecting the surrounding community. There is no doubt that there will inevitable be drunken behaviour and there is no way that it can be controlled. The extended length of time for these proposed events will curtail the use of the garden for those who normally enjoy its tranquillity, especially as most will take place in the few summer months. It is setting a precedent for making the garden squares of London commercial. I and my family strongly object.</p>	
<b>Received:</b>	4 January 2018
<b>Support or Objection</b>	Objection
<p>I wish to object to the above licencing application on the grounds of potential antisocial behaviour, disruption, potential traffic chaos and conservation.</p> <p>This application for an alcohol licence if granted, will impact on neighbouring streets - ( I live in Chapel Street ) - who would suffer the noise and worse from drunken, late-night revellers, antisocial behaviour, large lorries removing equipment, marquees and all the paraphernalia associated with events in the square etc.</p> <p>There is already a distressing example of this in Wilton Street, from residents suffering from late night noise and unpleasantness caused by people coming out of the Eaton Square restaurant nightclub. I should also like to point out that this would detract from the quiet enjoyment of the gardens and interfere with conservation aspects such as bird and insect life.</p> <p><b>Further submission</b></p> <p>04 Jan 2018 I wish to object to the above licencing application on the grounds of potential antisocial behaviour, disruption, potential traffic chaos and conservation.</p> <p>This application for an alcohol licence if granted, will impact on neighbouring streets - ( I live in Chapel Street ) - who would suffer the noise and worse from drunken, late-night revellers, antisocial behaviour, large lorries removing equipment, marquees</p>	

and all the paraphernalia associated with events in the square etc.

The place already often smells of cannabis and youngsters. When one approaches them to complain, smell it themselves and are aggressive.

There is already a distressing example of this in Wilton Street, from residents suffering from late night noise and unpleasantness caused by people coming out of the Eaton Square restaurant & nightclub.

I should also like to point out that this would detract from the quiet enjoyment of the gardens and interfere with conservation aspects such as bird and insect life. As council tax payers we have rights to quiet enjoyment.

<b>Received:</b>	10 January 2018
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<b>Support or Objection</b>	Objection
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As a resident of the neighbouring Eaton Square, I object strongly to and wish to make representations about the application made by the Belgrave Square Garden Committee for a new Premises Licence under Section 17 of the Licensing Act 2003.

This application is an outrageous abuse, by an Unincorporated Association, of the custodianship of the historic gardens which were designed and provided for the quiet enjoyment of local residents. As the application indicates, the area concerned is Grade II Listed. The Gardens have been restored in recent years and are highly valued by the residents. Many Embassies surround the Gardens and some of these have armed security guards outside their premises. The extensive proposals for a broad range of activities (only some of which may ostensibly be limited to five per annum) are completely inappropriate for the environment. The Gardens are only open to the public on a Sunday and are otherwise locked. The introduction of such extensive access would place the restored gardens at risk of abuse, even vandalism. What redress would the residents and neighbours have?

The application is deficient, in that the full details and contact information of the Applicants have not been provided. There is no indication of the membership of the Committee and no contact telephone number has been provided; nor has an e-mail address been offered. The title of Chairman is given, but no name. It is insufficient to name only the licensed supervisor- who I note is not a local resident and secured his license elsewhere. [It is puzzling that the premises supervisor is acting as the agent for the applicant according to page 16 of the Application, when the Chairman is described as the Applicant on page 4.] These deficiencies combine to undermine confidence in the purpose of, and motivation behind, this ambitious application: and are unacceptable. Furthermore, should a fine or other penalty for making a false statement be imposed under section 158 of the Licensing Act, on whom would it be imposed?

I object to the proposals to open the Gardens to the public every day from 9.00 a.m. This fundamentally alters the purpose and operation of the Gardens. I object most vehemently to the proposal to allow the gardens to remain open to the public until 2.00 a.m. on up to five occasions per annum. I am very concerned about the proposals to permit the sale of alcohol until 1.30 a.m. If approved, the clearing up time for those events would extend, easily, to 4.00 a.m. This extensive disruption and inevitable noise-disturbance is completely unacceptable. It is especially alarming when considered with the possibility of the next day's activities getting underway at

9.00a .m., just a few hours later.

I note that the proposed supervisor of the site is someone licenced by Birmingham City Council, rather than a person licenced by Westminster City Council. This adds to the sense that this speculative scheme is not to be overseen by responsible local residents with a vested interest in protecting the interests of the neighbourhood. The indication that this licence would facilitate a residents ' barbeque is a pretext, a 'Trojan Horse'. The proposals could be perceived as a scheme to profit unnamed individuals operating within 'an unincorporated association '. This would, of course, completely undermine the remit of such associations (see [https://www.gov.uk/unincorporated -associations](https://www.gov.uk/unincorporated-associations)).

I trust that the Committee will consider most carefully the numerous representations made by the people on whom this scheme would have the greatest impact: the residents of Belgravia. Were the Committee minded to permit this application, then I would urge you to determine that the nightly curfew should be 10.30 p.m. for all activities on Sunday to Thursday and 11.30 p.m . for Friday and Saturday nights. I would also ask that this first licence should be limited to one year's duration, in order that with any renewal application that might follow, the residents may have a further opportunity to make representations to the Licensing Authority in the light of experience.

<b>Received:</b>	30 December 2017
<b>Support or Objection</b>	Objection

I should like to object, strenuously, to the planning application for a new premises licence for the Belgrave Square Garden Committee.

Belgrave Square is one of the historic squares of London and has a Grade II listing. It is protected under the terms of legislation by London Squares Preservation Act 1931 (the Act). Section 3 (1) states "Subject to the provisions of this Act a protected square shall not be used otherwise than for one or more of the following purposes (that is to say) the purpose of an ornamental garden pleasure ground or ground for play rest or recreation..." It is clear that the proposed uses are contrary to law as set out in the Act.

At present, the Belgrave Square Garden is reserved for quiet enjoyment of families, embassies and others who live in the qualifying area and who pay a fee towards its upkeep. It has provided my family, children and grandchildren with a very important green space where children can play safely, adults can exercise and both elderly and young can sit and enjoy nature. It has been an immeasurable asset for us both in health and when recovering from operations.

Belgrave Square Garden Rules provide strict guidelines as to how the garden may be used. I quote rule 6, no music is permitted.

Over recent years, there has been an annual party for residents and their guests who can attend an evening of good food, music and alcohol by payment of a large sum of money (around £100 per head). This is acceptable as it is a one off. There have also been one or two other events such as dog shows.

However, the annual party and other events do impinge very noticeably on the quiet and free use of the gardens. There is inevitable disturbance over weeks with the

putting up and taking down of marquees; damage to the turf; and the reduction of space for residents to walk, sit and enjoy the gardens over a considerable period.

This is nothing when compared to the licence that is being sought. It is not clear whether a new building is proposed to enable the licence to operate from - maybe that is to be tried later. The licensable activities the application seeks is in 5 categories- Dance, Film, Live Music, Recorded Music and other similar activities on EVERY day of the week from around 9am - up to 11.30/midnight. It is for alcohol and food. Additionally, each of the categories appears to seek to EXTEND THE licence to serve entertainment, food and alcohol up to 1.30am on 5 nights, making 25 special nights a year.

The licence premises supervisor has been named as Mr Robert Dudley of The Fair, a large Events Organisation which specialises in large scale live and corporate events. It appears that this licence application, if granted, could see Belgrave Square turning from a wonderful historic garden square into a money making events venue such as we have seen in parts of Hyde Park. There are some grounds for using this type of event in a very large park, such as Hyde Park (though it does spoil the enjoyment for many park lovers) as it is extremely expensive to keep up and it an important public asset.

Belgrave Square is comparatively small for large entertainment events and would be ruined if they became regular fixtures. The keyholders who currently use the square pay an annual fee which covers the upkeep of it (as far as I am aware) and I doubt that any of them would seek to subsidise the cost of upkeep by putting on these events.

The square is used by very many local children on a daily basis (indeed, that is the reason many of the houses have been purchased - to have access) and it would be totally unsuitable to be serving alcohol there all day long. It would attract undesirable types and undesirable behaviour in what is currently a haven of safety and peace. Neither would it be suitable to sell alcohol there in the evenings. It is a place to escape for a peaceful walk. There is absolutely no need for an extra alcohol outlet in the area; there are many excellent pubs in close proximity, most of them having outside sitting areas. On the contrary, it is important to preserve some alcohol free spaces.

As residents of the area, we already have much disruption and disturbance from late night drinkers leaving licenced premises. They shout in the middle of the night, urinate on doorsteps, rev up cars and accelerate noisily and dangerously down the streets. It is inappropriate to add another licenced venue, especially to an outside space where the noise would not be contained and the availability of parking spaces and proximity of a busy road would add dangers to the area.

I note that this application was lodged on 16 December, 2017 and objections have to be submitted by 18/01/2018. A very large proportion of the residents are away during all or part of this period and it is unlikely that they will have seen the notice. We, as keyholders, have not been informed of it, and would expect that we should have been. I wonder who has been informed and under what authority this is all being done. It appears to me that this is an attempt to get an extraordinarily invasive and startlingly new project licenced 'under the radar' of most residents.

Accordingly, I would like to lodge the strongest objections to any licence being granted. If any occasional event requires a licence to sell alcohol, it should be on a one off basis as in the past.

<b>Received:</b>	1 January 2018
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<b>Support or Objection</b>	Objection
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I understand that there is a licensing application in hand to allow drinking to take place at events in Belgrave Square. These squares are an important green oasis and tranquil space for all Londoners and licensing applications should not be granted in such cases. There are already many available licensed venues for parties in the area.

We would therefore object strongly to this proposal.

<b>Received:</b>	15 January 2018
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<b>Support or Objection</b>	Objection
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## **1 Background**

- 1.1 Belgrave Square was laid out in the 1820s as a garden to serve the houses surrounding the Square. These houses were built without gardens and apart from small yards have no outside space. The private garden square was built to provide a place for an garden to so the residents could enjoy the garden square in lieu of their own gardens. This provided space recreation space for adults and their children with their guests to use the garden which people would normally have with their houses.
- 1.2 We are uncertain as to when the Garden Committee for Belgrave Square was instituted. We that believe this to be in excess of a hundred years ago at least, having seen a Minute Book dating back to the 19th century. At that time residents who use the garden were entitled to choose members on a Garden Committee by annual election. That arrangement continued until it was abolished six or seven years ago by the landowner. The Events Committee, which has made the current application, is not a committee whose members are known. No constitution is offered. Members are not chosen or even known to the garden users. We know of no democratic arrangement to appoint them or to be accountable to anyone other than the freeholder of the garden. It was simply put in place by a landowner.
- 1.3 In the late 1920s a tennis court was introduced to the garden. Presumably, there were other proposals for other garden squares throughout London. It seems to us that this must have a motivating factor in the attempt to preserve the garden squares. In 1931 The London Squares Preservation Act was passed and section 3 (1) states  
“Subject to the provisions of this Act are protected square shall not be used otherwise than for the purpose of an ornamental garden pleasure ground or ground for play rest or recreation...”

## **2 Application contrary to law, damage and disturbance to the surroundings and material encroachment**

- 2.1 Belgrave Square is one of the historic squares of London and has a Grade II listing. It is protected under the terms of legislation by London Squares

Preservation Act 1931 (the Act). Section 3 is quoted above. It is clear that the proposed uses are contrary to law as set out in the Act.

- 2.2 The argument by the applicant's representatives, "The Fair", has sent us us claims "that the events would not cause any material encroachment or interfere with the amenity of the protected Square or enjoyment as an ornamental garden ground for play rest and recreation" is plainly wrong.
- 2.3 During the time required for assembly of the temporary structures, for the health and safety reasons users of the gardens will not be able to use it either fully or at all. They will not have free access to it. 15 events a year will probably mean some 30 days plus when the garden no longer is available to users. All health and safety procedures and risk assessments will not change that – but they will certainly increase the loss of amenity. The applicants and their representatives appear to have forgotten that Belgrave Square is not a vacant open space but a garden for the community of those who live round Belgrave Square and in Belgravia. Those who live in Belgrave Square are compelled to pay towards maintenance and others in Belgravia can pay a membership fee to have use of the garden and the money collected helps maintain the garden. The loss of amenity cannot be calculated in monetary terms, but in terms of the value of the amenity itself.
- 2.4 The applicant's representatives mentioned extensively in their Response to our Chairman's article in the Societies Newsletter (copy annexed), the events of the annual barbecue and the London Gardens Open Day as an attempt to illustrate events are carried out their regularly. The annual barbecue was instituted approximately six or seven years ago with the consent and approval of the Garden Committee (further details of this elsewhere in this Objection). The reason was to take the opportunity of Midsummer, when the barbecue is held, of having a pleasant evening party for the users of the Square to get together further the community spirit by social engagement. The annual barbecue ended then at approximately 10.30 to 11 o'clock. Only in the last couple of years has the licence been extended. This was not intended to set a precedent for more events in the garden.
- 2.5 The Open Day is part of an organised arrangement by London parks Gardens Trust. It's object is to arrange for community private gardens to be available for visits from members of the public who pay a fee which goes back to the charity. It aims to increase knowledge and appreciation of parks, squares and community gardens, cemeteries and churchyards, including that form London's open space network.
- 2.6 The visits to Belgrave Square have been going on for many years and is not an event. The Square itself is the place to be visited for the very reason that it was created – as an ornamental garden. Visitors can see how the garden is maintained and its 400 trees with the most important highlighted in written handout.
- 2.7 It is self-evident from the above that 15 events in the Square will be very material encroachment and interference with the amenity which the garden is there to provide. It will almost certainly damage to the plants, trees and

possibly the ornamental structures in the garden. It will have an adverse on the Square and the surrounding area and the residents living in proximity.

### **3 Effect on the neighbourhood, noise and disruption**

- 3.1 The continual intrusion into the Square of late night events or indeed events at all will have adverse effect on the character of the neighbourhood. It is completely out of scale and character of the area and it must be remembered that surrounding area is for the most part residential and all of it is a conservation area and many of the buildings are listed as is the garden itself. The activities proposed will have an adverse effect changing the character of the area.
- 3.2 Sadly drinking until the late evening and early hours of the morning is likely to produce antisocial behaviour of noise, people urinating in the garden and in the surrounding roads and on pavements and generally misbehaving themselves. The square provides something in the region of nearly 5 acres of land and it will prove very difficult to police it all and keep it secure.

### **4 Traffic and road safety**

- 4.1 There are also possibilities of road traffic accidents surrounding the Square when revelers leave it without care and attention as well might happen after imbibing alcohol until 1:30 AM in the morning. It is not so much a question of if there will be an accident, but how soon it will happen.
- 4.2 In addition, little late night transport is available. There will be additional cars parked. Residents will hear people leaving the Square and car doors will be slammed well into the early hours of the morning.

### **5 Supervision and Accountability**

- 5.1 There is no democratic or other accountability to the users of the Square as there has been historically. The Chairman of the Events Committee is unnamed as is any member of the Events Committee. The only person named in the application is Robert Dudley. His address is a mailbox shop which we understand has 1084 businesses registered there as well as handling parcels for collection and distribution. Little seems to be offered by the way of a mechanism for dealing with improper conduct whatever the applicants might claim.
- 5.2 It is difficult for the Society to understand how it is possible to apply for a licence with virtually anonymous and unknown individuals who can be accountable to the Licensing Committee, the Police and above all Community.
- 5.3 If the licence is granted will enable the licensee to further encroach on the garden by having other events which we understand would be possible because of the nature of the licence granted.

## 6 Conclusion

The application is ill-conceived and unlawful. It fails virtually all the usual tests to justify granting a licence. In the circumstances we repeat our objection and hope this application will be rejected.

<b>Received:</b>	12 January 2018
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<b>Support or Objection</b>	Objection
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I am writing to object strongly to the above licence application. The reason is that this seems to be the beginning of a process of commercialising not only Belgrave Square but using any licence granted as a precedent for similar applications in the other garden squares in Belgravia. These are currently havens of peace and quiet and are predominantly very well looked after by garden committees, although there is a worrying precedent of such committees being disbanded by the landlord.

Apart from the disturbances to neighbours likely to be caused by the activities to be undertaken, such as loud music, a licence, if granted, is certain to lead to the consumption of alcohol with the consequent unpleasantness and risk to local residents in surrounding streets from drunken participants.

Surely the Council does not want to be the body which opens the door to an increasing decline in the quality of life currently enjoyed by the residents of Belgravia?

<b>Received:</b>	16 January 2018
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<b>Support or Objection</b>	Objection
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I write as a local resident – my daughter and I have lived at 50 Sloane Street, which is perhaps around a hundred yards from the ingress to Belgrave Square from West Halkin Street, for almost 25 years. We are active members of the community, including our membership of St. Paul's Knightsbridge, inter alia.

I also write as Chair of the South Knightsbridge Group and, further, as Chair of the 50 Sloane Street Residents Group.

We object vehemently to the application by the Belgrave Events Committee for a License for alcohol and extended hours for events in the Square as described in their application.

While we live in the Royal Borough of Kensington and Chelsea, we are very close to the border of Westminster and RBKC, which stretches down the middle of Lowndes Square, which is less than 50 yards away from our residential block. Such boundaries do not preclude the shared impact of licensing laws.

Many of our local Members live in Westminster, while some of us, as stated, live on the very borders of RBKC/Westminster. A significant change in the use of Belgrave Square will immediately affect us all.

Our concerns are manifold:

This is a highly residential area which is already under significant pressure owing to the high volumes of traffic, general pollution and increasing crime. Our Garden Squares (to which we contribute financially) provide a welcome oasis in an ever more hectic environment, as indeed they were created to do.



Increasingly often we see attempts to extend Licensing Hours and use of amenities in nearby commercial ventures. Many of these have been seen to pose a significant threat to the daily life of residents and our environment: perhaps, however, none more than this application.

It is perhaps ironic that one of the very reasons that Knightsbridge is such a magnet for investment and for residents and visitors (its environment, its tranquillity, its diversity, its attractions) should now engender such a threat.

We note the applicant 'Rob Dudley. Rob has over 16 years of Live Events experience..... His experience in managing and producing both large scale live and corporate events, festivals and exhibitions spans across the UK, Europe and the US. In addition to ...' (Source: Google).

This rightly concerns us.

We believe it to be incumbent upon the Council to consider exactly what the longer term plan is from an individual who appears to have been successful in arranging such 'large scale events' . It is very difficult to see how such event management could chime with the reasonable hopes of local residents to go about their everyday lives and the nature of the area.

As an aside, we have been unable to find a resident of 66 Chester Row on the Electoral Roll.

However none of these clearly considerable concerns change the fact that opening up Belgrave Square, as the application clearly states, to alcohol fuelled events extending to the early hours of the morning will impact on our local environment and our residents way of life.

We note that the application is very broad and covers dance, plays, films, live music, the playing of recorded music and other entertainment.

We also wish to draw the Council's attention in particular to the comment in sections L and M where it is stated that late night refreshments including alcohol may be provided both in the Square and outside it.

We object most strongly to this listed Garden Square being opened to such events. We do not believe that this application conforms to any of the Licensing objectives.

- In general any event as proposed will lead to hugely increased footfall with its attendant issues for traffic, parking, other transport and public safety. No attempt appears to have been made to explain how events may be supervised nor the impact on local policing. No attention seems to have been paid to the effect that setting up and taking down the event will have on the local environment and daily life. We already have immense traffic issues and are amongst the most highly polluted areas in London.
- There is significant evidence to support the view that crime increases where such events occur in what are seen as 'wealthy areas'. In this area we already experience any number of attacks: acid, mugging, burglary, aggressive begging, pickpockets and other petty crime. Any events as described will only attract more miscreants to the area and endanger the populace, in particular the more vulnerable (This area is notably one highly populated by an ageing generation).
- Staging such events and providing alcohol until 1.30am is guaranteed to ensure that there will be a huge increase in noise and disruption.

- This is an area where children come to school. Detritus on the streets so often found following revelries will inevitably be visible: we have long fought for the rights of children not to encounter discarded bottles of alcohol, syringes and worse.

One of our greatest concerns is that granting such a License will inevitably provide a precedent in our area.

We therefore ask the Council to take our views into consideration. We are happy to present our objections in person should this be deemed appropriate.

<b>Received:</b>	9 January 2018
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<b>Support or Objection</b>	Objection
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I would like to oppose the granting of this licence on the grounds that it will lead to Residents being prevented from using Belgrave Square Garden, their Garden when an 'event' is held.

Access to Belgrave Square Garden comes under the 1851 Communal Gardens Act, where the open space is for the use of ALL residents. Special interests are not catered for.

Belgrave Square is also Grade II listed, with statutory protections, which the granting of a licence are likely to threaten.

The holding of 'events' will disrupt the environment, create wear on the lawns and interfere with fauna, flora and birds. Large lorries bringing marquees, catering equipment and paraphernalia cannot but impact the Square adversely. The Square is an oasis.

Belgrave Square is the greatest Neoclassical square in London, with wonderful open space framed by palatial houses. Events will do nothing to maintain the environment, rather they will pollute it.

Please refuse this application for a Licence, so that we can maintain the protection of the Square as much as is possible in the 21st century.

<b>Received:</b>	11 January 2018
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<b>Support or Objection</b>	Objection
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We are horrified at both the principle and the extent of the proposed New Premises Licence Application. For what possible reason, apart from profit for the licence applicant, would such an approval be acceptable? Surely the interests of the residents of Belgravia must be the primary consideration. Whilst the occasional summer film show offering is acceptable, abusing the quiet residential, small business and embassy hub, and the surrounding area, in the manner proposed is totally unacceptable. We are aware that the Applicant has stated elsewhere that they do not intend to hold more functions than now; however, the Licence, if granted, would provide no block to a massive extension of the use of the Square. If the Applicant does not intend to do this why not leave matters as they are – individual applications for the few functions that are held now?

What right has this Applicant to commence the destruction of such a valuable and historically relevant “village” community?

Additionally, there are practical considerations. Belgravia is already feeling the increasing pressures of noise, pollution, vagrancy and crime. Such an extension of the licensed activities will inevitably bring to this beautiful Square the problems existing now in the area near the coach station. For the Applicant to propose later finishing times than are available for existing outside arrangement at public houses and restaurants, should not even be contemplated.

We have to assume that Westminster City Council treasures the beauty and residential features of Belgravia. To permit even a partial or substantially reduced New premises Licence cannot be reconciled with the history, the present or the future of Belgravia. We would request that you totally reject this Application.

<b>Received:</b>	11 January 2018
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<b>Support or Objection</b>	Objection
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We are writing as keyholders of the Belgrave Square garden which is the subject of the above licence application. We are writing to lodge our very strong objection to this licence application.

We are regular users of the garden and take our grandchildren there to play in the play area. As such, we have a direct interest in the garden's future.

Our principle reasons for strongly objecting to this licence application are:

- 1 We believe that with large commercial and other events being held regularly in the garden, particularly over the summer period, it is likely that large parts of the central area of the garden will be taken over with equipment, machinery, marquees etc which will deny use of the garden for possibly some days before and after the actual event. The net effect could be that during the summer months the number of occasions on which we could use the garden with our grandchildren could be drastically reduced.
- 2 This application if granted would produce a dramatic change from the way the garden has been used hitherto. To date, use has been confined, with possibly the very occasional exception, to infrequent functions of fewer than 50 people. Events on the scale envisaged by the licence application would represent a wholly different use of the garden and would we believe contravene the London Squares Act 1931.
- 3 Another major concern which arises out of this licence application is the likely effect on streets adjoining Belgrave Square. Streets such as Chapel Street, Chester Street and Wilton Street are residential streets. Under the licence application, events can carry on until as late as 1.30 am, with alcohol being served. It is highly likely that these residential side streets would be disturbed in the middle of the night by party and event goers, possibly having had a good deal to drink, making a lot of noise as they leave the Belgrave Square area. We already have an example of such a problem in Wilton Street, which is regularly being severely disturbed in the night by customers of the Eaton Square Restaurant nightclub creating a great deal of noise and disturbance in Wilton Street as they leave.
- 4 As well as the noise generated by leaving event goers, there is also likely to

be a lot of noise and disturbance from heavy lorries and trucks removing equipment from the event late at night or early in the morning.

- 5 Belgrave Square carried a lot of traffic at all times and therefore one must assume that leaving event goers and motorists alike could be at risk from collisions between vehicles and pedestrians. We believe that this licence application, if granted, would therefore give rise to serious road traffic safety issues.
- 6 Our broader objection is that this licence application represents an attempt to embark upon an effort to commercialise Belgravia and its garden squares in a way that is completely inappropriate for a residential area. Hyde Park lies within a stone's throw and is the appropriate venue, if indeed any venue is, for the sort of events that the licence application appears to envisage holding in Belgrave Square.
- 7 We have paid over £350 to have access to the garden for this year and will pay ongoing charges of £270 per annum. We therefore feel we are entitled to be able to enjoy the garden in its current condition and that the licence application, if granted, would inevitably lead to greatly increased wear and tear in the garden, damage to lawns, walkways, flowerbeds etc leading to a general loss of amenity value and a degradation of the garden environment. We therefore feel we would no longer be getting proper value.

In summary, we urge you to reject and refuse this application licence, which we believe would have a seriously detrimental effect on Belgrave Square and indeed the Belgravia environment generally.

<b>Received:</b>	14 January 2018
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<b>Support or Objection</b>	Objection
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Note: My wife, Mrs Sally Lescher, has made separate representations. In the interests of brevity, I have avoided simply repeating her representations, however, to avoid misunderstanding, I wish to make it clear that I agree with and endorse each and every representation she has made.

Representations:

- Lack of transparency regarding the applicant

The Application says it is made by "Belgrave Square Garden Events Committee". The Applicant says it is an unincorporated association. I have never heard of this association before today. I believe that the term "unincorporated association" is meant to cover recognised entities such as charitable trusts, which may have no legal personality, but which are registered with the Charities Commission and who can be held responsible by the public. Indeed, I note the form itself asks for a registration number. I do not believe "unincorporated association" is meant to include any old group of individuals who I have never heard of which appears to be registered nowhere and which withholds the names of its chairman and members. The issue of licences by local authorities is an important function. This is because these licences affect third parties' property and other rights. It is not acceptable that the application should contain no information as to the individuals or legal persons behind the Application.

I have seen a communication from something called “The Fair Part of the Big Cat Group” which may have been an email sent to Mr. White of the Belgravia Society. It is unclear from the communication whether this is a commercial corporation or some form of unincorporated association. It states: “We Are The Fair (WATF) were appointed by Grosvenor in September 2016 to advise and lead on the planning, management and supervision of Grosvenor led events, or events held on Grosvenor properties across the UK. Thus, the real applicant may be the Big Cat Group, or a subsidiary, or one of its employees, or persons otherwise associated with the Big Cat Group. The communication from Big Cat does nothing to clarify who is Belgrave Square Garden Events Committee.

- Lack of consultation

Until the Application was made public by the licensing authority neither my wife (who has sent her own representations separately from me) nor I received any notification of this highly objectionable plan to commercialize Belgrave Square.

I note that the application was made when many residents have gone away for Christmas and the New Year. This is a stratagem frequently used by those who wish to slip through applications when nobody is looking.

The communication from Big Cat stated that in June 2017 they sent letters to 600 garden key holders. Since neither my wife nor I received a letter I disbelieve this assertion. I also disbelieve (for the same reasons) Big Cat’s statement that a further letter was sent in December.

- Character of the area

Belgrave Square is an oasis of peace in Belgravia. Its users include children, families, tennis players and those using the exercise area. There are occasionally events such as the “Open Gardens” one but nothing happens at the moment that would change the character of the area:

We now are faced with an application to alter all this. The notice speaks for itself so I set it out in full in red below:

Performance of Dance Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Exhibition of a Film Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Performance of Live Music Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Playing of Recorded Music Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Anything of a similar description to Live Music, Recorded Music or Performance of Dance Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Performance of a Play Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Late Night Refreshment Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00

Supply of Alcohol Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30.

It is obvious that the grant of a licence for all this would permit activities which would fundamentally alter the character of the area. It is no use for Big Cat to say that they will not make full use of the licence and/or they will hold risk assessments etc. If they do not intend to alter the character of the area why is it necessary to obtain a licence which would permit them to do so? Not does it help to say they will hold risk assessments etc. Nobody who seeks consent for music and dancing etc. from dawn to dusk should be permitted to do so without risk assessments etc.

The extra numbers of people attending the events will damage the garden, the plants and the wildlife while restricting the key-holders' access. As is well known the area already has enough pubs and restaurants to cater for demand. Events are held in Hyde Park (which is much bigger and therefore less affected by these events than Belgrave Square would be. Nobody has put forward a good case for Belgrave Square to be turned into an Events Centre.

- Licences

In their communication sent to Mr. White Big Cat say they will have: Emergency and Evacuation procedures, crowd management and stewarding arrangements, overnight security arrangements, a detailed site plan showing all permanent and temporary structures and access and egress points, capacity at any one time etc. If they alter the character of Belgrave Square to the extent that their application would lead one to suppose that all these things will be necessary.

Currently events require individual licensing per event. That seems to me to be perfectly satisfactory. If those holding the events should damage the character of Belgrave Square then it is open to key holders to object when the next application is made. That is the purpose of the licensing laws! The current event-by-event licensing practice safeguards Belgrave Square, its character and the amenity of key holders. The Application should be seen for what it, that is to say, an attempt to commercialize Belgrave Square to the detriment of the key holders and the environment of the Square.

<b>Received:</b>	16 January 2018
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<b>Support or Objection</b>	Objection
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I object to the application for the new premises licence. The basis of my objections are three-fold:

- 1) This application is not for the benefit of the residents of the Square
- 2) The central garden is a place of recreation not a place of entertainment
- 3) The Square is a comparatively 'secluded' place, with enjoyment of relative peace and quiet, which would not be the case if it was turned into a place of entertainment. Therefore the application is a detriment to the residents.

<b>Received:</b>	15 January 2018
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<b>Support or Objection</b>	Objection
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The application seeks permission for:

- Music and dancing;
- Sale of alcohol;
- Other licensable activities;
- Which will start in the morning and extend late into the evening.

This will alter the character of Belgrave Square by turning what had been a peaceful

haven into a noisy and crowded events centre for much of the time. There will be damage to the environment, the flowers and grass and the wildlife. I am disabled and enjoy the peace and quiet of the Square where I can walk. My ability to benefit from the square will be reduced to the extent to which it is turned into an events centre.

The application says that there will be all sorts of safeguards such as pointing loudspeakers away from noise sensitive houses. I think it is better not to have the nuisance in the first place.

I believe that:

- If usage is to continue much as before it is unnecessary to grant the application?
- If usage is not to continue much as before so the Square becomes an events centre this will destroy the character of the Square
- The best way to preserve the character of the Square is for all future events organisers to apply for licences on a case by case basis

Finally, why does the application not list the individuals or corporations who stand behind the applicant?

<b>Received:</b>	15 January 2018
<b>Support or Objection</b>	Support
Please note my support for the Garden Committee's application for a license.	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Support
This application makes perfect sense. A single Premises Licence will cut down on administration and facilitate the use and enjoyment the gardens bring.	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Support
I completely support the application for a full licence for the garden in Belgrave Square. I think it'd be a great idea and really assist us in our events, which will benefit a huge variety of people.	
My support is definitely to grant a full licence for the Belgrave Square garden.	
<b>Received:</b>	17 January 2018
<b>Support or Objection</b>	Support
I attended last years event and enjoyed it very much, and would like to support any application they may make.	
<b>Received:</b>	17 January 2018
<b>Support or Objection</b>	Support
We have a business just around the corner and our restaurant UNI do a wonderful array of sushi at the Belgrave BBQ each year which is a superb and exciting way to get the neighbourhood talking about local business. We feel the garden is maintained perfectly and events only add to the joy of this marvellous space. Furthermore, we have been using the garden for some time personally and our family is in support of the events that are put on in the garden.	

<b>Received:</b>	13 January 2018
<b>Support or Objection</b>	Support
I have attended multiple events held in Belgrave Square, all of which have been impeccably organised and run. Therefore I fully support the permanent license application.	
<b>Received:</b>	15 January 2018
<b>Support or Objection</b>	Support
I wanted to register my support for the well run events that take place over the summer in Belgrave Square, in particular the classic car show.	
The event was well planned and run from start to finish, it created no traffic disruption and minimal disturbance to those in the immediate area, whilst bringing in a host of visitors to the show. I think it raised a lot of money for charity, and it was great to see so many children enjoying the spectacle in the Square.	
I look forward to the same event this year.	
<b>Received:</b>	13 January 2018
<b>Support or Objection</b>	Support
I fully support the application for a licence in the garden. The residents and members have been asked and I have asked many involved in the area who are in full support. The garden holds venues during the year for which we apply for a TEN and so far as is known, there has never been a breach of rules or complaints of disturbance. Venues inviting the public into the area/garden are beneficial. All events are tightly controlled and obey all health and safety and police and council requirements. I believe the events bring a great deal of joy and happiness to the residents and also to the general public who are given an opportunity to visit one of London's most beautiful gardens.	
<b>Received:</b>	17 January 2018
<b>Support or Objection</b>	Support
Wonderfull to see these green spaces used for the broader public interest and from my perspective when done well can enhance London life and bring the public into contact with some very special parts of London.	
As I understand the owners of the land intend to do this in a sensitive and inclusive event for all.	
<b>Received:</b>	14 January 2018
<b>Support or Objection</b>	Support
I've moved to London a few years ago, and have attended the Belgrave Square summer BBQs and other events, for the past 6 years. Some of my favourite memories of the city were built there, it would be a shame for them to cease to exist. I fully support the permanent license.	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Support
Please note my support for the Garden Committee's application for a license.	



<b>Received:</b>	17 January 2018
<b>Support or Objection</b>	Support
A great use of the space to bring the area to life.	
<b>Received:</b>	17 January 2018
<b>Support or Objection</b>	Support
It is high time that local councils take on board the opinion of ordinary people. Belgrave Square has to be a prime example, owned by a company who are actively trying to share an asset and make it available not just the super often snobby rich. Belgrave Square is a wonderful asset and if it can be made into a destination for common people more often I will be delighted.	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Support
This is a great London event which deserves all the support it can get.	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Support
I am in support of this application.	
<b>Received:</b>	18 January 2018
	Support
I have attended several events hosted at the garden in Belgrave Square and they have all been excellent; well-organised and well-attended, and have had little or no impact on the garden infrastructure.	
I fully support the application by the Grosvenor for a full licence for the garden in Belgrave Square.	
<b>Received:</b>	15 January 2018
<b>Support or Objection</b>	Support
Please note my support for the Garden Committee's application for a license.	
<b>Received:</b>	16 January 2018
<b>Support or Objection</b>	Support
I am writing to you in support for the application of a full licence for the garden in Belgrave Square for Grosvenor/Committee.	
Giving them a full license will allow more of the public to enjoy the wonderful gardens.	
<b>Received:</b>	15 January 2018
<b>Support or Objection</b>	Support
I have been to an event in Belgrave Square and thought it was wonderful and could not have caused a problem for the neighbours.	
<b>Received:</b>	15 January 2018
<b>Support or Objection</b>	Support
The various annual events held at Belgrave Square have not only given local residents and businesses opportunities to build and enhance their community but have also been well publicised, successful events, attracting visitors from all over the	

country.

Always a safe environment and never an issue of noise, litter, or disruption of any kind, there does not seem to be any logical reason to withhold a licence that would help the organisers of these events and the pillars of the local community to keep doing their fantastic work.

<b>Received:</b>	16 January 2018
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<b>Support or Objection</b>	Support
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London's squares are a vital part of the heritage of the city and they must be kept alive and used in a way that ensures their quality remains for future generations. Opening up the larger square such as Belgrave to events brings fresh life to the areas and ensures they are maintained better. I support the events run in Belgrave Square and believe that should be encouraged to continue with sensible licensing that does not create unnecessary hurdles for the organisers.

<b>Received:</b>	16 January 2018
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<b>Support or Objection</b>	Support
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Please note my support for the Garden Committee's application for a license.

<b>Received:</b>	15 January 2018
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<b>Support or Objection</b>	Support
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As a local resident I would be grateful if you were able to please add my name to the list of those who support the Belgrave Square Garden Committee's application for a license.

I have attended various events in Belgrave Square Garden over the last few years; these events are both well-organised and respectful of the local community.

These are the only events organised by, and for, local people in Knightsbridge and Belgravia. I am mystified why anyone would object to events in the Square; a space that is almost exclusively used for dog walking purposes for the entire rest of the year.

<b>Received:</b>	16 January 2018
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<b>Support or Objection</b>	Support
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I am writing in support of a permanent license being offered to the Grosvenor Estates and Events Committee so that Grosvenor Square's gardens can be used for its car shows without having to apply annually for one.

I am part of the "96 Club" and a keen participator in its events and a local resident.

### 3. Policy & Guidance

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

#### **4. Equality Implications**

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

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

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

## 5. Appendices

<b>Appendix 1</b>	Applicant supporting documents showing photos of previous events
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Residential map and list of premises in the vicinity
<b>Appendix 5</b>	Pre-application advice report

<b>Report author:</b>	Ms Daisy Gadd Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk

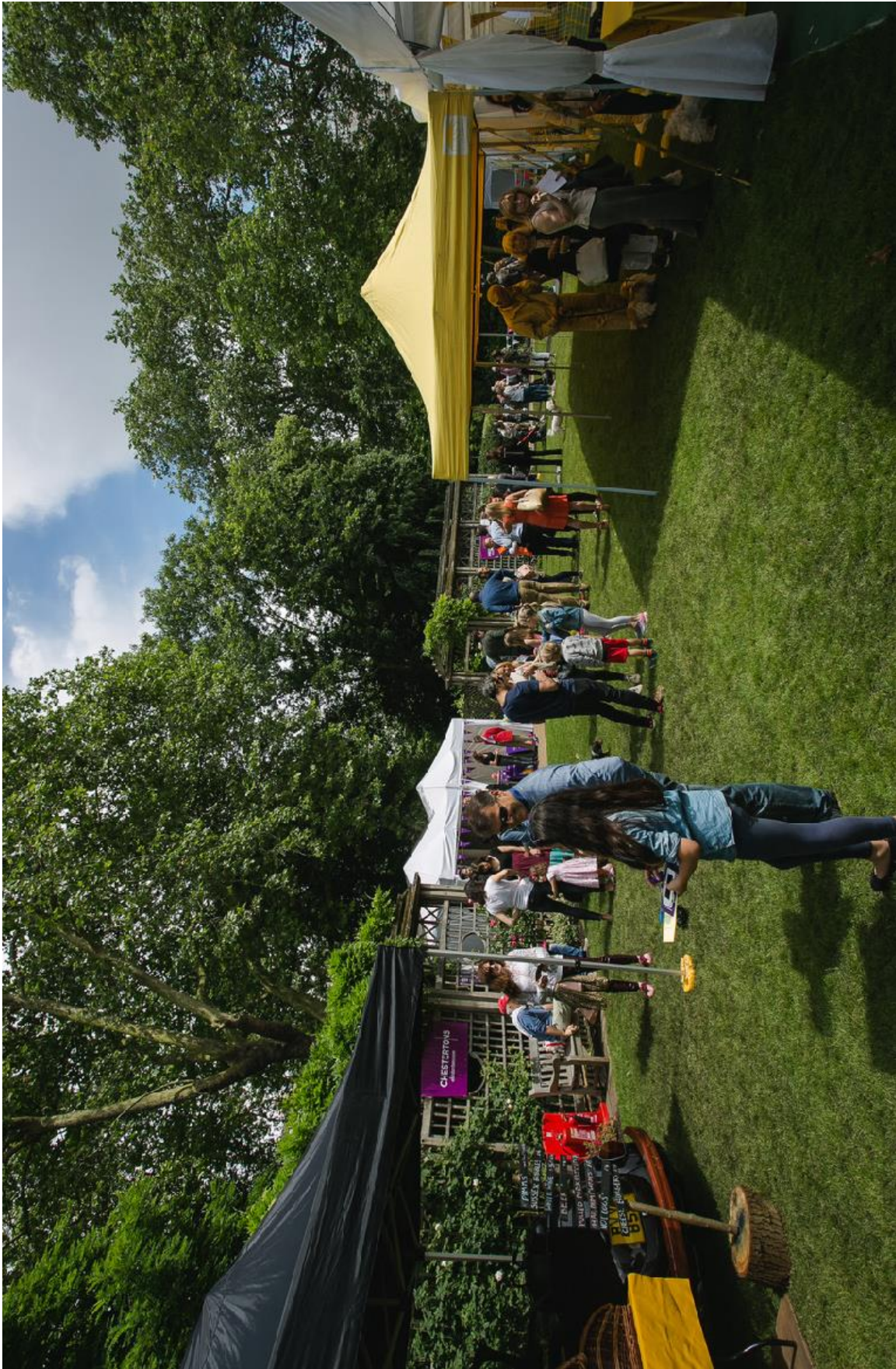
**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
<b>4</b>	Representation Metropolitan Police Service	11 January 2018
<b>5</b>	Representation Environmental Health	16 January 2018
<b>6</b>	Representation resident	30 December 2017
<b>7</b>	Representation resident	1 January 2018
<b>8</b>	Representation resident	2 January 2018
<b>9</b>	Representation resident	2 January 2018
<b>10</b>	Representation resident	4 January 2018
<b>11</b>	Representation resident	9 January 2018
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*Photos of previous events*

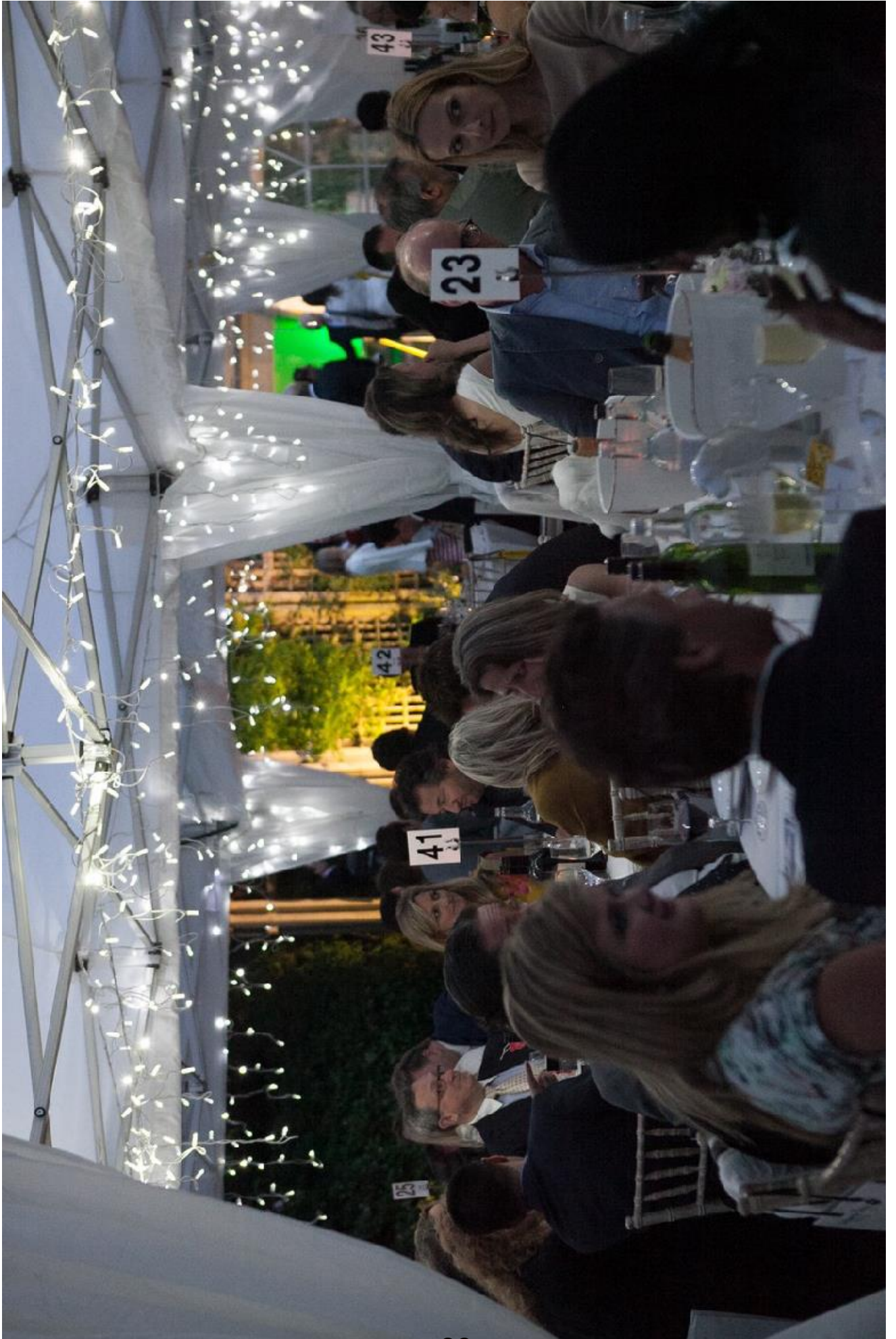


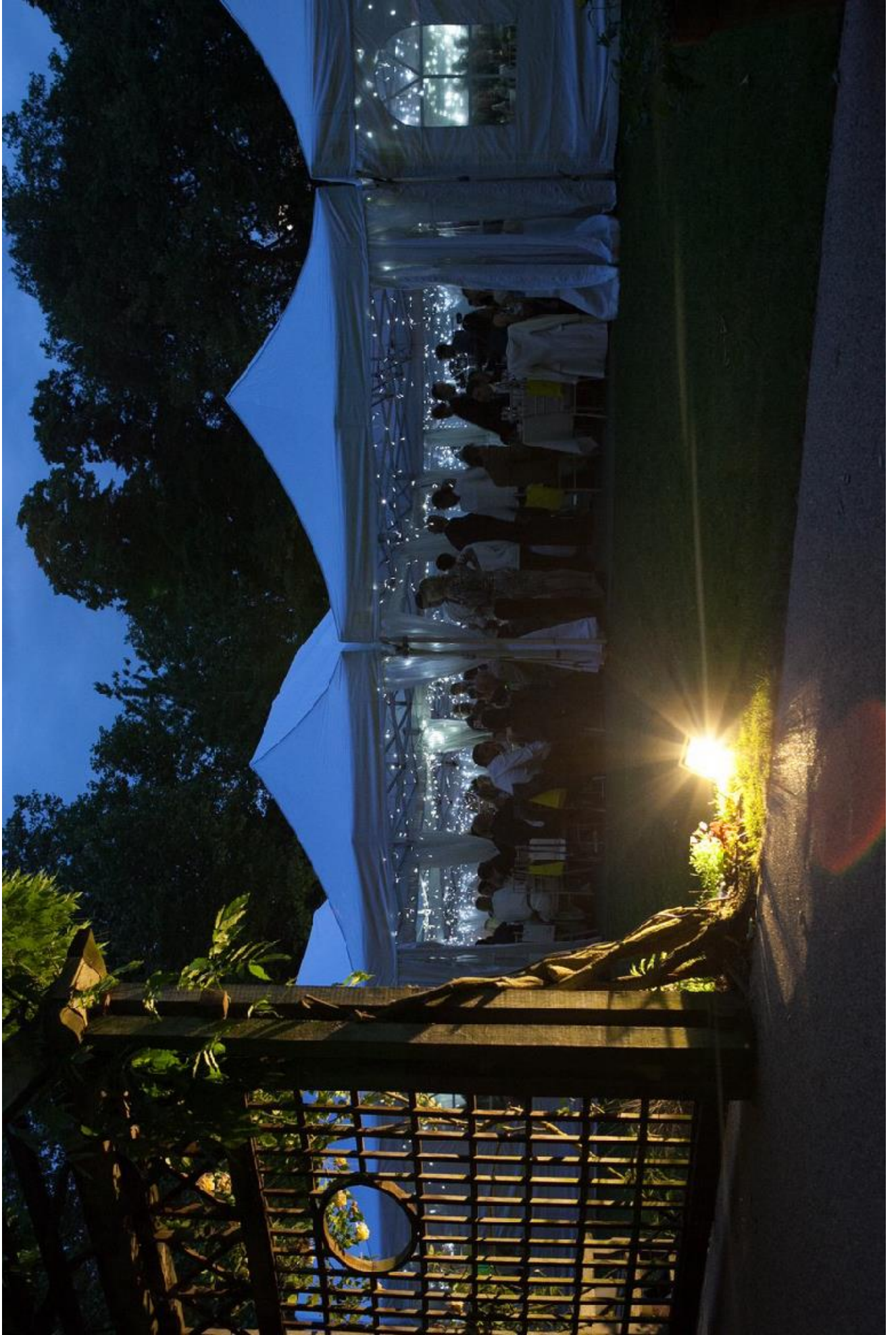


















## Response to the Belgravia Society



In response to Belgravia Society regarding the Belgrave Square Garden Licence Application

Dear Mr Waite,

We are getting in touch regarding your recent objections to the Belgrave Square Garden Premises Licence application, published in the Winter 2017 edition of 'The Belgravia Society'.

We Are The Fair (WATF) were appointed by Grosvenor in September 2016 to advise and lead on the planning, management and supervision of Grosvenor led events, or events held on Grosvenor properties, across the UK. The purpose of this instruction was to ensure that all Grosvenor events are managed to the highest possible standards in respect of licencing, statutory consents and health & safety. One of our recommendations to Grosvenor has been that where a number of events are being held at one venue under Temporary Event Notices, as in Belgrave Square Garden, that serious consideration should be given to applying for a Premises Licence which would ensure a consistency of approach to each event and a greater transparency with both the Local Authority and local residents.

As part of the premises licence application for Belgrave Square Garden, we have undertaken extensive pre-consultations. This started with the ward councillors in April last year as a result of which we amended our proposals slightly and was followed by letters to over 600 garden key holders, including all the residents and businesses in Belgrave Square, in June 2017. A further letter was sent in early December 2017 (copies of both letters attached). These letters invited an open dialogue with residents who were interested in understanding further detail about the premises licence. We have had 6 responses in total – 1 objection on the grounds of general construction nuisance in the area, 2 raising queries about the licence and 3 offering their help and support.

We would be happy to meet with The Belgravia Society and any other residents or stakeholders who would like to discuss their concerns over the Belgrave Square Garden premises licence application.

We have written a response to each of your objections and these are outlined below.

Please do not hesitate to get in touch with us to arrange a meeting or clarify anything further.

Best wishes,

Rob Dudley

[rob@wearethefair.com](mailto:rob@wearethefair.com)

*The Application is open to interpretation and we cannot be certain of permitted events.*

As part of the licence application we have created an Operating Schedule listing a series of 'conditions' and restrictive guidelines that all event organisers will have to follow in order to meet the requirements of the licence. The Operating Schedule states that there will be a maximum of 15 events featuring licensed activity per year and that all events taking place in the garden will be subject to an individual Risk Assessment. It also states that all events will be either private events or ticketed public events. We have submitted the application with the interest of Belgrave Square residents and occupiers front of mind and we are not proposing a significant increase in the number of events held in the garden, but we do want to ensure that we are able to appropriately manage and licence our events with a premises licence rather than under a Temporary Event Notice (TEN).



*The Application covers a variety of events including plays, films, live music, recorded music, performance of dance, and anything of similar nature all to be supported by late-night refreshments which will include the sale of alcohol. Times are unclear apart from the annual barbeque which would go on to 1.30AM plus clear up time. Other events, we are told, being similar to the barbeque also will not finish until 1.30AM.*

Within the Licence Application we have stated the timings for events in Belgrave Square Garden which are as follows: Monday-Thursday 09:00-23:30, Friday and Saturday 09:00-00:00 and Sunday 09:00-22:30. On a maximum of 5 occasions per calendar year community events, including the annual barbeque, may last until 01.30am. The Operating Schedule also states that the sale of alcohol at the premises will be ancillary to the primary use of the premises as an event space. There will be a maximum of 15 events featuring licensed activity per calendar year.

*The rules of Belgrave Gardens for users state that parties must be finished by 9PM, numbers must not exceed 50, no marquees may be erected and no ball games or barbeques are allowed. No music is permitted.*

The general rules and conditions of hosting a private party in Belgrave Square Garden state these items for the protection of the gardens against damage and the disturbance of uncontrolled events. There are often exceptions to these rules, for example the annual barbecue and some small private events. On these occasions measures are put in place to ensure that marquee erection is conducted safely and without permanent damage to the grounds, that music is played without causing disturbance and that the higher capacities are licensed under a TEN. The Operating Schedule outlines the measures in place to ensure that there is safeguarding against disruption to the gardens and the garden users.

*Belgrave Square itself is one of the historic squares of London and has a Grade II listing. It is protected under the terms of legislation by the London Squares Preservation Act 1931 (the Act).*

*Section 3 (1) states:*

*"Subject to the provisions of this Act a protected square shall not be used otherwise than for one or more of the following purposes (that is to say) the purpose of an ornamental garden pleasure ground or ground for play rest or recreation..."*

The London Squares Preservation Act 1931 does not prohibit the occasional use of registered parks and gardens for entertainment and/or other activities. In considering any applications under the Act, the City Council would need to consider whether the events would cause any material encroachment or interfere with the amenity of the protected squares or its enjoyment as an ornamental garden pleasure ground or ground for play rest or recreation. The precedent of holding community events in registered gardens is well established and we don't believe that there is any conflict arising from the licence application with the Act.

An Events Procedure Manual will also act as guidance for robust procedures in event health and safety and event management, which will ensure that the events are run in accordance with Grosvenor and Westminster City Council standards. Both these documents will be written with the protection of the local community in mind.

All events taking place in the Gardens will be approved in writing by both Grosvenor and the Belgrave Square Garden Events Committee, and all events taking place in the Gardens will be subject to individual Risk Assessments. A suitable and sufficient Event Management Plan shall also be drawn up prior to an event and made available, if requested, to the Responsible Authorities. This shall be kept for at least one year and shall include where necessary, as a minimum, details on the following aspects:

- i: Emergency and Evacuation procedures
- ii: Crowd management and stewarding arrangements
- iii: Overnight security arrangements, a detailed site plan showing all permanent and temporary structures and all access and egress points
- iv: A detailed site plan showing all permanent and temporary structures and all access and egress points

- v: Capacity at any one time
- vi: Certificates from competent persons on Structures, Electrical Power Supply and Gas equipment (including LPG)
- vii: First Aid and Lost Children arrangements
- viii: Noise Management Plan
- ix: Risk Assessments
- x: A waste management plan
- xi: Sanitary accommodation
- xii: Public Liability Insurance

*The applicant is named as the chairman of the Belgrave Square Garden Events Committee, but is not named. It is described as an unincorporated Association and no names of any members of the committee are given nor how they are appointed. There is no semblance of democratic accountability to the users of the Square.*

The premises licence has been submitted in the name of the Belgrave Square Garden Events Committee as an organisation. The submission address includes the title of 'The Chairman' within it. The premises licence has been submitted under the name of the organisation so as to ensure that the licence is upheld by those who are directly involved with the Garden, rather than any individual who may not be involved in the gardens' affairs for a long duration of time.

*It will have an adverse effect on the amenities of its immediate neighbours and the permitted users of the garden; unacceptable overuse of garden designed for residential users for the purposes set out in the Act; adverse effect on the conservation area with music and noise generated, as well as the unsightly and socially unacceptable behaviour associated with late-night drinking. This in turn might well have an adverse effect on highway safety with revellers crossing and re-crossing the wide road of Belgrave Square.*

Large scale events, such as London Garden Squares Open Day and the Annual BBQ, have been undertaken for many years without a single 3<sup>rd</sup> party complaint and it is our intention that this unblemished record should continue. The Event Management Plan is put in place to ensure that events are effectively managed to ensure that they do not cause disruption to the local community or cause damage to the garden. Each Event Management Plan will consider the areas outlined previously. Through this plan we will be able to ensure that measures are put in place to manage egress and protect the safety of attendees and the local community. These measures may include positioning stewards/security personnel at the crossing point on the wide road of Belgrave Square.

When creating the Event Management Plan, reference will be made to the following publications: The Technical Standards for Places of Entertainment – District Surveyor's Association, The Event Safety Guide (purple guide), Guide to Safety at Sports Grounds (green guide), FRSA – Open Air Events and Venues.

To minimise any noise, all events featuring amplified music will give consideration to the positioning and directionality of PA systems and loudspeakers within the Gardens and PA Systems and loudspeakers will only be situated within the inner Garden. Events that include amplified music must be notified to the Environmental Health Consultation Team at least two weeks prior and the notification shall include the Noise Management Plan for the event. There shall be no noise audible at the nearest noise sensitive premises from any construction or similar works in association with the set up and dismantling of the site, outside the hours of: i. 08:00 - 18:00 Monday -Friday ii. 08:00 - 13:00 Saturday with no work permitted on Sundays or Bank Holidays.

While attendees at some events will be able to purchase alcohol, we do not expect this to result in unsightly or socially unacceptable behaviour. There will be substantial food and non-intoxicating beverages, including drinking water, available in all parts of the premises where alcohol is sold or supplied for consumption on the premises and there will be event stewards on site who will deal with any issues that might arise.

We Are The Fair would be happy to host a meeting to discuss concerns over the licence application in greater detail, should the information provided not allay existing concerns.

We Are The Fair, 4th Floor Relay Building, 114 Whitechapel High Street, London, E1 7PT | 020 8068 5232

[WORKINGTOGETHER@WEARETHEFAIR.COM](mailto:WORKINGTOGETHER@WEARETHEFAIR.COM)

## ***Emails in support of application***

### **Craig Baylis**

---

**From:** Ben-Gacem, Hazem <HBENGACEM@investcorp.com>  
**Sent:** 09 January 2018 15:01  
**To:** GLMoffice  
**Subject:** Re: Belgrave Square Garden

Hello. I did not raise any objection and to the contrary, I think such events being life and excitement to Belgravia.

Wish you good luck.

Hazem Ben-Gacem  
22 Chester Square  
London SW1W 9HS

On Tue, Jan 9, 2018 at 3:05 PM +0100, "GLMoffice"  
<glm.office@grosvenor.com<mailto:glm.office@grosvenor.com>> wrote:

\*\*\* This is an external email \*\*\*

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9 January 2018

Dear Belgrave Square Keyholder,

I hope you had a wonderful Christmas and New Year. Further to our communication in June and December of last year we are getting in touch again with regard to the Belgrave Square Garden Premises Licence application. From the outset we have been keen to encourage transparency and an open dialogue with residents regarding this application and following the publication of an article within the Winter edition of the Belgravia Society magazine citing their objections, we wanted to share our response.

Please find below a link to the Belgravia Society magazine with the article on page 4. Attached is the response from our agents, We Are The Fair, to each of their comments. We are keen to ensure that you are fully informed and re-assured about the purpose of this application – which is to ensure that events hosted in Belgrave Square Gardens are able to be managed to the highest possible standards in respect of licencing, statutory consents and health & safety.

Please do not hesitate to get in touch to clarify anything further.

Regards

Nigel Hughes and Amanda Bond Elliott

Link to

Belgravia Society Magazine<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_pub.lucidpress.com\\_f35eaf14-2D0348-2D4420-2D89fa-2D245d8c5154a3\\_-3Fsrc-3Dem&d=DwMF-g&c=TyiYG\\_9ilkaRdP7y0mgKadgIgw5Xv8D4SFYpx7njPW4&r=W7xjANmr\\_1aucTpcHzsR68akNdUF12WApO9YqUo7vNc&m=-23XgSTcsW9j-5i6rQhPE0Oo-wuVrGOA8TeG\\_FOtMhI&s=IMh13fRgJmkQ0ATUCUxYrmKTK3twBC6YS2RcTqSd3T8&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__pub.lucidpress.com_f35eaf14-2D0348-2D4420-2D89fa-2D245d8c5154a3_-3Fsrc-3Dem&d=DwMF-g&c=TyiYG_9ilkaRdP7y0mgKadgIgw5Xv8D4SFYpx7njPW4&r=W7xjANmr_1aucTpcHzsR68akNdUF12WApO9YqUo7vNc&m=-23XgSTcsW9j-5i6rQhPE0Oo-wuVrGOA8TeG_FOtMhI&s=IMh13fRgJmkQ0ATUCUxYrmKTK3twBC6YS2RcTqSd3T8&e=>)

**Craig Baylis**

---

**From:** Mark Page <mark.page@gmx.net>  
**Sent:** 09 January 2018 14:57  
**To:** GLMoffice  
**Subject:** Aw: Belgrave Square Garden

Thank you for sharing - extremely diplomatic wording from the agency!

**Gesendet:** Dienstag, 09. Januar 2018 um 14:04 Uhr  
**Von:** GLMoffice <glm.office@grosvenor.com>  
**An:** GLMoffice <glm.office@grosvenor.com>  
**Betreff:** Belgrave Square Garden

9 January 2018

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Please do not hesitate to get in touch to clarify anything further.

Regards

*Nigel Hughes and Amanda Bond Elliott*

Link to

**Craig Baylis**

---

**From:** Aileen Richards <aileenrichards56@gmail.com>  
**Sent:** 09 January 2018 16:58  
**To:** GLMoffice  
**Subject:** Re: Belgrave Square Garden

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thanks you for the sharing and the transparency. I was one of the key holders who had questions about the licence, but I am happy and reassured by the approach you are taking. Maybe you could put in place a formal review of the situation after a couple of years to ensure that the assurances are working.

Thanks for keeping us informed and good luck with the next steps.

Kind regards,

Aileen Richards

On Tue, Jan 9, 2018 at 7:04 PM, GLMoffice <[glm.office@grosvenor.com](mailto:glm.office@grosvenor.com)> wrote:

9 January 2018

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Regards

*Nigel Hughes and Amanda Bond Elliott*

Link to

[Belgravia Society Magazine](#)

DISCLAIMER: This message is confidential and may be legally privileged. It is intended solely for the addressee and access to this message by anyone else is unauthorised. If you have received the message in error, please notify us immediately and delete it, as any disclosure, copying, distribution or any other use is

## ***Response from Chairman of Belgravia Residents Association***

**From:** James Wright  
**Sent:** 09 January 2018 14:15  
**To:** GLMoffice  
**Cc:** Nigel Hughes;  
**Subject:** Re: Belgrave Square Garden

Dear Nigel

When this issue first came to light I believe we supported the licencing application but I can see nowhere any evidence of that decision on behalf of the BRA, albeit Patricia who handles such matters on our behalf is still away on a New Year break.

In view the Belgravia Society have not been recognized by WCC this "in limbo" status is not helping any of us.

This group assume they are being responsible for the area at large and we conclude they are the exact opposite so think it best if they are simply ignored This stance is how the BRA has treated this group since our earlier troubles with this select group of residents who spread falsehoods in order to try and gain personal advantages to suit their own agenda which had little to do with enhancing the community for the good or its resident base.

They claim a membership exceeding a thousand, yet membership is free and open to everyone whether living in Belgravia or not and they also are operating seemingly as a charity which in itself surely is questionable as to why we need a charitable body to look after the needs of people living and or working in Belgravia ?

I reiterate we wholly support the aims and aspirations of those of you involved with Belgrave Square Gardens and applaud the good work carried out in hosting these events which many of our members partake and enjoy .

We all know the time and effort that goes into hosting such events and it is encouraging to see the many positive events proposed for the Gardens and the professionalism employed by you all is appreciated by those of us who only want the best for Belgravia.

Yours sincerely

James Wright  
Chairman  
Belgravia Residents Association  
[www.belgraviareidents.org.uk](http://www.belgraviareidents.org.uk)

**From:** GLMoffice  
**Sent:** 09 January 2018 12:53  
**To:** GLMoffice  
**Subject:** Belgrave Square Garden

9 January 2018

Dear Belgrave Square Keyholder,

I hope you had a wonderful Christmas and New Year. Further to our communication in June and December of last year we are getting in touch again with regard to the Belgrave Square Garden Premises Licence application. From the outset we have been keen to encourage transparency and an open dialogue with residents regarding this application and following the publication of an article within the Winter edition of the Belgravia Society magazine citing their objections, we wanted to share our response.

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Please do not hesitate to get in touch to clarify anything further.

Regards

*Nigel Hughes and Amanda Bond Elliott*

Link to  
[Belgravia Society Magazine](#)





## **ALCOHOL MANAGEMENT POLICY**

### **WE ARE THE FAIR LTD - Belgrave Square Garden**

We Are The Fair (WATF) are an event production, and specialist licensing and health and safety agency based in East London. Each year we operate at over 100 events with capacities ranging from 500 to 20,000 per day.

With over 30 years' experience in venue and event management, we are industry leaders in providing bar solutions and event management for events and venues of all sizes. Our reputation is based on quality, accountability and a professional service.

The aim of this Alcohol Management Policy (AMP) is to work in conjunction, and to integrate with, the Event Safety Management Plan and any other event plans that Event Organisers, Police, Licensing Authorities or any other relevant parties have in place.

We are committed to the continual process of providing an enjoyable and safe environment for the public through effectively managing the sale of alcohol. Our responsible drinking policy is focused on meeting the 4 licensing objectives to ensure the consumption of alcohol is carried out responsibly at all times. We do this through the following methods;

#### **Training**

We will carry out briefings prior to each event opening for all bar staff on the licensing objectives and the measures in place meet them. The mechanics of how and where the initial briefings will take place will be decided on an individual event basis. Whenever possible, Personal License Holders will be engaged to act as Bar Managers.

#### **Information**

We communicate the issues regarding the responsible sale of alcohol in a number of ways including briefings at the beginning of every shift, operating a strict Challenge 25 policy as well as signage for both staff and the guests alike.

#### **Recording of refusals**

We will implement a system to record refusals that every member of staff is trained on and has access to. A refusals record will be on every bar or service station. An example of how the refusal registers will look like is attached as an appendix.

### **The Responsible sale of Alcohol**

We do not offer any drinks promotions over the bar and we will ensure that drinks are priced appropriately as not to encourage large orders or heavy drinking by individuals. Wine and spirits will be sold according to the weights and measures act of 1985.

### **Designated Premises Supervisor (DPS)**

The DPS for Belgrave Square Garden will be Robert Dudley. Robert has a wealth of experienced in the licensed trade, having worked in the industry for over 25 years in numerous senior positions both within venues and at temporary events.

### **Staff – recruitment, security & eligibility to work**

Security will be a key consideration for all events taking place within Belgrave Square Garden (BSG). In order to maintain this the following procedures must be implemented by event organisers/staffing agencies working in the Garden:

- All staff will have to be registered pre-event on the staffing company's database
- Upon registering, all staff have to give contact details including NI number and identification to ensure their eligibility to work
- All staff, including bar managers, will be required to wear an appropriate staff uniform at all times whilst working in the Garden

### **Responsible Drinking Policy**

WATF are committed to operating licensed premises responsibly, safely and within the law. We support the four prime objectives of the Licensing Act 2003:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

We seek always to work closely and constructively with the key authorities, including the Police, Fire, Environmental Health and Local Authorities, in pursuit of these objectives. We support regional Crime & Disorder partnerships and aim to participate fully in the drive against 'binge drinking' and its related effects, as outlined in the Alcohol Harm Reduction Strategy for England.

From October 1st 2010 the seven Mandatory Licensing Conditions Order in England and Wales under the Licensing Act 2003 will be complied with as follows:

1. No sale or supply of alcohol can be made without an appointed Designated Premises Supervisor (DPS).
2. Every sale or supply of alcohol must be made or authorised by a Personal License Holder.
3. Free potable water must be provided for customers (applies to all premises where alcohol is served for consumption on the premises).
4. No alcohol may be dispensed directly into the mouth of another person.
5. The responsible person must ensure that staff do not carry out, arrange or participate in any irresponsible promotions.
6. An Age Verification Policy must be in place.
7. The provision of smaller measures must be offered and a notice of their availability be given. (applies to all premises where alcohol is served for consumption on the premises)

WATF will at all times observe the law with regards to the sale of alcohol and all other products by:

- Not serving customers who are intoxicated
- Not serving alcohol to people who are under 18 years old and, where there is any doubt, following the Operational Guidelines (as listed below)
- Supporting 'test purchasing' as a way of helping to enforce the law, whilst recognising that under the law, the company cannot undertake test purchasing.
- Observing all other conditions of licensing law.

WATF is committed to educating, training and supporting event bar Managers and staff so that they are able to carry out their duties under this policy and the law.

#### **Alcohol & Social Responsibility**

Any promotional activity will avoid or limit the following:

- Association with anti-social behaviour.
- Appealing particularly to under-25's rather than to adults.
- Purchase by or sale to under-18's.
- Suggestion of sexual success or prowess.
- Association with illicit drugs.
- Encouragement of illegal, irresponsible or immoderate consumption.

#### **Operational Guidelines for Under 18's**

WATF will at all times observe the law and ensure that alcohol is not served to people who are under 18 years old. WATF will operate the 'Challenge 25' schemes at all events. Signage will be displayed in a prominent position in bar areas to demonstrate commitment to this scheme. If a guest appears to be under 25, then we require proof that he/she is over 18. In these circumstances staff will be required to:

- Explain that it is against the law to serve alcohol to Under 18's.
- Ask for identification. The only types that are acceptable:
  - 'PASS' hologram proof of age card
  - A Passport.
  - European Union or UK photograph driving licence
  - Military Identification Card

If a guest does not have identification they will be politely informed that they should return with an acceptable form of ID, whereupon we will be happy to serve them.

Staff will be informed to be polite and tactful, but firm, when asking for identification. They will be briefed not to antagonise the situation if a guest becomes aggressive and/or refuses to leave, but to inform a member of management.

#### **In relation to the drinks available at events:**

- Where possible and appropriate, we will communicate the unit alcoholic content.
- Designated driver and other anti-drink/drive activities will be encouraged and supported
- Drinking water will always be provided free when requested
- A combination of polycarbonate and glass will be used at events within the Garden. Where glass is used suitable methods for clearing breakages safely will be provided
- All event bars will offer a 125ml wine serve when wine is being dispensed from a 75cl bottle
- The standard spirit measure is a single 25ml, however on occasions a 35ml measure may be served or multiples of.
- Bottled water and other soft drinks will be available at all events.
- Beer and Cider will be available in half pint or third of a pint measures when available in a draught form.

### **Briefings**

For each event taking place within the Garden where alcohol will be available, a daily bar manager briefing will be held with the DPS and Event Organiser. Topics covered include:

Event Overview, Times, Customer Demographic, Sponsor/Partnership Requirements, Opening and Closing times.

For each event a licensing briefing is required. Following the briefing, ensure that ALL staff sign the authorization to sell alcohol form

- Test Purchasing should be carried out during each event
- Refusals registers: have to be checked regularly as will need to be collected in at the end of each session

### **Staff Briefings**

At the start of each event, the bar manager will brief all staff – the briefings cover general event information as well as specific bar details and a separate licensing briefing. Both are detailed below:

#### **General Briefing**

- Introduction to the DPS, Event Organiser, Event Team and Bar Management Team
- Explanation of how the bar will work including details on service (cash bar, complimentary bar, waiter service etc)
- Explanation of products and serves - menu, products and how to serve them. Free pouring is not allowed
- £50 notes accepted at manager's discretion
- Wastage - Make sure staff know how to record & what to do with it
- Tip Policy
- Signing in & out - make sure all staff are signed in & out.
- Staff Valuables - ALL BAGS are to be locked away from the start of the shift. There will be no access throughout shift. Staff can keep up to £10 on them plus any other important valuables such as; mobiles or medication.
- All bags plus anything else MUST be off the bar
- Mobile phones are not to be used whilst on the bar



- Health & Safety - Steel toe caps/ closed toe shoes to be worn for cellar work. Wash hands after breaks Don't leave rubbish lying around as someone could trip
- Fire Procedure – inform staff of the location of fire exits from the Garden and the designated muster point (South Lawn) and what to do in case of discovering a fire
- First Aid & Accident Reporting- If you need First Aid see your bar manager immediately, there will be a first aid kit on the bar for small injuries, otherwise see the Event Medic. (All injuries must be recorded in the accident book).
- Customer Welfare – Customer welfare is a priority to us and the event. Please be vigilant for any member of the public who requires assistance, this includes intoxication, distress or upset, lost children and disabled customers. Report immediately to the bar manager or DPS.
- Weights & Measures - Wine will be available in a 125ml measure when dispensed from a 75cl bottle. Spirits should be sold in measures of 25ml and 35ml or multiples thereof, Beer/Cider must be available in pints, half pints or third of a pint

### Licensing Briefing

The 4 Licensing objectives are:

1. The prevention of crime and disorder
2. Public safety
3. Prevention of public nuisance
4. The protection of children from harm

In order to uphold these objectives, we have implemented various measures. As members of staff you are in a position of responsibility not only to uphold these measures but to fully understand the importance and the implications of not following these procedures. It is illegal to serve alcohol to: anyone that is under 18 years old, or to anyone that is intoxicated

- Today's date of birth is XX/XX/2000 – check this date on all identification
- Proxy Purchasing: It is an offence to purchase alcohol on behalf of someone who is under 18, it is your responsibility to make sure people are not buying for others
- How to spot Proxy Selling: Young people buying large rounds – ask to see everyone's ID, young people standing at the edge of the bar trying to get others to purchase
- Test Purchasing will be carried out on site at BSG. If you fail a test purchase for selling alcohol to anyone under 18, proxy selling or intoxication you will be liable for disciplinary procedures



- Challenge 25 - we challenge anyone for ID who looks under 25, we refuse service to anyone that looks under 25 and cannot produce valid ID
- The forms of ID that we accept are: Passport, UK/EU Photo Driving License, Military ID or "Prove It" cards featuring the PASS hologram
- How to spot a fake ID - Holograms, feel, UV Lights, correct photo. If you are still unsure ask for a secondary ID. If you think the ID is fake or are still unsure, tell your manager immediately
- Signs of Intoxication: staggering, slurring, fumbling, loud, aggressive, swaying, excessive sweating, gurning

Refusing Service - If you refuse service for either: No ID, no acceptable form of ID, Intoxication, Proxy Purchasing, you MUST record it. There is ROR (Registers of Refusals) placed on the back bar. You must fill this out for every refusal even if the bar is busy. If you can't find a ROR or all ROR's are full, please inform your manager. These registers are inspected by Police and Local Authorities so it is VITAL that they are completed correctly.

**Quiz for bar staff:**

What is today's date of birth for valid IDs?

What is challenge 25?

How do you spot a fake ID?

What is proxy selling?

Name some signs of intoxication?

**CHILD WELFARE POLICY / VULNERABLE PERSONS POLICY**

**WE ARE THE FAIR LTD - Belgrave Square Garden**

**MISPER (Missing Persons):**

All staff should be familiar with the three categories of MISPER and understand the levels of risk associated with each.

The following are minimum questions that will be asked initially upon the report of any missing person:

- Name
- Where last seen? / What time?
- Age
- Sex
- Colour
- Height
- Clothing

Details of all MISPER irrespective of status should be passed to the Event Manager / DPS and documented.

The person reporting a MISPER should be escorted to and encouraged to wait at the designated Info Point (to be determined on an event by event basis) where possible initially. They may wish to search and if so should be escorted by a member of event staff or security (if present).

Obtain a mobile contact number from the person reporting a MISPER for ease on on-going contact.

**MISPER Action:**

**Adult MISPER:**

The Event Manager / DPS will make a log entry and pass a description across all on-site radios. Staff should be vigilant for the missing person.

**CHILD AND VULNERABLE ADULT MISPER:**

The Event Manager / DPS will make a log entry and pass a description across all on-site radios. Staff should be vigilant for the missing person. Security (if present) should actively be searching for the missing child/vulnerable adult.



Use of staff will be appropriate to their skill-set and experiences and dynamically risk-assessed. No member of staff will complete roles that are unreasonably outside of their field of responsibility or level of training.

Due to the relatively small size of Belgrave Square Garden (BSG), should the missing child or vulnerable adult not be discovered within 15 minutes, then the Police should be notified.

**Persons “self-reporting” as lost:**

As well as receiving reports of missing people, staff will sometimes find a missing person - especially children - before it is realised that they have gone.

Any children or vulnerable persons presenting themselves as lost should be taken to the information point and enquiries made to reunite them with family / carers / friends.

Should the individual present apparent risks or display concerning behaviour, Police should be contacted. Any person encountering a potential ‘lost’ child, must inform the Event Manager / DPS and ensure that two members of staff are present at any time to avoid lone working with children.

Staff instructions for a possible Lost Child:

- First take some time to establish that a child is ‘Lost’ – consider their age
- Tell them your name and role and that you are there to help
- Assess any distress/fear -calm & reassure accordingly
- Ask them to tell you their name, but accept if they don’t/won’t
- Ask who they are with/ where they last saw them
- Stop and look around the area – are there any adults who appear to be searching/look worried
- If so attract their attention and check. It should be obvious if adult & child know each other, but check with the child. If you have any doubts, call for assistance
- If not, Stay in place, talk to the child, and continue to look around for at least 5 minutes
- After this, explain to the child what happens next, and ask them go with you to the designated Info Point (to be determined on a per event basis). If they won’t / can’t co-operate, call for assistance.
- Escort lost children to the designated point. Introduce them to any new staff. Give staff as much info as possible, including where you found the child
- Staff at the information point will then organise an announcement over the PA system. Do not use the name of children in any announcements. Staff at the info point should be DBS checked.

**Definitions:**

‘Children’ and ‘young people’ – children under the age of 18 years, or 19 if they have a disability.

'Adult at risk' - a person aged 18 or over who is at risk of abuse or neglect or is in receipt of need of community care services by reason of mental, physical or learning disability, age or illness; and who cannot always take care of them self or protect them self against significant harm or exploitation. A person can become 'at risk' if they are particularly drunk or distressed.

#### **Underpinning Principles**

It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people Adults who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.

#### **STAFF MUST:**

- Discuss any uncertainties or confusion with their manager
- Maintain appropriate professional boundaries and avoid behaviour, which might be misinterpreted by others, and report and record any incident with this potential
- Report any concerns or allegations to their manager
- Be mindful of the need to avoid placing themselves in vulnerable situations
- Be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described
- Use physical contact only when absolutely necessary and avoid using it in one-to-one situations

#### **Working with adults at risk**

Principles are as above. Physical contact must be avoided. The Event Manager / DPS should be alerted if there are any concerns. Any unusual behaviours or incidents should be recorded. Any behaviour witnessed which presents a cause for concern should be reported to Event Manager / DPS.

## DISPERSAL POLICY

### WE ARE THE FAIR LTD – Belgrave Square Garden

We Are The Fair (WATF) plan to operate a 'good neighbour' policy with regards to events taking place within Belgrave Square Garden (BSG). The Event Manager and/or Designated Premises Supervisor (DPS) will aim to respond to any local resident complaints or concerns quickly and effectively. If this is not possible, the matter will be escalated to the Chair of the Belgrave Square Garden Events Committee.

Regular communication will take place with local Police and Environmental Protection Teams to ensure that we are aware of any particular local issues.

In relation to dispersal, WATF will ensure that the below following take place at BSG to ensure that events occur in a neighbourly fashion:

1. Effective management of guests whilst they are present at events in BSG. This will be achieved through:
  - A good ratio of staff to guests
  - Management and Event Organiser presence at 'Front of House' at all times
  - Robust Alcohol Management Policy
  - Where deemed necessary, a suitable number of SIA staff to be present at events
2. 30 minutes 'drinking up time' at the end of each event where there will be no regulated entertainment or sale of alcohol to allow a gradual egress of customers from the Garden
3. Signage will be deployed at the exits from the Garden reminding guests that the area is residential and to be mindful of neighbours when leaving
4. Event Organiser / DPS to oversee the dispersal of guests from events
5. Staff to be aware of local transport information, including local taxi details and suitable locations for PHV pick up
6. Chauffeurs and drivers to be communicated with by Event Organisers / DPS to remind them of the residential nature of the area – not to leave engines running and not to slam doors etc
7. Deliveries and collections should be coordinated by Event Organisers to ensure they do not cause nuisance
8. Emptying of bins / bottling should not take place between 22:00 – 08:00

**Licence and Appeal history**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
09/03783/LITENN	Temporary Event Notice	21.05.2009	Event allowed to proceed
10/03331/LITENN	Temporary Event Notice	13.05.2010	Event allowed to proceed
10/03337/LITENN	Temporary Event Notice	13.05.2010	Event allowed to proceed
11/02451/LITENN	Temporary Event Notice	22.03.2011	Event allowed to proceed
11/05842/LITENN	Temporary Event Notice	08.06.2011	Event allowed to proceed
14/04604/LITENN	Temporary Event Notice	07.07.2014	Event allowed to proceed
14/10076/LITENN	Temporary Event Notice	25.11.2014	Event allowed to proceed
16/05032/LITENN	Temporary Event Notice	17.05.2016	Event allowed to proceed

**There is no appeal history.**

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

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

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

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

#### **Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Conditions consistent with the operating schedule**

9. The sale of alcohol at the premises will be ancillary to the primary use of the premises as an event space.
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. There will be a maximum of 15 events featuring licensed activity per calendar year. Each event may last for a maximum of 17 hours.
12. Events spanning across 2 days (where the event begins on the evening of one day and continues through until the following day) will count as one event. There will be a maximum of 5 events per year that may span 2 days.
13. All events taking place in the Gardens will be approved in writing by either Grosvenor or the Belgrave Square Garden Events Committee.
14. All events taking place in the Gardens will be subject to individual Risk Assessment.
15. A suitable and sufficient Event Management Plan shall be drawn up prior to an event and made available, if requested, to the Responsible Authorities. This shall be kept for at least one year and shall include where necessary, as a minimum, details on the following aspects:
- i) Emergency and evacuation procedures
  - ii) Crowd management and stewarding arrangements
  - iii) Overnight security arrangements
  - iv) A detailed site plan showing all permanent and temporary structures and all access and egress points
  - v) Capacity at any one time
  - vi) Certificates from competent persons on Structures, Electrical Power Supply and Gas equipment (including LPG)
  - vii) First Aid and Lost Children arrangements



- viii) Noise Management Plan
  - ix) Risk Assessments
  - x) A waste management plan
  - xi) Sanitary accommodation
  - xii) Public Liability Insurance
16. When creating the Event Management Plan, reference will be made to the following publications: *The Technical Standards for Places of Entertainment – District Surveyor’s Association*, *The Event Safety Guide (purple guide)*, *Guide To Safety At Sports Grounds (green guide)*, *FRSA – Open Air Events and Venues*.
  17. All events will be either private events or ticketed public events. None of the events taking place will be freely accessible to the public.
  18. Once events have been Risk Assessed they will be categorised as either Small Scale (no alcohol and attendance below 499) or Medium Scale (alcohol included, attendance below 499) or Large Scale (attendance in excess of 499).
  19. Large Scale events will be notified to the Licensing Authority and Met Police at least 28 days prior.
  20. The premises Licence holder shall comply with all reasonable requirements of Westminster Police Licensing Team, the London Fire and Emergency Planning Authority and Westminster City Council’s Environmental Health Consultation Team and Filming & Events Team.
  21. Once risk assessed, events deemed necessary will feature an appropriate number of SIA staff.
  22. Following Risk Assessment, where relevant, a separate Security Risk Assessment will be carried out and specialist advice sought from Grosvenor's approved security consultant.
  23. Alcohol for sale for consumption off the premises will only be made in sealed containers and customers will not be permitted to consume these products on the premises.
  24. All sales of alcohol for off sales will cease at 23:00 Mon - Sat and 22:30 Sun.
  25. Following Risk Assessment, certain events (Large Scale) will operate with a Safety Officer (NEBOSH) on duty.
  26. All contractors, suppliers, concessions and caterers will be audited for their suitability to provide services with the premises.
  27. In the absence of daylight there will be sufficient lighting installed whilst the premises are open to the public.
  28. All drinks sold, supplied or consumed shall only be in open polycarbonate or crushable vessels unless prior exemption has been obtained from the Environmental Health Consultation Team for a specific event in writing or by e-mail.

29. Where such exemption has been gained, events involving glassware on site will feature the following measures:
  - i: Cleaning/Back Bar staff to be on duty to clear any breakages promptly
  - ii: Spot Sweep (long handled dustpan and broom) to be available to facilitate safe clearing of breakages
30. Events featuring amplified music will give consideration to the positioning and directionality of PA systems and loudspeakers within the Gardens.
31. PA Systems and loudspeakers will only be situated within the inner Garden.
32. The Licensee must ensure that the LAeq (5 min) noise level does not exceed 75 dB(A) at the nearest noise sensitive premises from any amplified music provided during events.
33. Events that include amplified music must be notified to the Environmental Health Consultation Team at least two weeks prior and the notification shall include the Noise Management Plan for the event.
34. There shall be no noise audible at the nearest noise sensitive premises from any construction or similar works in association with the set up and dismantling of the site, outside the hours of:
  - i. 08:00 - 18:00 Monday -Saturday
  - ii. 08:00 - 13:00 Sunday
35. Unaccompanied children will not be permitted on site after 21:00 during any event.
36. In relation to the sale of alcohol, a Challenge 25 proof of age scheme shall be operated at the premises, where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
37. Challenge 25 signage will be on display at all alcohol service points.
38. A 'Lost and Found Child Policy' will be prepared and all key staff on duty will be aware of the policy.
39. Events operated by Grosvenor with children on site will feature an appropriate number of DBS checked staff. For events operated by approved third parties, similar assurances will be sought.

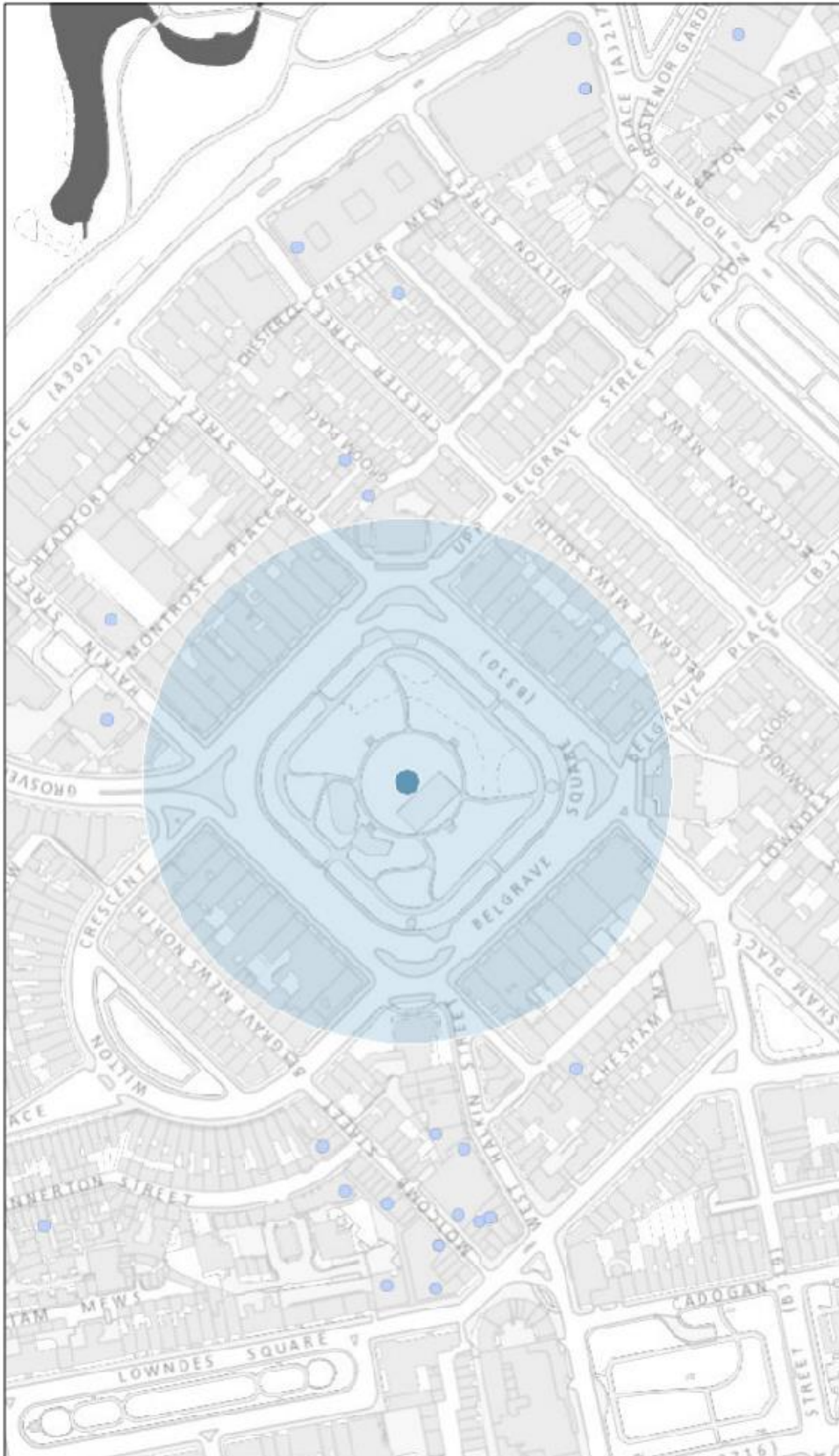
**Conditions proposed by the Environmental Health**

None

**Conditions proposed by the Police**

None

Belgrave Square



Resident count = 53



Office Names: Anil Drayan  
 Designation: Environmental Health Officer  
 Date: 14/12/17  
 Contact number: 020 7641 1774  
 Email: [adrayan@westminster.gov.uk](mailto:adrayan@westminster.gov.uk)  
 Application/Uniform Ref Number:  
 17/12472/PREAPS

<b>Address:</b> Open Space, Belgrave Square, London, SW1X 8PS		
<b>Existing Licence:</b> No <b>Current Use:</b> Private Garden	<b>Applicant:</b> Rob Dudley, We Are The Fair Ltd, Unruly, 15 Whitechapel High Street London	<b>Cumulative Impact Area:</b> No
<p><b>Advice Request:</b></p> <p>The application is for a Premises Licence for Belgrave Square Gardens on behalf of the Belgrave Square Garden Committee and Grosvenor.</p> <p>The licence will be restricted to a maximum of 15 events per year</p>		
<p><b><u>Policy considerations</u></b></p> <p><b><u>1. Westminster’s Statement of Licensing policy.</u></b></p> <p>i. Environmental Health bases any recommendations on achieving compliance with Westminster’s Statement of Licensing Policy as well as being consistent with promoting the Licensing Objectives.</p> <p>The advice in this report should therefore be read in conjunction with the policy which can be found on the Council’s website at the following link:</p> <p style="text-align: center;"><a href="https://www.westminster.gov.uk/statement-licensing-policy">https://www.westminster.gov.uk/statement-licensing-policy</a></p> <p>ii. In addition this link gives access to the list of Model Conditions (MC) which should be used as the basis for any conditions that may be proposed in an operating schedule.</p> <p><b><u>2. Licensable activities requested</u></b></p> <p>The licensable activities being sought as I understand it are the following:</p> <ul style="list-style-type: none"> <li>• provision of regulated entertainments (<i>in any application please apply for the specific activities required</i>)</li> <li>• sale of alcohol</li> </ul>		

The principal policy consideration is policy PVC1 which states that *'applications will generally be granted subject to relevant criteria in policies CD1, PS1, PN1 and CH1' as the premises are not in a Cumulative Impact Area (CIA) and if the proposal also has the following main elements:*

- supply of alcohol is ancillary to an event
- operational hours within core hour policy HRS1

**Environmental Health considerations:**

PN1 – Prevention of Public Nuisance

PS1 – Promoting Public Safety

CH1 – Protection of Children from Harm

**1. History:**

A history check of the Environmental Health's nuisance database shows that events held at Belgrave Square, such as under Temporary Event Notices (TENs) have not generated nuisance complaints to the Council.

**2. Event Management Plan (EMP)**

All events staged at the premises (including any non- licensable events) should be carried out under a suitable and sufficient EMP. Such a plan should contain appropriate details on relevant aspects (see below under list of recommended conditions).

To help draw up an appropriate EMP you are advised to have regard to guidance provided by the Government for community events which is available at the following website:

<https://www.gov.uk/government/publications/can-do-guide-for-organisers-of-voluntary-events/the-can-do-guide-to-organising-and-running-voluntary-and-community-events>

**3. Structure and Capacity**

- Any calculations on the safe capacity shall be made with reference to *'The Technical Standards for Places of Entertainment – District Surveyor's Association'* and any guidance provided by the Fire Brigade.
- Westminster Building Control should be contacted if temporary structures are to be provided for an event to ascertain if temporary structures licences are required. In that situation full structural design details and calculations of all temporary structures must be submitted to Building Control and approval obtained prior to the event starting.

#### 4. Noise Management Plan (NMP)

The NMP must contain the following information as a minimum:

- Any amplified music event is advised not to exceed 75dB(A) 5min Leq and detail how this will be achieved.
- Hours of operation and running order
- Details of prior notification particularly to residential premises eg leafletting with event and contact details at least 7 days prior to the event.
- The site plan shows Belgrave Square with numerous Embassies and special notification arrangements (and agreements) may be needed with these premises for events, such as any amplified music events, which have an impact beyond the Square's boundary.

#### 5. Other matters to consider

i. Sale of Food and Goods:

Many community events include stall holders selling goods and food. For information please find attached to the e-mail containing this memo Environmental Health's Food and Trading Standards guidance for traders at events and markets.

ii. Planning Considerations:

- The licence request is for 15 events – does this mean 1 event equals 1 day or can the same event run over several days. This may be an important consideration in terms of Planning legislation (and also for the licence).
- As I understand it any use of a premises other than its designated planning use for more than 28 days and also the extent of the impact resulting from the non-normal use may also require Planning approval. Please note the non-normal use includes any days spent for the build and de-rig for an event.
- You are therefore recommended to seek advice from Westminster's Planning Department if planning approval is also needed.

Please also note the planning status of the premises will, however, not be a material consideration as to whether any Premises Licence should be granted. Conversely, under planning legislation, the approval of a Premises Licence does not provide automatic grounds for the planning status to also be changed.

## **6. Recommended Conditions to be submitted with an application**

Environmental Health recommends the following conditions be submitted with any application:

1. The sale of alcohol at the premises will be ancillary to the primary use of the premises as an event space which shall be limited to 15 licensed events in any calendar year.
2. A suitable and sufficient Event Management Plan shall be drawn up prior to an event and made available, if requested, to the Responsible Authorities. This shall be kept for at least one year and shall include where necessary, as a minimum, details on the following aspects:
  - i. Emergency and Evacuation procedures
  - ii. Crowd management and stewarding arrangements
  - iii. Overnight security arrangements
  - iv. A detailed site plan showing all permanent and temporary structures and all access and egress points
  - v. Capacity at any one time
  - vi. Certificates from competent persons on Structures, Electrical Power Supply and Gas equipment (including LPG)
  - vii. First Aid and Lost Children arrangements
  - viii. Noise Management Plan
  - ix. Risk Assessments
  - x. A waste management plan
  - xi. Sanitary accommodation
  - xii. Public Liability Insurance
3. All drinks sold, supplied or consumed shall only be in open polycarbonate or crushable vessels unless prior exemption has been obtained from the Environmental Health Consultation Team for a specific event in writing or by e-mail.
4. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
5. In relation to the sale of alcohol, a Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
6. The Premises Licence holder shall comply with all reasonable requirements of Westminster Police Licensing Team, the London Fire and Emergency Planning Authority and Westminster City Council's Environmental Health Consultation Team and Filming & Events Team.
7. The Licensee must ensure that the LAeq (5 min) noise level does not exceed 75 dB(A) at the nearest noise sensitive premises from any amplified music provided during events.



8. Events that include amplified music must be notified to the Environmental Health Consultation Team at least two weeks prior and the notification shall include the Noise Management Plan for the event

9. There shall be no noise audible at the nearest noise sensitive premises from any construction or similar works in association with the set up and dismantling of the site, outside the hours of:

08:00 - 18:00 Monday -Saturday

08:00 - 13:00 Sunday

**Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.**

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Item No:	
Date:	1 March 2018
Licensing Ref No:	18/00145/LIPN - New Premises Licence
Title of Report:	Wingstop Restaurants Basement To Second Floor 138-140 Shaftesbury Avenue London W1D 7EA
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 0207 641 1872 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	4 January 2018		
<b>Applicant:</b>	Lemon Pepper Holdings Ltd		
<b>Premises:</b>	Wingstop Restaurants		
<b>Premises address:</b>	Basement To Second Floor 138-140 Shaftesbury Avenue London W1D 7EA	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	According to the application the premises will operate as a restaurant including fast food takeaway and alcohol both off and on sales.		
<b>Premises licence history:</b>	This is a new premises licence and therefore no history exist.		
<b>Applicant submissions:</b>	<p>Wingstop Restaurants is a chain of nostalgic, aviation-themed restaurants where the sole focus is on chicken wings. Wingstop locations are decorated following a 1930s and 1940s "pre-jet" aviation theme. The restaurant chain was founded in 1994 in Garland, Texas, and began offering franchises in 1998. This premises is the flagship for the UK.</p> <p>The applicant has proposed conditions as part of their operating schedule which is incorporated in Appendix 3 of the report.</p>		
<b>Application Amendment:</b>	<p>Since the original application was received the applicant has amended the application as follows:</p> <ul style="list-style-type: none"> <li>The terminal hour being sought for the sale of alcohol (for consumption <u>off</u> the premises) is reduced by one hour. The hours they are now seeking are: Monday to Sunday 11:00 to 23:00</li> </ul>		
<b>Plans</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>			The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.				

Sale by retail of alcohol (On Sales)							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>			The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.				

Sale by retail of alcohol (Off Sales)							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>Seasonal variations/ Non-standard timings:</b>			The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.				

Hours premises are open to the public							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>			The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Ms Shannon Pring
<b>Received:</b>	1 <sup>st</sup> February 2018

I write in relation to the application submitted for a new Premises Licence

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

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered. This application should be considered alongside the following policies, FFP2, HRS1 and CIP1.

In respect of FFP2 the policy states that is the Licensing Authority's policy to refuse applications unless they are to vary to within core hours. This applications seeks to go beyond core hours as defined at HRS1 and as such an exemption to policy needs to be given. Furthermore, CIP1 states, in part, that "it is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for...fast food premises" and therefore it is for the applicant to demonstrate how the premises and the proposed 124 people will not add to cumulative impact within the cumulative impact area.

Additionally; we note that there have been amendments to the application after consultation with the Environmental Health Consultation Team and welcome the additional conditions as detailed within your email of 24 January 2018 including the reduction of the terminal hour for the Off Sales of alcohol for Monday to Saturday. However, we are concerned that the terminal hour for Sunday as well as the hours sought for both On Sales of alcohol and the hours that the premises is open to the public fall outside of the core hours, as stated below –

(see Policy HRS1)

- 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:

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

We would ask that the applicant consider reducing the, opening hours and the hours for licensable activities, in line with the council's core hours policy?

Please accept this as a formal objection and we look forward to discussing this application further with you.

<b>Responsible Authority:</b>	The Environmental Health Service ( <i>withdrawn</i> )
<b>Representative:</b>	Maxwell Owusu Koduah
<b>Received:</b>	30 <sup>th</sup> January 2018

I refer to the application for a New Premises Licence number for the above premises located in the West End Cumulative Impact area.

This representation is based on plans of basement, ground floor, first and second floors BRINKWORTH dated December 2017 submitted with the operating schedule.

**The applicant is seeking the following licensable activities:**

1. The provision of late night refreshment "indoors & outdoors" at the following times:  
Monday to Sunday 23:00 hours to midnight on 10:00 to 19:00 hours and  
Sunday from 12:00 to 18:00  
From the terminal hour on New Year's Eve to the commencement time on New Year's Day
2. Supply of Alcohol for consumption "On & Off" the premises at the following times:  
Monday to Sunday from 11:00 hours to 23:00 hours for "off" sale  
Monday to Sunday from 11:00 hours to midnight for consumption "on" premises

From the terminal hours on New Year's Eve to the commencement time  
New Year's Day

**I wish to make the following representations:**

1. The hours requested to provide late night refreshment may have the likely effect of increasing Public Nuisance and impact on Public Safety within the West End Cumulative Impact area
2. The supply of alcohol and the hours requested may have the likely effect of increasing Public Nuisance and impact on Public Safety within the West End Cumulative Impact area.

With reference to policy HRS1 of the licencing policy, the hours requested to provide late night refreshment and supply alcohol are longer than the core hours when customers are permitted to be on the premises.

The granting of the new premises licence as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the West End Cumulative Impact area.

The applicant has provided conditions in support of the application but these do not address the concerns of Environmental Health and additional conditions may be proposed.

***Following the agreement of conditions, Environmental Health Service have withdrawn their representation.***

<b>Responsible Authority:</b>	The Metropolitan Police Service
<b>Representative:</b>	PC Bryan Lewis
<b>Received:</b>	24 <sup>th</sup> January 2018

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the West End Cumulative Impact Area, a locality where there is traditionally high levels of crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.



<b>2-B Other Persons</b>	
<b>Received:</b>	30 <sup>th</sup> January 2018
<p>I have only today become aware of this application and it has immediately started alarm bells ringing.</p> <p>I understand that Wingstop is a reasonable quality firm but this seems entirely the wrong location for their business. Everyone familiar with the Cambridge Circus area will be fully aware that we are plagued by congestion and crime. We are already at bursting point. We have no room for a 120 seat fast food joint. I have not yet seen any plans for Take Out, a big feature of most Wingstops, but even dining patron will clog the area and attract more drug dealers.</p> <p>The site has very narrow pavements and yet the company talks of outdoor smoking areas. And will they have line-ups too when they are busy? Where will these patrons wait. There is no room. As for unleashing more tipsy diners on Cambridge Circus, my mind shutters. As I say, we are already swamped. We don't need more midnight ramblers buying drugs.</p> <p>The premises were a bank before, open only daytimes. This new use is entirely out of character.</p> <p>And superfluous considering we have already just had a hamburger joint open next door to compete with McDonald's the scene of daily crime.</p>	
<b>Received:</b>	31 <sup>st</sup> January 2018
<p>I live across the road from the premises. There are significant amounts of residential property on the East side of Charing Cross Road both North and South of the Circus. I believe that the grant of the licence will harm the licensing objectives of the prevention of Public Nuisance and Crime and Disorder and should be refused. Cambridge Circus already has 2 premises selling hot food for takeaway (McDonalds and Shake Shack), both of which were previously restaurants and close at 11pm (ie. do not offer late night refreshment). The area already suffers from the cumulative impact of licensed premises and is a known hotspot for serious and persistent anti-social behaviour and drug related activity.</p> <p>I am concerned that the sale of alcohol for consumption off the premises will increase the amount of alcohol consumed in the area. Late Night Refreshment Establishments of this type are known to attract anti-social behaviour by people who have already been drinking because by definition they are open after 23:00. I am concerned that the premises will contribute to the anti-social behaviour in the area and further undermine the peace and safety of those who live in the vicinity</p>	

This representation is being made by the Covent Garden Community Association (CGCA). The CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue, Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 5<sup>th</sup> December 2017.

The premises are situated on the South West corner of Cambridge Circus in a building formerly occupied by HSBC. There are significant amounts of residential property on the East side of Charing Cross Road both North and South of the Circus which fall within the CGCA's area, even though the premises are outside this area. A map showing residential accommodation in the vicinity is attached. This is not complete as we are not aware of all of the location of residents in Soho, to the North West of the Circus.

The application is for a fast food restaurant focussing on fried chicken which would be open until 00:00 on all days of the week and which would serve alcohol with a "meal" for consumption on or off the premises. The licence also asks for late night refreshment.

The CGCA's view is that the grant of the licence will harm the licensing objectives of the prevention of Public Nuisance and Crime and Disorder and should be refused.

Cambridge Circus already has 2 premises selling hot food for takeaway (McDonalds and Shake Shack) and there are other premises in the vicinity. Both these premises were previously restaurants and close at 11pm (ie. do not offer late night refreshment).

The area already suffers from the cumulative impact of licensed premises and is a known hotspot for anti-social behaviour and drug related activity.

To take the licence elements in turn.

#### **Sale of Alcohol**

We are concerned that the sale of alcohol for consumption off the premises will increase the amount of alcohol consumed in the area. We are also concerned that people consuming alcohol in the late evening, even on the premises, will have a similar effect as they may be coming to the premises after already having drunk. The style of operation is likely to make it difficult to avoid serving people who are already drunk.

#### **Late Night Refreshment**

Establishments of this type are known to attract anti-social behaviour by people who have already been drinking because by definition they are open after 23:00. Policy FFP2 applies to this application and late night refreshment will normally be refused. We believe that this is appropriate in this case to support the licensing objectives.

If late night refreshment was refused and the premises closed at 23:00 our concern about allowing the sale of alcohol for consumption ON the premises would be reduced provided that the sale was ancillary to a substantial meal to be consumed on the premises only. Even at this earlier hour we maintain that it would harm the licensing objectives to permit alcohol to be consumed on the street in the vicinity of the premises.

In summary the CGCA's is that to support the Licensing Objectives the premises should close at 23:00 and that the sale of alcohol needs to be ancillary to a substantial meal consumed on the premises only.

We hope that this representation is clear. If you have any questions please contact the undersigned.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIA1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy FFP2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1.

### 4. Equality Implications

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

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

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

## 5. Appendices

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

<b>Report author:</b>	Ms Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 02076411872 Email: ywade@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
<b>4</b>	Application Form	4 <sup>th</sup> January 2018
<b>5</b>	The Licensing Authority Representation	1 <sup>st</sup> February 2018
<b>6</b>	The Environmental Health Service-Representation	30 <sup>th</sup> January 2018
<b>7</b>	The Metropolitan Service- Representation	24 <sup>th</sup> January 2018
<b>8</b>	Representation	30 <sup>th</sup> January 2018
<b>9</b>	Representation	31 <sup>st</sup> January 2018
<b>10</b>	Representation	29 <sup>th</sup> January 2018



**18/00145/LIPN - Wingstop, 138-140 Shaftesbury Avenue,  
London W1D 7EA**  
**Application for New Premises Licence**

**Wingstop**

Wingstop is a chain of restaurants where the sole focus is on flavour' the flavour of chicken wings. The restaurant chain was founded in 1994 in Garland, Texas and their headquarters are in Dallas, Texas.

1997 saw the opening of their first franchised Wingstop location in the USA and by 2002 Wingstop had served the world one billion wings.

There are more than 1,000 restaurants open across the United States, Mexico, Singapore, the Philippines, Indonesia, and the United Arab Emirates.

Wingstop is the destination when you crave fresh never faked wings, hand-cut seasoned fries and any of their famous sides. It is for people who demand flavour in everything they do because it's more than a meal, it's a flavour experience.

Its' flavour defines Wingstop and this has made it one of the fastest growing brands in the restaurant industry attracting top entrepreneurs and operators with the drive and passion to own their own business.

The flagship for the UK is going to be this restaurant on Shaftesbury Avenue. They have a 25 year lease and the costs of the scheme at Shaftesbury Avenue will be £850,000.

Attached is a concept design document for reference.

Lemon Pepper Holdings Limited has acquire the rights for Wingstop in the UK.

Herman Sahota will be attending the premises and is a director of Lemon Pepper Holdings Limited. In his previous position, Herman headed up a leading wholesaler and alcohol drinks distribution business, which at the time was exceeding turnover circa £50m. Over the years he has won several awards in recognition for his business performance, growth and leadership including Today's Group 2012 Awards for Excellence: Winner of Best Cash & Carry, The Sunday Times 2010 Profit Track 100, position top 15, and the Grocer Magazine 'The Big 30 Wholesalers' 2004 to 2015. Herman's day to day corporate responsibilities included forming strategic and long-term relationships with leading manufacturers to ensure his trade members had access to the latest products at competitive prices.

The operational director of Lemon Pepper Holdings Limited is Christian Solanot. His CV is attached for information.

There will be approximately 25-30 Full time equivalent employees at the venue.

**The Location**

The application site is located on the corner of Shaftesbury Avenue and Charing Cross Road, at Cambridge Circus. The unit was previously occupied by HSBC bank and comprises basement, ground, first and second floors, with a total floor area of 395.6sqm.

The restaurant will be laid out with the kitchen and a seating area at ground floor level and an accessible WC, the main seating area and customer toilets at first floor level and ancillary storage and staff facilities at basement level.

## **Alcohol**

Alcohol sales do not form a main feature to the Wingstop business. The sale of alcohol will be limited to a selection of 3 beers only and this is proposed as a condition. There will be no open bar visible or located at the premises.

The 3 beers selected are part of an exclusive partnership with Camden Town Brewery. The three beers being sold will be; Camden Hells Lager 330ml Can 4.6 % vol ABV, Camden Pale Ale 330ml Can, 4.0% vol ABV, Camden Gentlemen WIT 330ml Can 4.3% vol ABV. A condition prohibiting super strength beers has been proposed for the licence.

The alcohol will only be sold in cans and no glass bottles will be dispensed for the alcohol.

Alcohol is not able to be purchased without a meal and again, this is contained in a proposed condition.

Off sales are limited to Westminster's core hours terminal hour.

## **Transport Links**

The site is well served by a variety of modes of public transport including many 24hr bus services and three nearby underground stations; namely Charing Cross Road, Tottenham Court Road and Leicester Square Station which all provide 24 hour tube services on weekends.

## **Waste Management**

Wingstop have allocated an area of the ground floor as a bin storage area to accommodate wheelie bins for storage of waste and recycling.

All waste and recycling is collected on a daily basis by a private waste service provider or by the Local Authority and the applicant has proposed a condition to this effect; please refer to condition 9 in the list of proposed conditions attached.

## **Policy**

In accordance with the City Council's policy, this premises shall operate as a restaurant and falls under Policy RNT1 – Restaurants within the Cumulative Impact Area.

The Policy states (at section 2.5.12) that

*'restaurants of various types attract people over a wide range of ages. Restaurants where there is no music and dancing, where customers are seated and served at tables, may appeal particularly to families or older customers. It is recognised that restaurants, as defined in this section, have little association with crime and disorder.'*

The Policy states (at 2.4.25) that *'the Licensing Authority's view is that cumulative impact in the Cumulative Impact Areas arises mainly from the numbers of pubs and bars, music and dance premises and fast food premises.'*

Together with the experience of the licensee and the extensive list of conditions proposed within the application, we believe that this premises shall operate to a high standard and not add to cumulative impact within the West End Cumulative Impact Area.

Whilst we appreciate the planning and licensing regimes are separate, it is noteworthy that planning has granted the terminal hour at 12 midnight for this operation, 7 days. The hours sought in licensing are to mirror the planning hours obtained (planning hours are 10am-midnight, 7 days).

## **PAGES 92-112**

Have been removed from the public version of the report after the Licensing Sub-Committee hearing at the request of the applicant on the basis that they contained information that was regarded as confidential by the applicant and which they did not wish to remain in the public domain.

**12<sup>th</sup> March 2018**



There is no licence or appeal history for the premises.

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

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

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

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

**Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Conditions consistent with the operating schedule**

9. The sale of alcohol for consumption on the premises shall only be to persons purchasing a meal and as an ancillary to that meal, which is to be eaten at a table or counter
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises
12. There shall be no self service of alcohol.
13. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
14. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.

16. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
17. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.
18. No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. Persons temporarily leaving the premises onto the public highway for the purposes of smoking shall not take any drinks with them.
21. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
22. 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.
23. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
24. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
27. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
28. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
32. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
33. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
34. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
35. The Licence will have no effect until the Licensing Authority are satisfied that the premises are constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
36. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
37. All sales of alcohol for consumption off the premises shall be in sealed containers and ancillary to a takeaway meal only, and shall not be consumed on the premises

38. The sale of alcohol shall be limited to a selection of 3 beers

**Conditions proposed by the Environmental Health and agreed by the Applicant**

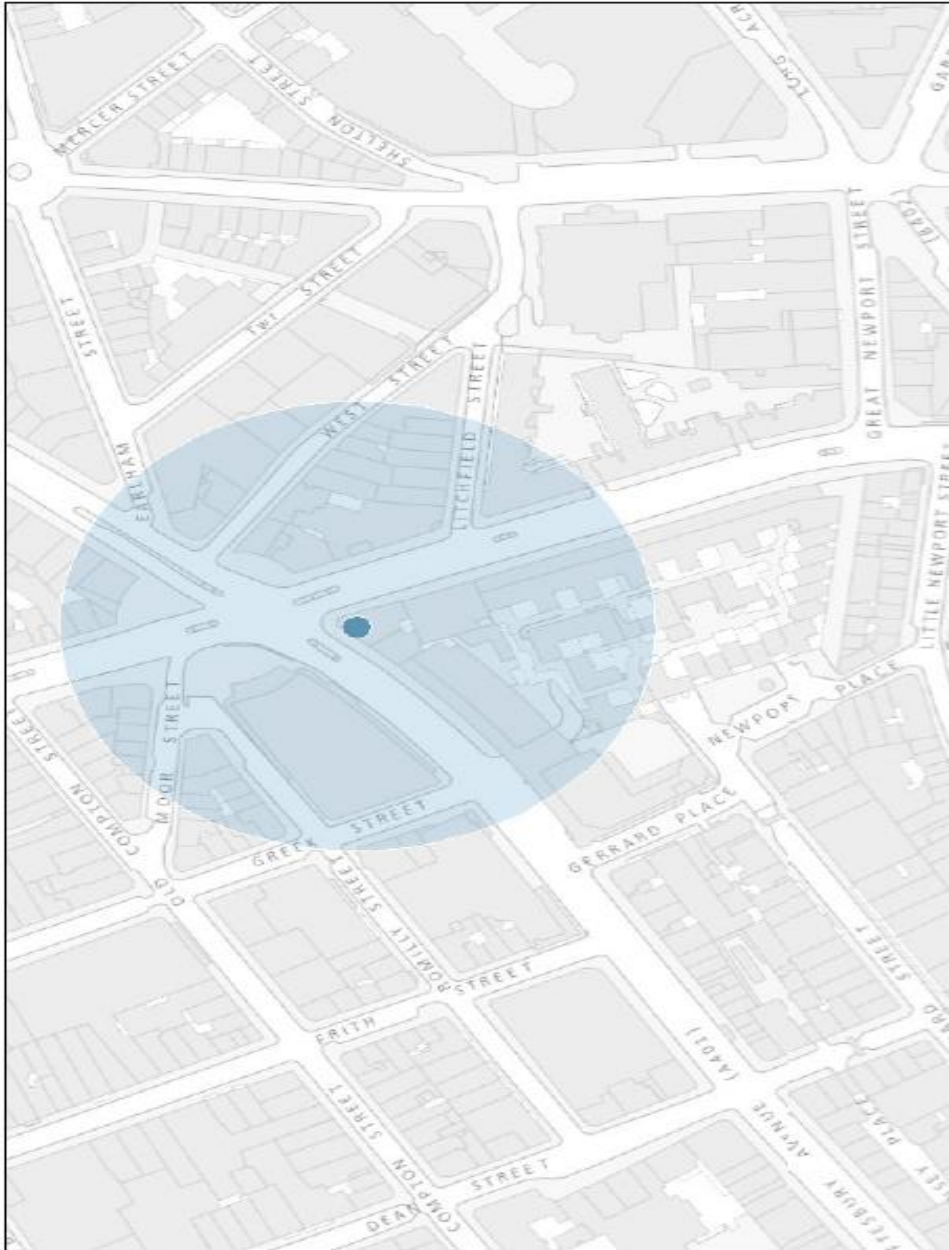
39. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

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

41. No licensable activities shall take at the premises until the capacity of the premises has been assessed by the Environmental Health Consultation Team and a condition detailing the capacity so determined has replaced this condition on the Licence.



Wingstop Restaurants Basement To Second Floor 138-140 Shaffesbury Avenue



February 16, 2018

Resident Count: 45

DISTANCE	OBJECTID	LicenceNumber	TradingName	Address	PremisesType	TimePeriod
13.92544	17680	13/05563/LIPDPS	Walkabout	136 Shaftesbury Avenue London W1D 5EZ	Pub or pub restaurant with lodge	Monday to Saturday; 09:00 - 04:00   Sunday; 10:00 - 04:00
26.71925	57667	17/09550/LIPV	Shake Shack	1 Cambridge Circus London WC2H 8PA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
28.90349	30071	17/08981/LIPVM	Palace Theatre	Palace Theatre 109- 113 Shaftesbury Avenue London W1D 5DZ	Theatre	Monday to Sunday; 09:00 - 00:00
39.28618	56541	10/10268/LIPT	Subway	82 Charing Cross Road London WC2H 0BA	Shop	Monday to Saturday; 08:00 - 06:00   Sunday; 08:00 - 00:00
44.19303	21290	16/05349/LIPDPS	L'Atelier De Joel Robuchon	13-15 West Street London WC2H 9NE	Restaurant	Monday to Saturday; 09:00 - 02:00   Sunday; 12:00 - 22:30

46.29205	26231	08/06532/LIPN	Karine Jackson Hair Beauty	24 Litchfield Street London WC2H 9NJ	Hairdresser or beauty salon	Monday; 10:00 - 19:00   Tuesday; 10:00 - 21:00   Wednesday; 10:00 - 20:00   Thursday; 10:00 - 21:00   Friday; 10:00 - 19:00   Saturday; 09:00 - 18:00
51.32864	57862	16/04565/LIPT	Le Beaujolais Restaurant Club	25 Litchfield Street London WC2H 9NJ	Wine bar	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00
51.32864	57858	16/04558/LIPT	Le Beaujolais Wine Bar	25 Litchfield Street London WC2H 9NJ	Wine bar	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
55.51333	31475	12/11305/LIPDPS	The Spice Of Life	37-39 Romilly Street London W1D 5NA	Pub or pub restaurant with lodge	Monday to Saturday; 09:00 - 23:30   Sunday; 09:00 - 23:00

56.31052	58092	17/09476/LIPRW	London Grace	11 West Street London WC2H 9NE	Hairdresser or beauty salon	Monday to Wednesday; 09:00 - 21:00   Thursday to Friday; 09:00 - 22:00   Saturday; 09:00 - 20:00   Sunday; 10:00 - 16:00
61.16739	56492	16/09212/LIPDPS	The Cambridge Hotel	93 Charing Cross Road London WC2H 0DP	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30   Monday to Saturday; 07:00 - 00:30   Friday to Saturday; 07:00 - 00:00   Sunday; 07:00 - 00:00   Sunday; 07:00 - 22:50   Sundays before Bank Holidays; 07:00 - 00:00

62.46912	37864	14/07071/LIPDPS	Z Hotel	The Z Hotel Soho 17 Moor Street London W1D 5AP	Hotel, 4+ star or major chain	Monday to Sunday; 00:01 - 00:00
62.69703	39106	09/01988/LIPD	Souk Restaurant	Ground 27 Litchfield Street London WC2H 9NJ	Cafe	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
64.36035	57834	12/05007/LIPVM	The Club At The Ivy	9 West Street London WC2H 9NE	Shop	Monday to Saturday; 08:00 - 02:30   Sunday; 10:00 - 23:00
65.08052	3204	17/04175/LIPDPS	La Bodega Negra	Basement And Ground Floor 16 Moor Street London W1D 5AP	Restaurant	Monday to Sunday; 00:00 - 00:00
70.00748	57874	16/07722/LIPV	The Ivy	1 - 7 West Street London WC2H 9NG	Restaurant	Monday to Saturday; 08:00 - 01:30   Sunday; 08:00 - 01:00

70.1349	69595	11/06024/LIPT	Coach & Horses Public House	29 Greek Street London W1D 5DH	Pub or pub restaurant with lodge	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:50   Sundays before Bank Holidays; 12:00 - 00:00
70.2044	36217	15/11904/LIPT	Restaurant	Basement And Ground Floor 8-9 Moor Street London W1D 5ND	Not Recorded	Monday to Thursday; 08:00 - 00:30   Friday to Saturday; 08:00 - 01:00   Sunday; 08:00 - 23:00
72.18745	68577	16/11180/LIPN	Maison Berteaux	28 Greek Street London W1D 5DQ	Food store (large)	Monday to Sunday; 08:00 - 23:00

Item No:	
Date:	1 March 2018
Licensing Ref No:	17/14610/LIPN - New Premises Licence
Title of Report:	The Plaza 116-128 Oxford Street London W1D 1LT
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	8 December 2017		
<b>Applicant:</b>	Inpaella Ltd		
<b>Premises:</b>	The Plaza		
<b>Premises address:</b>	116-128 Oxford Street London W1D 1LT	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	A restaurant unit situated within The Plaza. According to the application the premises will operate as a restaurant with a holding bar for diners only.		
<b>Premises licence history:</b>	This is a new premises licence and therefore no history exists.		
<b>Applicant submissions:</b>	<p>The site is the restaurant unit within the building known as The Plaza in 120 Oxford Street. The premises comprises the ground floor (3500 sqft) and the first floor (5750 sqft) of the corner of the building in Wells Street and Eastcastle Streets.</p> <p>The team behind this project comprises two teams with a vast experience in the sector. On the one side the Iberica Restaurants teams which runs eight restaurants in the UK, with 5 in London and two within the City of Westminster, in Victoria and Marylebone, and has done so without any issues having arisen in establishments in relation to within others the licensing objectives.</p> <p>The other side of the team is the renowned and highly awarded Quique Dacosta, within the top 100 Chefs in the world with a total of 4 Michelin stars (3+1).</p> <p>We intend to create a very high end restaurant with an ancillary holding bar which will never occupy more than 15% of the site. Our plans are to create a restaurant with a total of 70 at ground floor and 110 in the first floor, all seated except for the small bar area.</p> <p>The restaurant is still in design change and thus can adapt its build to requisites that may arise from this license.</p> <p>The applicant has provided submissions at Appendix 1 of the report and the proposed conditions have been</p>		



	incorporated into Appendix 3.
<b>Plan</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.

<b>1-B Proposed licensable activities and hours</b>							
<b>Since the original application was received the applicant has amended the hours for licensable activities, to less than core hours for the Retail Sale of Alcohol and Recorded Music and within core hours for Late Night Refreshment</b>							
<b>Regulated Entertainment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Playing of Recorded Music</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	11:00	11:00	11:00	11:00	11:00	11:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	23:30	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			<ul style="list-style-type: none"> <li>- From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>- On the day British Summer time commences for an additional hour following the terminal hour.</li> <li>- Sundays before bank holidays 12:00-00:00 hours.</li> </ul>				

<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	
<b>Seasonal variations/ Non-standard timings:</b>			<ul style="list-style-type: none"> <li>- From the start time on New Year's Eve to the terminal hour for New Year's Day.</li> <li>- Sunday before a bank holiday 23:00 to 00:00.</li> <li>- On the day British Summer time commences for an additional hour following the terminal hour.</li> </ul>				

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	11:00	11:00	11:00	11:00	11:00	11:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			<ul style="list-style-type: none"> <li>- From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>- On the day British Summer time commences for an additional hour following the terminal hour.</li> <li>- Sundays before bank holidays 12:00-00:00 hours.</li> </ul>				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:30	00:30	23:00
<b>Seasonal variations/ Non-standard timings:</b>			<p>On the day British Summer Time commences: one additional hour following the terminal hour.</p> <p>From the start time on New Year's Eve to the terminal hour for New Year's Day</p> <p>Sundays before Bank Holiday from 11:00 to 00:30</p>				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	The Metropolitan Police ( <b>withdrawn</b> )
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	14 <sup>th</sup> December 2017

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

The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

Would it be possible to attend the premises at some stage with Environmental Health and discuss the application?

I look forward to your prompt response.

**Further correspondence from the Police to Applicant:**

**The Plaza, Oxford Street, W1 - 17/14610/LIPN**

I hope you are well. I have been through the operating schedule and note your conditions. I am happy with them.

I have also consulted with Sally and from a Police point of view, I fully support Environmental Health.

The condition I would like agreed to is:

*The premises shall only operate as a restaurant:*

- (i) in which customers are shown to their table,*
- (ii) where the supply of alcohol is by waiter or waitress service only,*
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,*
- (iv) which do not provide any take away service of food or drink for immediate consumption,*
- (v) which do not provide any take away service of food or drink after 23.00, and*
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.*

*Notwithstanding condition (MC66), alcohol may be supplied and consumed prior to and after their meal in the bar area (**hatched on the plan**), by up to a maximum at any one time, of (15% of the total capacity) persons dining at the premises.*

**Following agreed conditions proposed by the Police and accepted by the applicant, the Police have withdrawn their representation**

<b>Responsible Authority:</b>	The Environmental Health Service ( <b>withdrawn</b> )
<b>Representative:</b>	Sally Fabbriatore
<b>Received:</b>	5 <sup>th</sup> January 2018

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

**The premises are situated in the West End Cumulative Impact Area as stated in City of Westminster's Statement of Licensing Policy.**

This representation is based on the Operating Schedule and the submitted plans, for the ground and first floor, titled with the address and drawing number 1110L-1 and dated 08/05/17.

The applicant is seeking the following on the ground and first floors:

1. To allow the Supply of Alcohol 'on' the premises Monday to Thursday 11:00–00:00 hours, Friday and Saturday 11:00–00:00 hours and Sunday 11:00–23:00 hours.
2. To allow Late Night Refreshment 'indoors' Monday to Thursday 23:00–00:00 hours, and Friday and Saturday 23:00–00:30 hours.
3. To allow the provision of Regulated Entertainment of Recorded Music 'indoors' Monday to Thursday 10:00–00:00 hours, Friday and Saturday 10:00–00:30 hours and Sunday 10:00–23:00 hours.
4. To allow the above provisions from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
5. To allow the above provisions for an extra hour on the commencement of British Summertime.
6. To allow the above provisions on a Sunday before a bank holiday from 10:00 to 00:30 hours.

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

1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the cumulative impact area, it may also impact on Public Safety.
2. The provision of Late Night Refreshment may cause an increase in Public

Nuisance in the cumulative impact area.

3. The provision of Regulated Entertainment may cause an increase in Public Nuisance in the cumulative impact area and may impact on Public Safety.
4. The non-standard timings may cause an increase in Public Nuisance in the cumulative impact area.

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

**The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the cumulative impact area and may impact on Public Safety.**

***Following the agreement of conditions, Environmental Health have withdrawn their representation.***

<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	5 <sup>th</sup> January 2018

I write in relation to the application submitted for a variation of a Premises Licence for the following premises

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

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered.

The conditions currently proposed could allow for the ground floor and outside terrace to become a drinks led venue and would be contrary to PB2, which states that It is the Licensing Authority's policy to refuse applications in the Cumulative

Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1. We also believe conditions could be re-drafted so that it fits in better with RNT2, which relates to restaurants in the cumulative impact area.

We are also concerned that the hours sought for recorded music, late night refreshment and opening hours go beyond those defined in HRS1. We believe the conditions and hours can be amended to make to make to the application fit better with our Statement of Licensing Policy and we will be available to assist you as the applicant to do this.

For the reasons stated above please accept this as a formal objection and we look forward to hearing from you in the near future.

***Correspondence exchange between the Licensing Authority and the Applicant dated 12.02.2018:***

Dear David

I hope this reaches you well. I write to update you on the current licence application made by Inpaella Limited.

**Objections**

Following the end of consultation there were effectively 4 objections and these were:-

Local residents association - The Fitzrovia Residents Association  
Police – Adam Dewaltz  
EHO – Sally Fabbriatore  
and your good self.

**Current status of Objections**

After very helpful and constructive discussions, all objections have now been withdrawn except for Licensing. I understand as part of the conditions offered the applicant has tried to address the points you have raised, namely hours and persons retiring to a bar area to free up tables. I attach the final set of conditions agreed with all parties.

You will see the application is now core hours and also the amendment to persons being in the hatched area after their meal has been removed. I have been asked by the applicant to see if you could consider withdrawing your representation on the basis that we have managed to get everyone to withdraw including local residents that would have been directly affected.

The applicant considers the followings are some of the key submissions for you to consider:

- 1) Planning permission was granted for the unit and it is very important to recognise the reasoning for this. The Plaza, had a food court with many fast food outlets ranging from KFC, Burger King, Subway, Pizza Hut Express, Taza La Plaza and Spud U like that occupied 1,440m<sup>2</sup>. The new restaurant has a reduction of floor space to 865 m<sup>2</sup> and the rest will be converted to A1 retail space. Therefore by reducing the restaurant area, albeit with an offering of alcohol would be an overall reduction in size of a restaurant by 575 m<sup>2</sup>.

- 2) The previous operators within the Plaza were there focused on fast food for dining in a food court area with disposable crockery and strong takeaway emphasis. The new offering is more formal high quality dining and fits squarely within MC66 which has been offered.
- 3) The residents have withdrawn after being satisfied with concerns.
- 4) EHO and Police who specialise in dealing with the public nuisance/safety, crime and disorder and protection of children have all withdrawn.
- 5) We hope that we can try and avoid unnecessary delay and costs. The applicant has already sought the most expensive licensing pre-application advice and therefore he felt all concerns should have been mentioned at the time. I think the applicant paid in the region of £1373.40 for the pre-app and have accepted all the proposals from the EHO and yourself and has made the necessary amendments to cut back to core house and remove post dining drinks.

In light of the above I hope you can consider withdrawing your representation. If you are unable to, please can you confirm what else you may need or what other discussions need to take place prior to the hearing. We will be available to meet at any time or would be happy to have a telephone conversation at any time. We will be engaging a barrister next week and ideally the applicant would like to avoid the cost of this if at all possible.

For ease, I attach the agreed conditions by all parties which show in detail the various changes that were made to the application and the conditions agreed.

The applicant is committed to working with you and all interested parties.

We look forward to hearing from you and as always are grateful for your time and assistance on this matter.

**From: David Sycamore**  
**To: Andrew Wong**

Hi Andrew

Sadly as this is a new premises in the CIA we are unlikely to be able to withdraw our representation. However, we are pleased that some good progress has been made with the application. The point for you and your client to consider remains RNT2 of the Policy, that any new application must demonstrate how it will not add to cumulative impact, this was raised on the pre-application report.

Kind regards

David

<b>2-B Other Persons</b>	
<b>Received:</b>	14 <sup>th</sup> December 2017 ( <b>representation withdrawn</b> )
3:47 PM on 14 Dec 2017 We have concerns about some of the activities going outside of core hours. There are residents nearby whose amenity we wish to protect. We would like to prevent any public nuisance due to noise and alcohol related poor behaviour. We would also like to see a clear condition that requires alcohol to be sold only to those seated and taking a meal. (ancillary to a meal). We'd like all tables of chairs out of use after 9pm. Conditions for disposal of waste, bottles etc and deliveries. We are happy to discuss with applicant.	

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIA1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy RNT2 applies:	Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.



## 4. Equality Implications

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

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

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

## 5. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Pre-Application Report
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1872 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
<b>4</b>	Application Form	8 <sup>th</sup> December 2017
<b>5</b>	The Licensing Authority- Representation	5 <sup>th</sup> January 2018
<b>6</b>	The Environmental Health Service- Representation (withdrawn)	5 <sup>th</sup> January 2018
<b>7</b>	The Metropolitan Police Service Representation- (withdrawn)	14 <sup>th</sup> December 2017
<b>8</b>	Representation (withdrawn)	14 <sup>th</sup> December 2017

**The Plaza, 116-128 Oxford Street, London**  
**Summary of Amalgamated Conditions**  
**Dated 17/1/18**

**Revised Hours for Licensable activities**

	<b>Days</b>	<b>Original Application</b>	<b>Revised Application</b>	<b>Changes from original</b>	<b>Comparison of revised proposal to Core Hours</b>
Sale of Alcohol	Monday	11:00 – 23:30	11:00 – 23:30	Stays the same	Less than core hours
	Tuesday	11:00 – 23:30	11:00 – 23:30	Stays the same	Less than core hours
	Wednesday	11:00 – 23:30	11:00 – 23:30	Stays the same	Less than core hours
	Thursday	11:00 – 23:30	11:00 – 23:30	Stays the same	Less than core hours
	Friday	11:00 – 00:00	11:00 – 00:00	Stays the same	Less than core hours
	Saturday	11:00 – 00:00	11:00 – 00:00	Stays the same	Less than core hours
	Sunday	11:00 – 23:00	12:00 – 22:30	Decrease 1h 30m	Within Core hours
Late night Refreshment	Monday	23:00 – 00:00	23:00 – 23:30	Decrease 30mins	Within Core hours
	Tuesday	23:00 – 00:00	23:00 – 23:30	Decrease 30mins	Within Core hours
	Wednesday	23:00 – 00:00	23:00 – 23:30	Decrease 30mins	Within Core hours
	Thursday	23:00 – 00:00	23:00 – 23:30	Decrease 30mins	Within Core hours
	Friday	23:00 – 00:30	23:00 – 00:00	Decrease 30mins	Within Core hours
	Saturday	23:00 – 00:30	23:00 – 00:00	Decrease 30mins	Within Core hours
	Sunday	N/a	N/a	No Change	Within Core hours
Recorded Music	Monday	10:00 – 00:00	11:00 – 23:30	Decrease 1h 30m	Less than core hours
	Tuesday	10:00 – 00:00	11:00 – 23:30	Decrease 1h 30m	Less than core hours
	Wednesday	10:00 – 00:00	11:00 – 23:30	Decrease 1h 30m	Less than core hours
	Thursday	10:00 – 00:00	11:00 – 23:30	Decrease 1h 30m	Less than core hours
	Friday	10:00 – 00:30	11:00 – 00:00	Decrease 1h 30m	Less than core hours
	Saturday	10:00 – 00:30	11:00 – 00:00	Decrease 1h 30m	Less than core hours

	Sunday	10:00 – 23:00	12:00 – 22:30	Decrease 2h 30m	Within Core hours
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**Non Standard Timings**

- From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
- On the day British Summer time commences for an additional hour following the terminal hour.
- Sundays before bank holidays 11:00-00:00 hours.

120 OXFORD STREET  
SERVICE MANAGEMENT PLAN  
FRAMEWORK



OCTOBER 2016

**120 OXFORD STREET**  
**SERVICE MANAGEMENT PLAN**  
**FRAMEWORK**  
**Sirosa Ltd**

**Report**

Project no: 24421289  
Date: October 2016

**WSP | Parsons Brinckerhoff**  
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## QUALITY MANAGEMENT

ISSUE/ REVISION	REVISION 1	REVISION 2		
Remarks	Draft	For Planning		
Date	17/10/2016	31/10/2016		
Prepared by	Kay Nyakpo	Kay Nyakpo		
Signature	KKN	Nyakpo, Kay Author 2016.10.31 16:22:59 Z		
Checked by	Richard Thomas	Richard Thomas		
Signature	RMT	Thomas, Richard I am approving this document 2016.10.31 16:38:23 Z		
Authorised by	Richard Thomas	Richard Thomas		
Signature	RMT	Thomas, Richard I am approving this document 2016.10.31 16:38:38 Z		
Project number	24421289	24421289		
Report number	SMPF001	SMPF001		
File reference	V:\24421289 - Colegrave Hs - Oxford STF OUT Surveys Specs & Reports\Service Management Plan Framework	V:\24421289 - Colegrave Hs - Oxford STF OUT Surveys Specs & Reports\Service Management Plan Framework		

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# PRODUCTION TEAM

## CLIENT

Cushman & Wakefield (C&W) on  
behalf of Sirosa Limited

## WSP | PARSONS BRINCKERHOFF

Transport Planner Kay Nyakpo

Technical Director Richard Thomas



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## APPENDICES

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# 1 INTRODUCTION

## 1.1 BACKGROUND

- 1.1.1 WSP | Parsons Brinckerhoff has been appointed by Sirosa Limited to provide transportation consultancy advice in support of a new planning application for proposals to subdivide and partially change the land use to Class A3 of what has previously been designated as MSU2 within the planning consent (ref. 12/12420/FULL) issued in October 2013, for refurbishment works at 120 Oxford Street, London.
- 1.1.2 The building is located on the northern side of the A40 Oxford Street, London and current occupiers are the Arcadia Group and EasyGym. At present the building is primarily serviced from a loading area located on Wells Street, to the west of the building. The location of the site is shown on **Figure 1.1**.
- 1.1.3 The loading area is used for a wide variety of functions, including refuse collection, delivery of goods and contractor parking.

## 1.2 SCOPE

- 1.2.1 The purpose of this Service Management Plan Framework is to inform the authorities of the intent of the applicant in managing delivery and service vehicle trips to and from the development to minimise the impact of these goods vehicle trips on the surrounding public highway and increase the operational efficiency of the building.
- 1.2.2 This will ensure that there is no conflict in use of the loading area between the proposed A3 land user and the existing/proposed retail and office operators.

## 1.3 REPORT STRUCTURE

- 1.3.1 Following this introduction the report is set out as follows:
- **Section 2** describes the existing situation;
  - **Section 3** summarises the development proposals;
  - **Section 4** sets out the relevant planning policy pertinent to Delivery and Service Management Plans;
  - **Section 5** identifies the objectives of the Serving Management Plan Framework and presents measures and initiatives to increase servicing efficiency for the site; and
  - **Section 6** presents the finding and recommendations for servicing at the site.

## 2 EXISTING CONDITIONS

### 2.1 INTRODUCTION

2.1.1 This chapter provides a review of the current uses at the site and describes the existing operation of the loading area. This review has been based on the findings of a site visit undertaken on 13 October 2016 and information provided on behalf of the client.

### 2.2 SITE LOCATION AND EXISTING USE

2.2.1 The site is located in the City of Westminster, on the northern side of the A40 Oxford Street and is bounded to the west by Wells Street, to the north by Eastcastle Street and to the east by Berners Street.

2.2.2 The location of the site is shown on **Figure 1.1**. The building comprises eight floors, which consist of a basement level, the ground floor and six upper floors.

2.2.3 The basement area occupies most of the amenities serving the building, car parking and cycle storage areas and an area allocated for a New Retail Unit (MSU1). The ground floor accommodates the loading area for the building, as well as space allocated for use as New Retail Units (MSU1 & MSU2). The first floor is currently vacant and has been allocated for the use as New Retail Units (MSU1 & MSU2) as per the planning consent (ref. 12/12420/FULL). The second floor is partly occupied by EasyGym and the Arcadia Group, who also occupy much of the remainder of the building.

2.2.4 The floors of relevance to this application are those assigned for use as MSU2 as per the planning consent (ref. 12/12420/FULL), and these are the ground floor and the first floors. Drawing Numbers **1110/P-1(--010** and **1110/P-1(--011** included in **Appendix B** show the consented arrangements for the ground and first floors respectively.

### 2.3 SERVICING AND DELIVERIES

#### EXISTING SERVICING REGIME

2.3.1 At present the building is primarily serviced from a loading area located on Wells Street to the western side of the building. The loading area is currently used for the following:

- Goods deliveries;
- Refuse collection – both the collection from compactors and recycling bins;
- Parking for on-site contractors; and
- Access to the car lifts (two bays).

- 2.3.2 Photographs showing the loading bay area are presented on **Figure 2.1**.
- 2.3.3 The loading bay has limited headroom of 3.3m and depth of 10m which means that it can only be utilised by a rigid heavy goods vehicle (HGV) or smaller vehicle types.
- 2.3.4 There are some deliveries that are undertaken on street, specifically on the western side of Wells Street. The existing occupiers use the loading area for a wide variety of functions, including refuse collection, delivery of goods and contractor parking. It is noted that some of the retail units do have deliveries using large and articulated delivery vehicles, which have to park on street whilst their deliveries are unloaded. It is understood that these deliveries take place approximately two to three times a week and during the permitted loading periods. This practice is however not promoted or authorised by the site management team at 120 Oxford Street. Given the Central London location this is a common practice, and we understand the existing regime adequately serves the site.
- 2.3.5 Due to the building's location on Oxford Street in Central London, the majority of the deliveries to the site are undertaken in early morning (before 6am) so that the delivery vehicles avoid the busier periods and loading restrictions.

## WELLS STREET

- 2.3.6 Wells Street currently operates a one-way system, with vehicles only permitted to travel in a southbound direction. In addition the following parking restriction apply:
- The eastern side of Wells Street has two sets of road markings along its length. At the entrances of both the northern and southern ends there are double yellow lines in the vicinity of the pedestrian crossings. Furthermore a single yellow line runs from the northern to the southern ends of the road with double yellow lines marked on the kerb at regular intervals from one end to the other, indicating that loading /unloading is prohibited on that side of the road at all times
  - On the western side of Wells Street, there are parking spaces for disabled persons, taxi spaces and 'pay-to-park' car park spaces (operational on Monday to Saturday from 8:30 – 6:30pm). The remainder of the western side of Wells Street is controlled by single yellow lines prohibiting waiting and loading during certain time periods. No signs specifying the time periods for which waiting or loading are allowed were observed on site, therefore it is assumed to be outside the following time period, in line with what was observed on Eastcastle Street and Berners Street.
  - Monday to Friday – 08:30 to 18:30
  - Saturday – 08:30 to 13:30

## 2.4 SUMMARY

- 2.4.1 The existing loading area is constrained by its limited size and headroom. However, it is understood that it adequately serves the building. There are a variety of parking restrictions on Wells Street. However, large delivery vehicles e.g. articulated heavy goods vehicles, do park on the street for their deliveries to 120 Oxford Street and these deliveries are within the permitted time periods previously discussed, and consistent with the current planning permission.

## 3 REFURBISHMENT PROPOSALS

### 3.1 INTRODUCTION

3.1.1 This section of report sets out the nature of the development proposals and how they relate to what had been approved in the planning consent (ref. 12/12420/FULL) issued in October 2013.

### 3.2 LAND USE

3.2.1 The existing planning permission (ref. 12/12420/FULL) issued in October 2013 grants consent for the formation of new retail units (MSU2) over the Ground and First Floors of approximately 2,218sqm to be primarily accessed via Eastcastle Street ('Consented Scheme'). Following the conclusion of a Lease Agreement for the Unit fronting Oxford Street, preliminary marketing of MSU2 identified a variety of potential occupiers for the Unit. This application responds directly to the identified demand and interest obtained by this process.

3.2.2 It is proposed that the consented MSU2 Ground Floor area of approximately 942sqm is subdivided to form three separate units and associated ancillary areas. Whilst two of the Units (SU1 and SU2), that occupy a significant proportion of the floor area, will be retained for Class A1 Retail purposes, the development proposes the reintroduction of a Class A3 Restaurant Unit, which will enhance the vitality and viability of the shop frontage at the corner of Eastcastle and Wells Street. Owing to the fact that the existing streetscape in this location is mixed in character and provides a variety of different uses (including A1, A3, A4 and B1), it is considered that the introduction of a restaurant unit on this corner would be consistent with the character and function of this part of the site.

3.2.3 In addition, both SU1 and the proposed Restaurant Unit will be afforded vertical connectivity to First Floor level, where the consented MSU2 floor area of approximately 1,276sqm will be further divided between them and any associated ancillary areas. Drawing Numbers **1110/P-1(--)-100** and **1110/P-1(--)-101** included in **Appendix B** shows the subdivision and new land use allocations relevant to this planning application.

3.2.4 Prior to the undertaking of works to enact the consented scheme, the ground floor of 120 Oxford Street comprised 17 A1 retail units. Comparatively, the first floor of the building housed 10 A1 retail units and a food court consisting of 8 A3 units.

3.2.5 The subdivision of the proposed floorspace by use classification is shown in **Table 3.1**.

### 3.3 SERVICING AND DELIVERIES PROPOSALS

- 3.3.1 Servicing for the proposed Units will be as per the existing arrangement, with deliveries being received via the building's Loading Bay on Wells Street. The loading bay area has four loading bays, two of which are off-limits due to the presence of car lifts in front of them. The remaining two bays will be used for servicing and deliveries to all the units in the building.
- 3.3.2 Each of the proposed units has been designed to achieve a level floor throughout. Level differences between the units and communal areas, such as the loading bays and service corridors (employee areas only), are accommodated using ramps with a minimum slope of 1:12.
- 3.3.3 A total of 5x1100ltr wheelie bins (glass/food/plastic) and a cardboard baler will also be provided within the loading bays. Drawing Number 1110/P-1(--)**400** included in **Appendix B** shows the proposed arrangement for the loading bay area.
- 3.3.4 The refuse compactor is now proposed to be moved closer to the car lifts and in so doing freeing space in the largest loading bay area.
- 3.3.5 Given that the existing building would clearly require some on-street deliveries to take place and that the number of daily deliveries that the development would generate is relatively limited, it is considered that the existing lengths of single yellow line on the site frontage could readily accommodate these deliveries without any impact upon the operation of the surrounding highway network.
- 3.3.1 Arcadia Group also propose that they will have a separate refuse collection, and that their waste and recycle containers will be kept in the basement, although on collection the containers will need to be wheeled into the loading areas and will be stored adjacent to the existing compactor while awaiting collection.
- 3.3.2 A new site management office will be located within the loading bay area to facilitate the efficient management and coordination of the activities within the loading bay area. It is also considered likely that as part of the refurbishment that the wall at the back of the loading area would be removed to allow access between the delivery area and retail unit.

# 4 PLANNING POLICY AND GUIDANCE DOCUMENTS

## 4.1 INTRODUCTION

4.1.1 This section summaries the relevant transport policies and guidance documents at national, regional and local level relating servicing and deliveries to developments.

## 4.2 TRANSPORT AND STREETS SUPPLEMENTARY PLANNING DOCUMENT, 2016

4.2.1 *'Servicing facilities should be designed and managed to avoid undue impacts on highway users, the streetscape or neighbour amenity, while being effective in satisfying developments' servicing needs.'*

4.2.2 National Planning Policy Framework, paragraph 35 states that *'development should be located and designed where practical to accommodate the efficient delivery of goods and supplies and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter.'*

4.2.3 *'Servicing vehicles must not reverse out onto the highway. Such manoeuvres could endanger pedestrians and other road users. Servicing facilities must be designed to minimise the need to reverse on or from the highway. Sufficient visibility splays must be provided to enable safe manoeuvring to take place. Depending on the context, the use of banksmen may be required.'*

4.2.4 *'All servicing activity should be managed to minimise any impacts on highway operation, residential amenity or the environment.'*

4.2.5 *'Servicing Management Plans are required for all sites with off-street servicing facilities and all developments likely to generate significant servicing on-street such as supermarkets, tourist attractions and large hotels.'*

## 4.3 WESTMINSTER UDP (SAVED POLICIES JANUARY 2010)

4.3.1 Westminster City Council resolved to adopt its core Strategy in January 2011. The adoption of the Core Strategy resulted in the deletion of a number of the City Council's historic UDP policies; however, the traffic/ transport policies relevant to this planning application were retained.

4.3.2 As there may be elements of off-street servicing and deliveries associated with the development Policy TRANS 20 of the Westminster UDP has been consulted.

4.3.3 Policy TRANS 20 (Off-Street Servicing, Deliveries and Collection) of the Westminster City Plan states that:



*'The City Council will require convenient access to all premises for servicing vehicles (to include access for emergency services) and will, in most cases, require that the servicing needs of authorised development are adequately accommodated on-site and off-street, preferably either behind or under new or converted buildings. Such provision should be adequate to cater for the size, type and anticipated frequency of arrival of vehicles likely to be used for collection and delivery. Conditions may be imposed in order to restrict servicing activity to certain times and to ensure that the facilities are kept permanently available for their intended use, in order to minimise or prevent disturbance and inconvenience to adjoining occupants.'*

#### **4.4 WESTMINSTER'S CITY PLAN: STRATEGIC POLICIES (JULY 2016)**

4.4.1 Parts of the Westminster Unitary Development Plan have been replaced with the Westminster City Plan (July 2016) which is now the key policy document for determining planning applications in Westminster, as such it takes priority over the Unitary Development Policies.

4.4.1 Policy S42 (Servicing and Deliveries) of the Westminster City Plan states that:

*'Developments must demonstrate that the freight, servicing and deliveries required will be managed in such a way that minimises adverse impacts. This may include the provision of off-site consolidation centres, shared delivery arrangements, and/or restrictions on the types of vehicles or timing of deliveries, especially where the quality of the public realm, local pollution, and/or function and reliability of the transport network would be otherwise compromised.'*

*Servicing and delivery needs will be fully met within each development site, except where the council considers that this is not possible, in which case the servicing and delivery needs will be met in such a way that minimises the adverse effects on other highway and public realm users, and other residential or commercial activity. Where some or all of the servicing and delivery needs are met through use of the public highway, the development will meet the initial and on-going costs associated with that use of the public highway.'*

#### **4.5 TRICS RESEARCH & DEVELOPMENT SERVICING VEHICLE REQUIREMENTS – TECHNICAL NOTE (AUGUST 2016)**

4.5.1 The TRICS Technical Note develops a methodology for estimating servicing bay requirements based on the premise that servicing requirements are influenced by two key factors i.e. vehicle dwell times (itself a product of vehicle size) and arrival patterns. Through its research work it made a lot of findings and recommendations with regards to servicing and deliveries to developments.

4.5.2 A few of these findings and recommendations are detailed below;

*'The aim of this assessment is to develop a robust assessment methodology for servicing bay requirements based on observed influential factors. Site observations indicate that two key factors that influence servicing requirements are dwell times, often related to vehicle size or type and the random arrival patterns of service vehicles.'*

*'Currently, servicing bays for developments are generally provided on an ad-hoc basis which often leads to over or under provision which results in ineffective use of space and can have an impact on the highway network. It has also been found that the estimation of service vehicle trips and required bays for developments using conventional methods of applying trip rates have been proven to yield unrealistic results. Additionally, there is currently limited guidance in assessing the required number of service bays for developments.'*

*'In addition to providing a sufficient number of servicing bays, it is important that servicing areas are well located because if goods/refuse have to be trolleyed significant distances or man-handled within service areas, this will affect the turnover time and hence the average number of bays in use at one time.'*

*'With respect to quantum, it is considered that servicing needs may vary slightly if a site is small or large but not significantly. For example, servicing needs for a small restaurant compared to a large restaurant would be expected to be more or less the same, with variations more likely to be in the sizes of packages, servicing vehicle types and an increase in service vehicle dwell times.'*

*'It is noted that TRICS® provides specific trip rates for HGVs but not for LGVs. In the case of LGVs, TRICS® provides surveyed LGVs as a proportion of all surveyed vehicles. This information therefore assumes the arrival and departure times of LGVs are the same as those of all vehicles. It is also noted that the use of the LGV trip rate information infers that all surveyed LGVs are servicing vehicles. As a result, the provided LGV trip rates can be considered as an extreme case.'*

## **4.6 SUMMARY**

- 4.6.1 The above planning policy and guidance documents have been consulted in the preparation of this Service Management Plan Framework.

# 5 DELIVERY AND SERVICING PLAN

## 5.1 OBJECTIVES

5.1.1 This Servicing and Delivery Management Plan Framework informs of the intent of the applicant in managing delivery and service vehicle trips to and from the development to minimise the impact on the surrounding public highway and increase the operational efficiency of the redeveloped 120 Oxford Street.

5.1.2 As such, this Servicing and Delivery Management Plan Framework has the following objectives:

- Demonstrate that goods and services can be delivered in a safe, efficient and environmentally-friendly way;
- Identify deliveries that could be reduced, re-timed or even consolidated;
- Improve the reliability of deliveries to the site;
- Reduce the impact of servicing and delivery activities on the local highway network, other occupiers and the environment.

## 5.2 MEASURES

5.2.1 This chapter outlines the overarching measures and initiatives included within the Servicing and Delivery Management Plan Framework that are applicable to the redevelopment of 120 Oxford Street.

5.2.2 This Servicing and Delivery Management Plan Framework will specifically aim to ensure that servicing of the reconfigured building can be carried out efficiently without creating any negative impacts upon the local highway network, other commercial occupiers within and surrounding the building, and the environment.

5.2.3 The site management team will appoint a member of staff to oversee to all servicing related issues at 120 Oxford Street. In addition to this, the following proposed management measures and initiatives will be implemented. These have been grouped into the following broad areas:

- Design;
- Procurement Strategy;
- Operational Efficiency; and
- Waste Management.

## 5.3 DESIGN

5.3.1 It is recognised that good design can minimise disturbance for residents surrounding the site and the impact of servicing upon the local highway network. The specific design related measures as part of the redevelopment are set out in turn below:

## SERVICING FACILITIES

- 5.3.2 The proposed redevelopment has been designed to ensure that all delivery and servicing activities will take place as they do currently, i.e. mainly via the loading bay area provided on Wells Street, in such a way that the local network is unaffected by their operation. Details of the servicing proposals are provided within **Section 3.3** of this report.
- 5.3.3 Notably, it is anticipated that the quantum of servicing and delivery trips will not materially change as a result of the introduction of an A3 land use in place of the consented A1 land use within the building (see **Section 5.7**).

## RISK ASSESSMENT OF SERVICING AREAS

- 5.3.4 A risk assessment will be undertaken by suitably trained site management staff prior to use. This assessment will examine the following issues.
- Adequate manoeuvring space for the vehicles;
  - Interaction with pedestrians;
  - Interaction with other vehicles;
  - Adequate unloading area;
  - Level route from vehicle to destination.

## ACCOMMODATING SPECIAL DELIVERIES

- 5.3.5 Any special deliveries to the site such as oversized vehicles will need to be done on-street as the loading bays have a height and depth restriction. The occupiers will be coordinated to conduct such deliveries outside peak hours where possible.

## 5.4 PROCUREMENT STRATEGY

### SHARED SUPPLIERS

- 5.4.1 The site management team will encourage the occupiers to use the same suppliers where appropriate by making the new occupiers aware of suppliers already servicing the building. The new occupiers will also be made aware of the benefits associated with having shared suppliers across the site.
- 5.4.2 This will allow for servicing and deliveries to the site to be reduced, re-timed and/or consolidated where possible and appropriate.

## 5.5 OPERATIONAL EFFICIENCY

- 5.5.1 It is considered that measures to ensure operational efficiency can minimise disturbance for surrounding occupiers and the impact of servicing upon the local highway network.
- 5.5.2 The site management team will meet with all occupiers to the site to gain an understanding of their servicing and delivery needs and develop a servicing plan that builds on this framework report and best meets the requirements of all occupiers, both existing and new.

5.5.3 A review exercise of the servicing and delivery regime will be carried out every 6 months to ascertain whether it is operating efficiently. This process will provide the opportunity for up-to-date delivery and servicing operations and procedures on the site to be reviewed and new management measures implemented.

5.5.4 There is currently, a 20 minutes parking time restriction for loading bays, this will be reviewed by the site management team once the new occupiers are known.

## 5.6 WASTE MANAGEMENT

### REFUSE COLLECTION PROCEDURES

5.6.1 A refuse compactor is already in place within the loading bay area to service the whole building. In addition to this, 5x1100ltr wheelie bins (glass/food/plastic) and a cardboard baler will be provided within the loading bay area. Refuse collection will be outside of the peak hours as is already the case.

5.6.2 Currently, refuse collection is organised by the site management team and it is collected 3 times a week, between 1am- 5am.

## 5.7 SERVICE VEHICLE TRIPS AND DWELL TIME

5.7.1 The following paragraphs discuss the daily numbers of service vehicle trips typically associated with A1 and A3 land uses, so as to quantify the impact of the proposed change in land use on the level of servicing and deliveries to the site. This exercise has been mostly based on the TRICS Research Vehicle Requirements Report (2006).

### A3 RESTAURANT UNITS

5.7.2 The proposed A3 land use covers a total floor space of 865sqm (i.e.325sqm+540sqm) over ground and first floors.

5.7.3 It is anticipated that a typical A3 restaurateur would have a daily delivery of the following;

- Fish
- Meat
- Fresh Vegetables
- Dairy (Milk, Eggs, cheese, etc.)

5.7.4 In addition to this, it is anticipated that there will be 1 or 2 deliveries a week for drinks and non-perishable items to the A3 unit. This means that at worst case a total of 6 deliveries per day are anticipated for an A3 land use at the site.

5.7.5 It is likely that the deliveries to the A3 unit would be between 9:30 to 11:30 and the dwell time associated with these deliveries is expected to be between 15 to 20 minutes, allowing for 6 to 8 deliveries per day for the A3 unit within the specified timeframe.

## A1 RETAIL UNITS

- 5.7.6 The TRICS Research Vehicle Requirements Report (2006), includes daily trip rates for service vehicles arriving at various mixed used sites, mostly A1 retail units (see **Appendix A**). These trip rates with the floorspace area being now proposed for A3 land use (i.e. 865sqm see **Table 3.1**) have been used to estimate the number of service vehicles associated with an A1 land use over the same floorspace (see **Table 5.1**).

**Table 5-1 Service Vehicle Trips (865 sqm floorspace area)**

Period	A1 Retail Unit Trip Rates (per 100sqm)		A1 Retail Unit Trip Generation (No. Vehs)		A1 Retail Unit Trip Generation (PCU)	
	LGVs	HGVs	LGVs	HGVs	LGVs	HGVs
Daily (00:00 to 24:00)	0.49	0.13	5	2	5	4

*\*Assuming a pcu conversion factor of 2 for HGVs (i.e. 1 HGV is equivalent to 2 cars/light goods vehicle in terms on impact on the highway and parking, and in this case dwell time)*

*\*Trip rates have been obtained from the TRICS Research Vehicle Requirements Report (2006)*

## COMPARISON OF DELIVERIES BETWEEN A1 AND A3 UNITS

- 5.7.7 **Table 5.1** shows that an A1 land use covering the same floorspace as being proposed for A3 land use is likely to produce 7 service vehicle trips per day to the site as opposed to the 6 vehicle trips anticipated for an A3 land use at the site (see section 5.7.4).
- 5.7.8 The TRICS Research Vehicle Requirements Report (2006) from its extensive research on service vehicle requirements states that the size of the delivery vehicle has a direct impact on the amount of dwell time required to unload. In order to understand the impact of the proposed change in land use as far as the dwell time of service vehicle is concerned, the number of services vehicles associated with the two land uses has been converted to PCUs (Passenger Car Units).
- 5.7.9 Most of the A3 land use service vehicle trips are expected to be made by light goods vehicles as opposed to the A1 land use which is expected to have a number of heavy goods vehicles servicing it. This means that service vehicles associated with an A1 land use are likely to require more dwell time to unload as opposed to an A3 land Use. The A3 land use is expected to generate 6pcus of service vehicle trips a day and as shown in **Table 5.1** the A1 land use is expected to generate 9pcus of service vehicle trips per day.
- 5.7.10 As shown above it is anticipated that the A3 Units at worst case will produce a total of 6vehs/6pcus of service vehicles per day and an equivalent A1 unit in terms of floorspace will produce a total of 7vehs/9pcus of delivery vehicles per day. Comparing the two land uses, it can be seen that the A3 land use is likely to produce fewer service vehicle trips and would have less impact on the loading area as far as dwell time is concerned.
- 5.7.11 It is therefore concluded that there will be no material impact on the loading bay area as a resultant of changing part of the previously consented land use to class A3.

## 5.8 MONITORING AND OPERATIONAL REVIEW

- 5.8.1 Cushman & Wakefield will appoint a member of their site management team to oversee to the activities of the loading bay area and will be responsible for organising refuse disposal on-site. Monitoring and review of deliveries to the site will be the responsibility of the site management team.
- 5.8.2 Management and co-ordination of deliveries and services would be implemented to ensure the most efficient use of the loading area. The following measures (source: TRICS Research & Development Servicing Vehicle Requirement – Technical Note (August 2006)) will be considered by the site management team at the outset of occupation of the building and during the review exercise:
- Specifying set delivery times for units/land uses in order to make maximum use of provided spaces.
  - Considering consolidating refuse collection points as far as possible, therefore minimising refuse vehicles movements and service bays.
  - Considering the use of smaller size refuse vehicles to reduce dwell times.
  - Ensuring the use of waste compactors to minimise waste volume and hence requirements for waste collection.
  - Ensuring centre management is present during core hours to ensure efficient operation of the loading area.
  - Preventing the use of loading bay area as dumping grounds for pallets, cages, trolleys etc.

# 6 REPORT SUMMARY

## 6.1 SUMMARY

- 6.1.1 This report has provided a review of the servicing and delivery regime at 120 Oxford Street, London and considered the implications of the proposal to introduce an element of A3 land use within the previously consented arrangements (ref. 12/12420/FULL).
- 6.1.2 An assessment of potential level of service vehicle trips associated with the proposed A3 land use has been carried out. This concluded that the proposed change of land use to Class A3 (restaurant unit) will not lead to any material increase in the servicing demand on the site compared to the consented arrangements.
- 6.1.3 All vehicular deliveries and refuse collection will take place as per the existing arrangements (i.e. via the loading bay area on Wells Street). Given the existing office use of the site it is considered that the proposal will not add to the demand for on-street servicing in the vicinity.
- 6.1.4 The site management team will be responsible for coordinating the activities of the loading area (including refuse disposal) and will apply a number of control measures to facilitate the efficient use of the available loading bays.
- 6.1.5 More so, the building previously accommodated elements of A3 land use prior to the consented changes in land use at the site, these were mainly fast food restaurants like KFC, Pizza Hut and Subway just to mention a few and covered a total floor area of approximately 1,440sqm. It is understood that there were no major servicing issues associated with these facilities when they were in operation, therefore the reintroduction of an A3 land use at the site is not expected to cause any major issues as far as deliveries to the site is concerned.

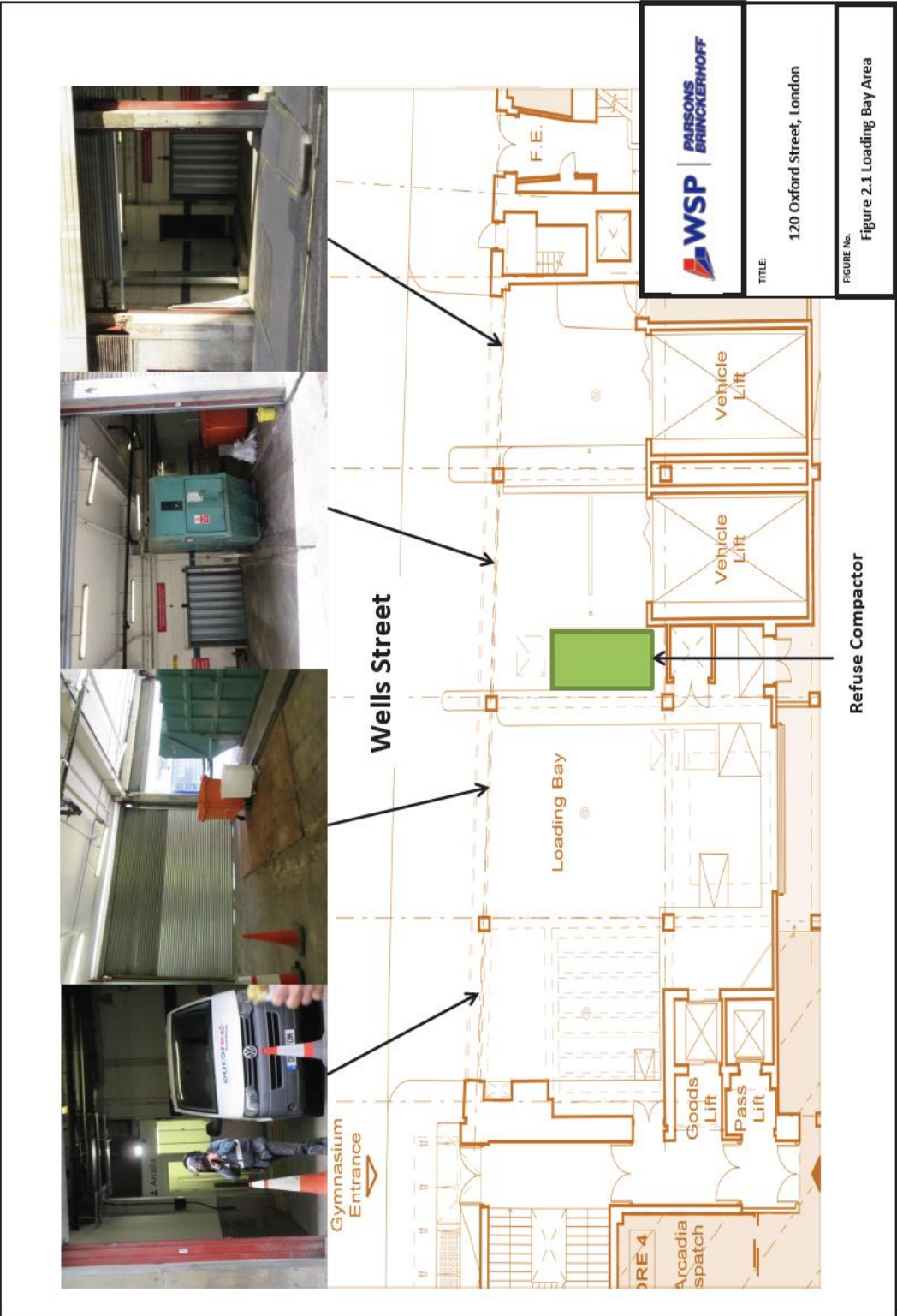
## 6.2 CONCLUSION

- 6.2.1 Servicing for the proposed units will be per the existing arrangement, with deliveries being received via the building's Loading bay on Wells Street.
- 6.2.2 It is anticipated that the quantum of servicing and delivery trips will not materially change as a result of the introduction of an A3 land use within the building (see Section 5.7) as compared to the previously consented land use arrangements.
- 6.2.3 Overall, it is important that the servicing needs of the occupiers are clearly understood at the outset, the level of bay provision comprehensively assessed for each occupier and the affairs of the loading bay area coordinated amongst the occupiers through a service and delivery management process.
- 6.2.4 The site management team will appoint a member of staff to manage the activities of loading area to ensure its efficient operation.



## FIGURES





V:\24421289 - Colgrave Hs - Oxford St\H Dwg\Development\Figure 2.1 Loading Bay Area 28/10/2016 Mjakpo, Kay

# Appendix A

## **SERVICING AND DELIVERY FACILITIES –TRIP RATES**

(Extracts from the TRICS Research Vehicle Requirements Report (2006))

Appendix C  
Service Vehicle Trip Rates &  
Estimated Servicing Arrival Trips

O2 Centre Delivery Vehicle Survey Summary

**Thursday 9 February 2006**

	No. of Arrivals	Vehicle Class	Type	Average Dwell Times
	31	LGV ( $\leq 7.5T$ )	Transit/Box	00:21
	24	HGV ( $<7.5T$ )	Rigid	00:21
	6	HGV ( $<7.5T$ )	Artic	01:04
<b>Total</b>	<b>61</b>			

**Friday 10 February 2006**

	No. of Arrivals	Vehicle Class	Type	Average Dwell Times
	15	LGV ( $\leq 7.5T$ )	Transit/Box	00:15
	32	HGV ( $<7.5T$ )	Rigid	00:23
	5	HGV ( $<7.5T$ )	Artic	01:10
<b>Total</b>	<b>52</b>			

**Thursday & Friday Average**

	No. of Arrivals	Vehicle Class	Type	Average Dwell Times	85th Percentile Dwell Times
41%	46	LGV ( $\leq 7.5T$ )	Transit/Box	00:20	00:35
50%	56	HGV ( $<7.5T$ )	Rigid	00:22	00:40
10%	11	HGV ( $<7.5T$ )	Artic	01:07	01:49
<b>Total</b>	<b>113</b>				

Rigid/Artic split

67	Rigid	84%
	Artic	16%

Appendix C  
Service Vehicle Trip Rates &  
Estimated Servicing Arrival Trips

appendix **C**

**SERVICING ARRIVAL TRIP RATES**

Time	LGVs	HGV
	A1, A3 & D1/D2	A1, A3 & D1/D2
00:00-01:00	0.00	0.00
01:00-02:00	0.00	0.00
02:00-03:00	0.00	0.00
03:00-04:00	0.00	0.00
04:00-05:00	0.00	0.00
05:00-06:00	0.00	0.00
06:00-07:00	0.00	0.00
07:00-08:00	0.01	0.01
08:00-09:00	0.02	0.01
09:00-10:00	0.05	0.04
10:00-11:00	0.04	0.01
11:00-12:00	0.04	0.01
12:00-13:00	0.04	0.03
13:00-14:00	0.04	0.01
14:00-15:00	0.03	0.00
15:00-16:00	0.04	0.00
16:00-17:00	0.03	0.01
17:00-18:00	0.03	0.00
18:00-19:00	0.04	0.00
19:00-20:00	0.03	0.00
20:00-21:00	0.03	0.00
21:00-22:00	0.02	0.00
22:00-23:00	0.00	0.00
23:00-24:00	0.00	0.00
<b>Total</b>	<b>0.49</b>	<b>0.13</b>



IN PAELLA  
— QUIQUE DACOSTA —



LICENSING PRESENTATION TO  
WESTMINSTER CITY COUNCIL

# SUMMARY OF SUBMISSIONS

1. InPaella is the first venture outside Spain by Quique Dacosta, the internationally renowned chef whose flagship restaurant in Alicante, Spain has held 3 Michelin Stars since 2012. Snr Dacosta's experienced UK partners are Iberica Restaurants who currently operate eight restaurants in the UK, including two in the City of Westminster (in Marylebone and Victoria). Their CEO is Marcos Fernandez Pardo who will be attending the sub-committee hearing.
2. This fine dining concept aims to elevate traditional Spanish paella dishes to haute-cuisine standards. Projected customer spend is £100 per head.
3. The project intends to invest £4 million as an anchor-tenant of The Plaza in Oxford Street which is currently being regenerated. Should this premises licence be granted, the overall impact on the West End Stress Area is likely to be reduced. InPaella will replace a number of fast food restaurants (including Burger King, KFC, Spud u Like, Subway and Pizza Hut Express) that previously operated from The Plaza's food court. These outlets occupied 1,440m<sup>2</sup> of space in the stress area. InPaella, by contrast, will occupy just 865m<sup>2</sup> (a reduction of restaurant use by 575m<sup>2</sup>). The remainder will be occupied by retail units. Therefore the intensity of use in this location will be significantly reduced from before if InPaella is permitted to open.
4. In March 2017 planning permission was granted by the City of Westminster authorising the use of this unit as a restaurant (16/11237/FULL). The conditioned operating hours within the permission were 07:00 – midnight (Monday to Thursday), 07:00 – 00:30hrs (Friday-Saturday) and 07:00 – 23:00hrs (Sunday). The hours of this revised premises licence application therefore fall within the existing planning permission. Although the planning permission envisages a capacity of 250 persons, this licence application caps the customer occupancy at 190 persons (80 on ground floor and 110 on first floor).
5. Although a licensing sub-committee is, of course, not bound by a planning decision the sub-committee "should have regard" to that recent decision: Forster v SoS for Communities and Local Government [2016] EWCA Civ 609 (per Laws LJ at 24).
6. Following extensive engagement with the responsible authorities and the Fitzrovia Neighbourhood Association a number of robust and substantive conditions have been agreed. This premises licence, if granted, will be subject to Westminster's full model restaurant condition with a pre-dinner holding bar limited to 25 persons. There will be no outside drinking or external dining area. Smokers are limited to 10 persons outside.
7. As a result of this engagement the police, environmental health and the Fitzrovia Neighbourhood Association have all now withdrawn their representations. The only remaining representation is from the licensing authority on policy grounds.
8. Given the nature of this application, and what will be replaced, it is submitted that a grant is unlikely to add to the cumulative impact in the West End stress area (Policy RNT2). Westminster's Statement of Licensing Policy (at 2.5.12) recognises that the "*wide variety of restaurants is a feature of Westminster and contributes to its status as a world class city*". InPaella is a restaurant that is likely to enhance the area rather than detract from it. The grant of this premises licence will allow this project to become a reality.

# ABOUT QUIQUI DACOSTA



Quique Dacosta is a world renowned chef whose eponymous flagship restaurant in Denia, Alicante, Spain is recognised as one of the “World’s 50 Best Restaurants”. Snr Dacosta also operates the following restaurants in Valencia, Spain:

- El Poblet – haute cuisine. One Michelin Star.
- Vuelve Carolina – international avant garde cuisine.
- Mercat – world traditional cuisine with a new Market casual atmosphere.

Quique Dacosta was born in 1972 in Jarandilla de la Vera and began his career as a chef in 1986, aged just 14 when he started working at a pizzeria. Largely self-educated, he has since built a strong international presence. He has published numerous books, including one of the “bibles” on rice cooking and is recognised around the world for his artistic expression of the kitchen. A timeline of his achievements are set out below

- Year 1999 - Best restaurant on the Costa Blanca, by the Tourist Board.
- Year 2000 - Award for Chef and Restaurant of the year by the Levante Newspaper.
- Year 2002- Best Chef of the year in Spain, by Lo Mejor de la Gastronomía and obtains his first star in the prestigious Michelin Guide 2002/2003.
- Year 2004 - Chef of the Year Award by Lo Mejor de la Gastronomía.
- Year 2005 - Publishes *Arroces Contemporáneos (Contemporary rices)* Montagué Editor (a bible for rice dishes), Chef of the Year Award by the *Gourmetour Guide* and is placed in the top 10 chefs in the world
- Year 2006 - Accomplishes the second star in the prestigious Michelin Guide.
- Year 2007- On June 2nd, he was named Honorary Citizen of the city of Denia and named Best Chef of the Year on June 14 by Canal Cocina.
- Year 2008 - The restaurant previously known as El Poblet is renamed to Quique Dacosta
- Year 2012- Michelin Guide awards three stars to Quique Dacosta Restaurant.
- Year 2015- Exhibition ‘Quique Dacosta. Transformed Landscapes’ (“Quique Dacosta. Paisajes Transformados”) open its doors at the MuVIM (Valencian Museum of Illustration and Modernity) in Valencia. It is one step further for the award-winning chef in his desire to carry his culinary concept beyond the kitchen, a concept receiving national and international recognition.
- Year 2018- Opening of first UK restaurant in London’s Oxford Street (?)

# EXAMPLES OF QUIQUI DACOSTA DISHES





# PHOTOS OF EXISTING PREMISES

Wells Street View



Eastcastle Street View

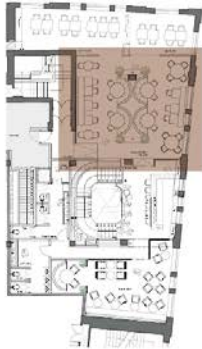


The Old Food Court



# SAMPLE MOOD IMAGES OF NEW RESTAURANT

1ST FLOOR. OVERALL LOOK- DINING 3



LÁZARO ROSA-VIOLÁN  
STUDIO

GROUND FLOOR. OVERALL LOOK- DINING 1 KITCHEN AREA



LÁZARO ROSA-VIOLÁN  
STUDIO  
page 155

# EXAMPLE PRESS ARTICLES ON QUIQUI DACOSTA AND INPAELLA

NEW YORK TIMES ARTICLE



BEST CHEFS ARTICLE



BEST RESTUARANTS ARTICLE



100 BEST CHEFS





ESQUIRE INTERVIEW



GOURMET MAGAZINE INTERVIEW



# EXTRACT - THE HOTTEST NEW OPENINGS TO LOOK FORWARD TO IN 2018

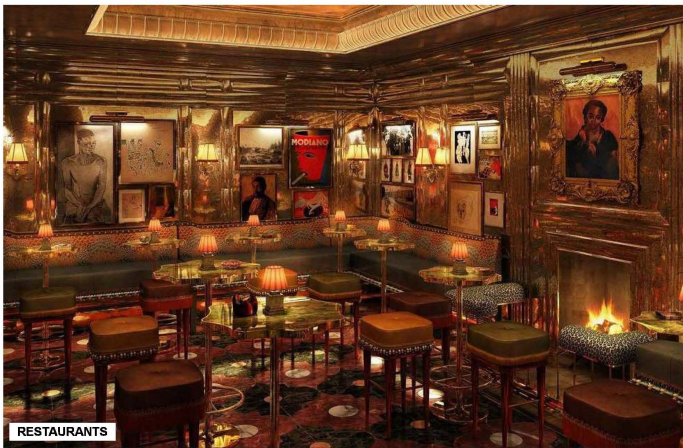
https://www.stenderd.co\_o.rk/goi1ondon/rest!!!lrants/th11-12-hottest-r111w-r\$UU.in1nt-openings-to-look-f,,:rward-to-in-2018-dn8S21.html

## GO LONDON

Website: Park Cinema  
Created:  
Author:  
URL:

Going Out in London

Discover



RESTAURANTS

## The hottest new restaurant openings to look forward to in 2018

New look: The Mirror Room at Annabel's in Mayfair

BEN

ALIS BRENNAN, NORUM

Friday 5 January 2018 11:25

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Go London

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## GO LONDON

If you thought you ate well in 2017, then gird your tastebuds and grab your elasticated trousers, because 2018 will see a host of delectable foodie offerings opening up in the capitals.

From vegan fast food to Spanish sensations, from bright young things to the reopening of a grand dame, here's to 2018 being a year of very good eatings.

### Annabel's

Since 1963, few London party scene hotspots have courted quite such a galaxy of stars as Annabel's has. From the Prince of Wales to Frank Sinatra, Diana Ross to Lady Gaga, the Mayfair nightclub and dining has welcomed A-Listers aplenty over the last 50 years, as both members and performers. This year, it will leave its home at 44 Berkeley Square to move down the road to a Grade I listed townhouse at 46 Berkeley Square (see above). Reopening in spring 2018, the new location will feature restaurants, bars, a workspace, private dining rooms, a spa and even a cigar salon, with interiors designed by Martin Brudnizki, the man responsible for the refurbishment of The Ivy among many others.

### Sabor



Grill menu: NievesBarragan Mohacho (Chris Terry)

A decade after she joined trailblazing tapas restaurant Barrafina, Spanish chef Nieves Barragán Mohacho has left the Michelin-starred counter-dining mecca to set up her own hotly anticipated restaurant Sabor, which she will run with the former general manager at [Barrafina](#), José Etura. It will open on Heddon Street early in the year, and promises to take customers on a journey through some of Spain's less familiar foods.

### Pure Filth

## GO LONDON



TV chef and all-round food personality Gizzi Erskine teamed up with nutritionist Rosemary Ferguson for her veggie fast food pop-up Pure Filth at Tate Modern late last year. The pair also announced that they will be opening a permanent site for the concept, due early in the year, and that they're in the process of planning two further sites. Plant-based patties here we come.

13



Fiery-tempered chef Tom Sellers isn't happy with just the two restaurants - [Michelin-starred Story](#) in Bermondsey and follow-up [Ours](#) in South Ken - he's launching another. Details are scarce, but Sellers

## GO LONDON



Life's a peach: sweet duck-egg custard dumplings at A.Wong

Andrew Wong has come quite a way from helping out at his parents' Victoria restaurant as a teenager. Under his instruction, Chinese restaurant [A.Wong](#) now holds a Michelin star and plentiful critical acclaim. Wong is now setting his sights on the City, confirming that he will open a new restaurant in the Bloomberg Arcade, scheduled for 2018. The restaurant will showcase Wong's innovative take on classic Chinese food in an all-day dining format, and is rumoured to be named Madame Wong - after

### InPaella

London is already home to three restaurants which hold a coveted third Michelin stars but, in 2018, the capital will be welcoming the culinary skills another chef who holds the accolade. Spanish chef Quique Dacosta, who hold three stars for his eponymous restaurant in Denia, Alicante, will be opening the first in an international string of paella restaurants, called In Paella, in London in 2018. In partnership with the team behind Iberica, the restaurant will serve up authentic plates of the one-pot rice dish to Londoners who've got the munchies for the Mediterranean.

DINING NEWS

## The 17 Most Anticipated Restaurant Openings in London

By **Lauren Hill & Will Grice**

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10 of 17

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### InPaella



With the accomplished Spanish chef Quique Dacosta of the three-Michelin-starred restaurant Denia behind this new venue, InPaella is sure to be one of London's most talked about Spanish dining spots when it opens later this year on Oxford Street. Working in partnership with the Iberica group, Dacosta is making his London debut a homage to the traditional Spanish plate the restaurant takes its name from, with 25 meters of stove to see the dish being made at.

[quiquedacosta.es](http://quiquedacosta.es)

## Andrew Wong

---

**From:** Fitzrovia Neighbourhood Association <fitzroviacentre@yahoo.co.uk>  
**Sent:** 17 January 2018 19:27  
**To:** Andrew Wong; Wade, Yolanda: WCC  
**Cc:** Fitzrovia Neighbourhood Association; sthomas4@westminster.gov.uk; dsycamore@westminster.gov.uk  
**Subject:** Re: App no: - 17/14610/LIPN The Plaza 116-128 Oxford Street - Application for new premises licence

Dear Yolanda

I can confirm that my colleague and I are entirely satisfied with the conditions suggested by Andrew and as a result we are happy to withdraw our representation of objection to this application because of these amendments.

I'd like to thank Andrew for being very helpful and efficient in dealing with this. We were both particularly impressed with his attention to detail.

We wish the applicants every success with their venture.

Regards

Linus Rees  
director and trustee

--

Fitzrovia Neighbourhood Association registered charity no, 1111649 [fitzrovia.org.uk](http://fitzrovia.org.uk)  
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We publish Fitzrovia News our neighbourhood newspaper [news.fitzrovia.org.uk](http://news.fitzrovia.org.uk) Sign up for our [newsletter](#).

---

**From:** Andrew Wong <Andrew.Wong@keystonelaw.co.uk>  
**To:** "Wade, Yolanda: WCC" <ywade@westminster.gov.uk>  
**Cc:** Fitzrovia Neighbourhood Association <fna@fitzrovia.org.uk>; "sthomas4@westminster.gov.uk" <sthomas4@westminster.gov.uk>; "dsycamore@westminster.gov.uk" <dsycamore@westminster.gov.uk>  
**Sent:** Wednesday, 17 January 2018, 14:25  
**Subject:** App no: - 17/14610/LIPN The Plaza 116-128 Oxford Street - Application for new premises licence

Dear Yolanda,

I represent the applicant in respect of the above application.

### **Meeting**

I had a very helpful and productive meeting with the Fitzrovia Neighbours Association's representatives Mr Linus Rees and Mr Yoram Blumann. We have effectively reached agreement in respect of the proposed conditions attached which I understand now satisfy their concerns. In light of this I think Mr Rees who is representing the association will be writing to you shortly following this email. I have also tried to address the recommendations from David and Sally and have adopted all the recommendations.

### **Formal Amendments to application**

I therefore write to confirm that the applicant agrees to amend their application together with the  
page 160

AS12

operating schedule to reflect the changes set out in the attached document and encompassing the changes shown in red. These changes take into account all comments that we have received so far and hopefully will assist addressing the concerns. I also attach the new plan that shows the area for the holding bar for the purposes of being able to serve pre-dinner drinks that was agreed as now referred to in proposed condition 55.

In light of the above agreements I would be grateful for any further comments from David, Sally or Linus and if all concerns have been addresses for you to consider withdrawing your representations.

Best regards

**Andrew Wong**  
Consultant Solicitor  
Mobile: 07492 709977  
Tel: 020 3319 3700

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## **Premises History**

Appendix 2

There is no licence or appeal history for the premises.

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

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

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

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

### **Mandatory Conditions**

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.



For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## Conditions consistent with the operating schedule

9. No drinks shall be taken outside the premises.
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed,  
  
First Floor (110) persons  
  
Ground Floor 80 persons
12. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. Loudspeakers shall not be located in the entrance lobby or outside the premises building. Recorded music played in the restaurant shall not be audible externally,
15. The premises will have a zero tolerance policy to drugs and drunken/violent behaviour. We will also encourage responsible drinking and the consumption of food with alcoholic beverages
16. We will train our staff to recognise binge drinking and to refuse to serve people who show signs of having already consumed too much.
17. Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry to the venue. Any person within the venue who appears to be intoxicated or who is behaving in a disorderly manner will be given care and consideration when being asked to leave the venue.
18. We will 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. We will not carry out any 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. We 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).

19. A comprehensive cloakroom will be available. Access to the restaurant is always through a manned reception.
20. 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.
21. 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 premise 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.
22. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
23. The restaurants main entrance will have self-closing doors and a two door lobby,

24. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
25. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
26. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
27. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
28. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
29. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours Monday to Saturday and not before 10am or after 10:30pm on Sundays. These will occur between the times of 08:00 and 19:00 using the buildings loading bays in accordance to the submitted servicing plan to the planning department of Westminster Council – Included in Annex **(Agreed with EHO and further reduced hours following discussions with Resident)**
30. No deliveries to the premises shall take place between 23:00 and 08:00 Monday to Saturday and not before 10am or after 10:30pm on Sundays. These will occur between the times of 08:00 and 19:00 using the buildings loading bays in accordance to the submitted servicing plan to the planning department of Westminster Council – Included in Annex **(Agreed with EHO and further reduced hours following discussions with Resident)**
31. The premises licence holder shall ensure that any patrons 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 highway.
32. 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) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system

- (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
33. There shall be no sales of hot food or hot drink for consumption 'Off' the premises.
  34. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
  35. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
  36. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
  37. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
  38. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
  39. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
  40. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

**ADDITIONAL CONDITIONS PROPOSED FOLLOWING DISCUSSIONS WITH EHO AND INTERESTED PARTIES AND AGREED**

41. The premises shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

42. Notwithstanding condition (MC66), alcohol may be supplied and consumed prior to their meal in the bar area (***hatched in blue on the plan***), by up to a maximum of 25 customers at any one time
43. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (10) persons at any one time.
44. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
45. No licensable activities shall take place at the premises until it 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.



**Office Name:** Sally Fabbricatore/Alan Lynagh  
**Designation:** EHO/District Surveyor– Senior Practitioners  
**Date:** 22/12/17  
**Contact number:** 020 7641 2788  
**Email:** sfabbricatore@westminster.gov.uk  
**Signed:** Sally Fabbricatore  
**WCC Ref Number:** 17/13487/PREAPL

<b>Trading name of business and Address:</b> Iberica, The Plaza, 116-128 Oxford Street, London, W1D 1LT										
<b>Licence:</b> No	<b>Applicant/solicitor:</b> Mr Marcos Fernandez Pardo	<b>Cumulative Impact Area:</b> Yes – West End								
<p><b>Pre application advice purpose:</b> To assess the proposed operation of a restaurant within the Cumulative Impact Area.</p> <p><b>Background to application:</b> The proposed hours for licensable activities are as follows:</p> <p><b>Proposed Hours</b></p> <table border="1"> <tr> <td>Sale of Alcohol on the premises</td> <td>Monday– Thursday: 11:00 – 23:30 Friday and Saturday: 11:00 – 00:00 Sunday: 11:00 – 23:00</td> </tr> <tr> <td>Late Night Refreshment</td> <td>Monday – Thursday: 23:00 – 00:00 Friday and Saturday: 23:00 – 00:30</td> </tr> <tr> <td>Recorded Music</td> <td>Monday– Thursday: 10:00 – 00:00 Friday and Saturday: 10:00 – 00:30 Sunday: 10:00 – 23:00</td> </tr> <tr> <td>Opening Hours</td> <td>Monday – Thursday: 11:00 – 00:00 Friday and Saturday: 11:00 – 00:30 Sunday: 11:00 – 23:00</td> </tr> </table>			Sale of Alcohol on the premises	Monday– Thursday: 11:00 – 23:30 Friday and Saturday: 11:00 – 00:00 Sunday: 11:00 – 23:00	Late Night Refreshment	Monday – Thursday: 23:00 – 00:00 Friday and Saturday: 23:00 – 00:30	Recorded Music	Monday– Thursday: 10:00 – 00:00 Friday and Saturday: 10:00 – 00:30 Sunday: 10:00 – 23:00	Opening Hours	Monday – Thursday: 11:00 – 00:00 Friday and Saturday: 11:00 – 00:30 Sunday: 11:00 – 23:00
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Late Night Refreshment	Monday – Thursday: 23:00 – 00:00 Friday and Saturday: 23:00 – 00:30									
Recorded Music	Monday– Thursday: 10:00 – 00:00 Friday and Saturday: 10:00 – 00:30 Sunday: 10:00 – 23:00									
Opening Hours	Monday – Thursday: 11:00 – 00:00 Friday and Saturday: 11:00 – 00:30 Sunday: 11:00 – 23:00									
<p>Non-standard timings;</p> <ul style="list-style-type: none"> <li>- From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day</li> <li>- On the day British Summer time commences for an additional hour following the terminal hour.</li> <li>- Sundays before bank holidays 11:00-00:00 hours.</li> </ul>										

The whole building comprises of floors from the basement to the 6<sup>th</sup> floor. The basement will comprise of back of house facilities and retail. The ground and first floor will consist of this premises and retail use. Floors two to six will be offices and a gym. There is no residential proposed in the building.

The premises is operate on the ground floor and basement.

**The main Environmental Health considerations to the proposal as submitted are the following:**

### **1. Cumulative Impact Area**

The premises are in the West End Cumulative Impact Area as defined in Westminster's Statement of Licensing policy. The policy can be found on the Council's website at the following link:

<https://www.westminster.gov.uk/licensing-policy>

Therefore WCC Policies **HRS1, CIP1, RNT2** apply.

The proposal is to operate as a restaurant slightly beyond the core hours (Policy HRS1). If the premise was to operate as restaurant within the core hours there is no presumption against the granting of a restaurant in the Cumulative Impact Area so long as it does not impact on the Licensing Objectives nor add to Cumulative Impact (Policy RNT2). Applications beyond core hours within the cumulative impact area will be assessed on individual merit.

The core hours are as follows for the supply of alcohol for consumption on the premises:

- Monday to Thursday: 10:00 to 23:30
- Friday and Saturday: 10:00 to midnight
- Sundays immediately prior to Bank Holidays: Midday to midnight
- Other Sundays: Midday to 22:30

For recorded music and late night refreshment:

- Monday to Thursday: 09:00 to 23.30
- Friday and Saturday: 09:00 to midnight
- Sundays immediately prior to Bank Holidays: 09:00 to midnight
- Other Sundays: 09:00 to 22:30

The premises is to operate as a restaurant with a holding bar for diners only. The applicant wishes to allow diners to drink before and after their meal and this will be limited to 15% of the agreed capacity.

### **2. Sanitary accommodation**

One of the reasons for an area being designated as a Cumulative Impact Area is due to the lack of adequate facilities leading to Public Nuisance concerns in the area. Environmental Health therefore requires the provision of sanitary accommodations to be in compliance with the minimum provision as stated in *British Standard 6465 -1:2006 + A1:2009; Sanitary installations – Part 1: Code of practice for the design of sanitary facilities and scale of provision of sanitary and associated appliances: Table 10; restaurants and other places*



*where seating is provided for eating and drinking.*

The proposed maximum capacity in total is 180 customers over both floors. (It is likely to be 70 on the ground and 110 on the first floor). For this there will need to be 4 female WCs (one of which could be an accessible WC) and 2 male WCs and 2 urinals.

With regard to what the building can cope with regards to floor space and means of escape this would be a maximum of 110 on the first floor and 100 on the ground, so a total of 210. This would require 5 female WCs (one of which could be an accessible WC) and the same male provisions as above.

If wash hand basins are provided in the cubicle this will reduce the capacity by 25%. A hand wash basin should be provided per WC.

Separate staff facilities should be provided. Under the Workplace (Health, Safety and Welfare) Regulations 1992, Regulation 20, the following numbers of WCs are stated for staff facilities: 1 WC for 1-5 staff, 2 WCs for 6-15 and 3 WCs for 16-30.

All toilets in food business premises should be separated by a lobby from food eating or preparation areas.

### **3. External Area and Windows**

External use for dining has not been proposed, the red line for licensable activity does not include the outside area. However, it is likely customers will smoke outside the premises on Eastcastle Street. Ensure that any smoking area is compliant with the Health Act 2006.

If tables and chairs are proposed these could potentially be used for non-licensable activities. Please note if these are placed on the highway a street trading licence may be necessary.

The access to the premises will be through a lobby and there will be no openable windows.

### **4. Food Hygiene**

No detailed kitchen layout plans have been provided therefore the layout has not been assessed for food hygiene requirements.

Dumb waiters have been proposed to manage the dirty plates side of the operation, but staff will use non-public staircases if movement between floors is required.

Full height extract ventilation has been proposed within the planning application.

### **5. Type of application**

A new application has already been submitted. To allow partly consumed bottles of wine to be taken off the premises this would be considered an off sale. Within the application only on sales has been ticked, therefore this activity would not be allowed. To allow this the licence (if and once granted) would need to be varied by way of a full variation.

## 6. Wood Oven

Due to Westminster being a Smoke Control Area under The Clean Air Act, the wood burning oven will need to be an approved appliance as detailed under DEFRA Guidance. The operator will need to also ensure there is no smoke or odour nuisance caused even if planning permission has been sought. For further advice please contact [environmentalsciences2@westminster.gov.uk](mailto:environmentalsciences2@westminster.gov.uk)

## 7. Conditions

In addition to your conditions proposed on your application the following conditions should be considered in order to minimise the impact on the Licensing Objectives:

- MC66. The premises shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
- Notwithstanding condition (MC66), alcohol may be supplied and consumed prior to and after their meal in the bar area (***hatched on the plan***), by up to a maximum at any one time, of (15% of the total capacity) persons dining at the premises.
- MC22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (10) persons at any one time.
- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- No licensable activities shall take place at the premises until it 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.

With reference to your proposed conditions in your application please see the comments below, some conditions are not necessary as they duplicate other legislation or are not necessary to be attached to the licence in order to promote the licensing objectives:

- Conditions 1 and 2 are mandatory conditions so they will automatically be placed on the licence.
- Condition 3 to be replaced with the restaurant condition (MC66).
- Condition 4 – superseded by MC66
- Condition 5- agreed no drinks were to be taken outside the premises

- Condition 6, 9, 11, 14, 20, 21, 23, 24, 25, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 – Keep
- Condition 7 - superseded by MC66
- Condition 8 - Replace with *'The number of persons permitted in the premises at any one time (excluding staff) shall not exceed: Ground floor 70 persons; first floor 110 persons.'*
- Condition 10 – remove – off sales have not been applied for
- Condition 12 – replace with *'No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.'*
- Condition 13 – remove as this is covered under the planning permission
- Condition 15 – Police to comment
- Conditions 16, 17, 18 – these actions are required but do not need to be attached as conditions, however Police to also comment
- Condition 19 – Can keep
- Condition 22, 30, 31, 32, 35 – not necessary as a condition
- Condition 26, 27, 28 – not necessary as a condition
- Condition 29, 34 remove
- Conditions 52 & 53 are for off licence operations rather than restaurants, so I would recommend to remove if possible.

**District Surveyor Comments**

Comments to follow.

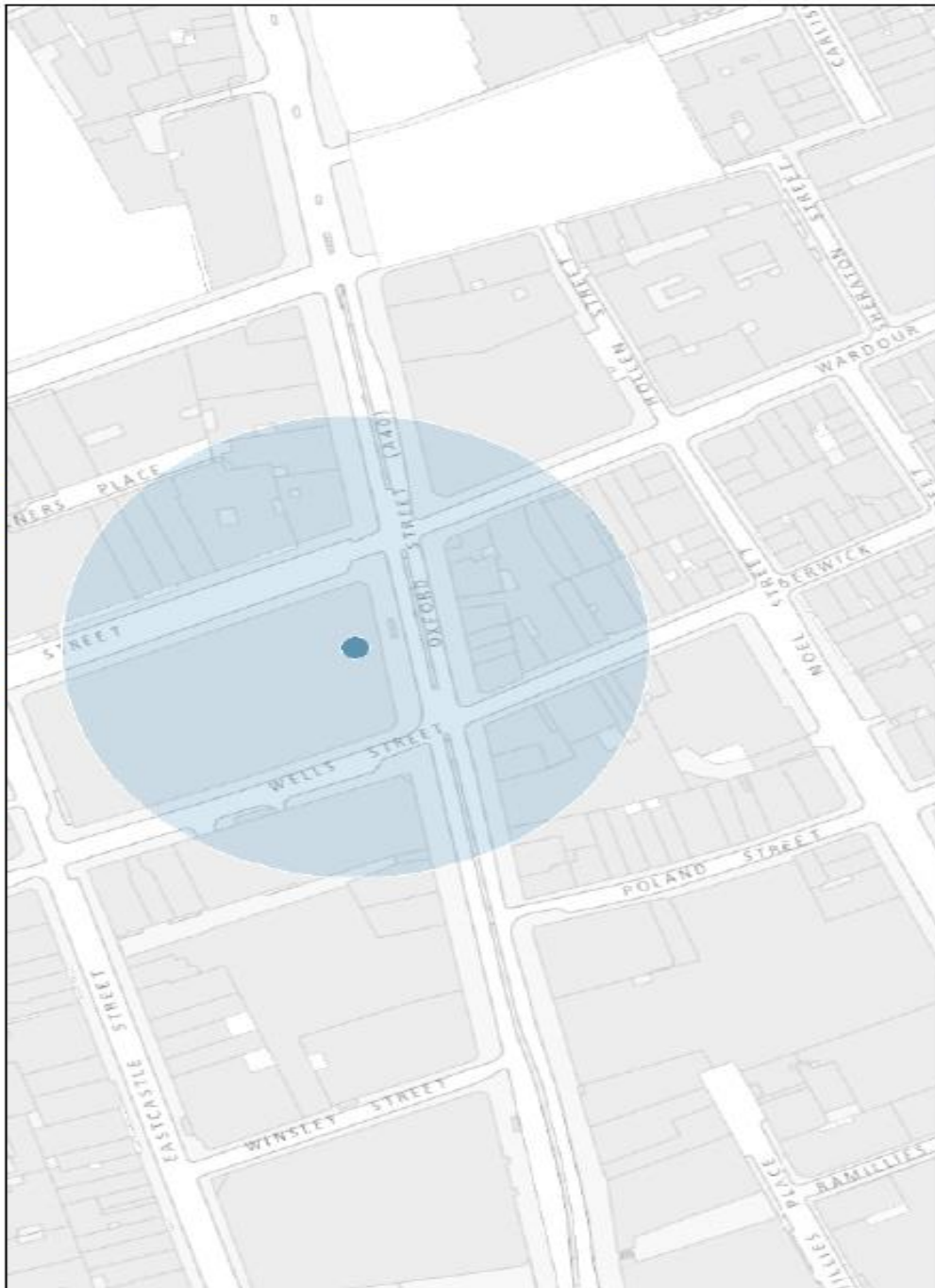
**Should you wish to discuss the matter further or seek further clarification or information please do not hesitate to contact me.**

**Sally Fabbicatore**

**Environmental Health Officer – Senior Practitioner**

**Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.**

The Plaza 116-128 Oxford Street



Resident Count: 41

DISTANCE	OBJECTID	LicenceNumber	Trading Name	Address	PremisesType	TimePeriod
42.65849	63532	16/11750/LIPN	The Good Eating Company C/o Arcadia	Colegrave House 70 Berners Street London W1T 3NQ	Restaurant	
43.44772	68088	13/04968/LIPN	Cookhouse Joe	55 Berwick Street London W1F 8SP	Restaurant	Monday to Thursday; 08:00 - 00:00   Friday to Saturday; 08:00 - 00:30   Sunday; 10:00 - 23:00
48.88733	14337	17/14167/LIPD PS	Nando's	Ground Floor 1 - 2 Berners Street London W1T 3LA	Restaurant	Monday to Sunday; 11:00 - 00:30
48.88733	40023	15/07474/LIPD PS	Sainsbury's	Basement And Ground Floor 1 Berners Street London W1T 3LA	Food store (large)	Monday to Sunday; 00:00 - 00:00
55.64477	20705	17/07575/LIPD PS	PC Soho	201-203 Wardour Street London W1F 8ZD	Night clubs and discos	Monday to Saturday; 10:00 - 06:00   Sunday; 10:00 - 00:30

60.7259	5825	17/07395/LIPV	Green Man Public House	The Green Man 57 Berwick Street London W1F 8SR	Public house or pub restaurant	Monday to Wednesday; 07:00 - 23:30   Thursday to Saturday; 07:00 - 01:30   Sunday; 07:00 - 22:50   Sundays before Bank Holidays; 07:00 - 00:00
61.47691	39430	16/11965/LIPD PS	Gourmet Burger Kitchen	Basement And Ground Floor 3 Berners Street London W1T 3LF	Cafe	Monday to Sunday; 10:00 - 00:30
63.794	63371	17/08247/LIPV M	Scandal	78 Wells Street London W1T 3QL	Night clubs and discos	Monday to Saturday; 09:00 - 06:00   Sunday; 09:00 - 04:30
67.66865	3867	16/05222/LIPC H	The Real Greek	Ground Floor 50 - 51 Berwick Street London W1F 8SJ	Restaurant	Monday to Saturday; 11:00 - 00:00   Sunday; 11:00 - 23:00

67.66865	41780	16/05293/LIPC H	Franco Manca	51 Berwick Street London W1F 8SJ	Restaurant	Monday to Saturday; 11:00 - 00:00   Sunday; 11:00 - 23:00
69.22587	63815	17/02735/LIPD PS	Patara Fine Thai Cuisine	5 Berners Street London W1T 3LF	Restaurant	Friday; 11:00 - 00:00   Saturday; 11:00 - 00:00   Sunday to Thursday; 11:00 - 23:30
74.36127	40696	17/11977/LIPD PS	Ember Yard	Development Site At 60 - 61 Berwick Street London	Restaurant	Monday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 00:00

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City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 4

Item No:	
Date:	1 March 2018
Licensing Ref No:	18/00322/LIPV - Premises Licence Variation
Title of Report:	Trattoria Da Aldo Basement And Ground Floor 51 Greek Street London W1D 4EH
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	10 January 2018		
<b>Applicant:</b>	Lina Stores Wr Limited		
<b>Premises:</b>	Trattoria Da Aldo		
<b>Premises address:</b>	Basement And Ground Floor 51 Greek Street London W1D 4EH	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	<p>The premises currently operates as a restaurant on the Ground Floor and Basement, where the sale of alcohol must be by waiter and waitress service and consumption ancillary to a table meal. The premises can also provide a takeaway service for hot food and drink after 11:00pm. There is currently no outside area.</p>		
<b>Variation description:</b>	<p>The application proposes to vary the premises licence as follows:</p> <p><b>Part 1</b> - Authorise changes to the premises layout in accordance with the appended plans. The changes include:</p> <p><b>Basement:</b> increased and improved sanitary accommodation; reconfiguration of back of house areas and introduction of new dining area.</p> <p><b>Ground floor:</b> replacement of dining areas with display kitchen and back of house areas; installation of new dining counter; and inclusion of existing private forecourt within licence demise.</p> <p><b>Part 2</b> - Variation of existing licence condition 21 which reads: <b>“The number of persons permitted in the premises at any one time (including staff) shall not exceed 40 persons”</b> to read: <b>“The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 54 Persons”</b></p> <p><b>Part 3</b> – Add the following works condition to the licence: The variation of this premises licence (18/00080/LIPT) to include the works shown on plans reference 227.10.500 and 227.10.501 (or subsequently substituted plans) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation</p>		

	Team at which time this condition shall be removed from this licence by the licensing authority
<b>Premises licence history:</b>	The premises currently benefits form a premises licence. Full premises licence history can be found at Appendix 3 of the report.
<b>Applicant submissions:</b>	None
<b>Plan</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Playing of recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	00:30	No Change		Basement, Ground Floor	No change
<b>Tuesday</b>	10:00	00:30				
<b>Wednesday</b>	10:00	00:30				
<b>Thursday</b>	10:00	00:30				
<b>Friday</b>	10:00	00:30				
<b>Saturday</b>	10:00	00:30				
<b>Sunday</b>	10:00	00:00				

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	Unrestricted		Unrestricted		Basement, Ground Floor	No Change
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						
<b>Saturday</b>						
<b>Sunday</b>						

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:30	No Change		Basement, Ground Floor	No Change
Tuesday	23:00	00:30				
Wednesday	23:00	00:30				
Thursday	23:00	00:30				
Friday	23:00	00:30				
Saturday	23:00	00:30				
Sunday	23:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.			No Change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change		Basement, Ground Floor	No Change
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	23:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Monday to Saturday 10:00 to 00:00; Sunday 12:00 to 23:30; On Christmas Day 12:00 to 22:30; 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).			No Change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	00:30	No Change		Basement, Ground Floor	No Change
<b>Tuesday</b>	10:00	00:30				
<b>Wednesday</b>	10:00	00:30				
<b>Thursday</b>	10:00	00:30				
<b>Friday</b>	10:00	00:30				
<b>Saturday</b>	10:00	00:30				
<b>Sunday</b>	12:00	00:00				

1-C Layout alteration
<p>The applicant is seeking to vary the premises layout in the Basement and Ground Floor of the premises. The proposed layout changes include:</p> <ul style="list-style-type: none"> <li>-An increased and improved sanitary accommodation; reconfiguration of back of house areas and introduction of new dining area in the basement area.</li> <li>-Replacement of dining areas with display kitchen and back of house areas; installation of new dining counter on the Ground Floor and inclusion of existing private forecourt within licence demise.</li> </ul>

1-D Conditions being varied, added or removed	
Condition	Proposed variation
<p><b>Condition 21:</b></p> <p>The number of persons permitted in the premises at any one time (including staff) shall not exceed 40 persons.</p>	<p><b>Proposed amendment to Condition 21 to read:</b></p> <p>The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 54 Persons.</p>

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Ms Shannon Pring
<b>Received:</b>	5 <sup>th</sup> February 2018
<p>I write in relation to the application submitted for a variation of a Premises Licence for the following premises –</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"><li>• Public Nuisance</li><li>• Prevention of Crime &amp; Disorder</li><li>• Public Safety</li></ul> <p>The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered.</p> <p>The variation application seeks to:</p> <ul style="list-style-type: none"><li>• Part 1 - Authorise changes to the premises layout in accordance with the appended plans. The changes include:  Basement: increased and improved sanitary accommodation; reconfiguration of back of house areas and introduction of new dining area.  Ground floor: replacement of dining areas with display kitchen and back of house areas; installation of new dining counter; and inclusion of existing private forecourt within licence demise.</li><li>• Part 2 - Variation of existing licence condition 21 to authorise a new customer capacity of 54 (currently 40 including staff), as follows:  The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 54 Persons</li></ul>	

· Part 3 - Additional works condition:

The variation of this premises licence (18/00080/LIPT) to include the works shown on plans reference 227.10.500 and 227.10.501 (or subsequently substituted plans) will have no effect until the premises have

been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.

Our representation relates to part 2 of the variation application; specifically the increase of capacity of the premises from 40 people (inclusive of staff) to 54 people excluding staff. The policy states at CIP1(ii) that "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". Furthermore paragraph 2.4.4 states, in part, that "Neither will the licensing authority consider the case to be exceptional merely because the capacity of the premises, or any proposed increase in capacity is small. The high number of premises in a saturated cumulative impact area means that a small increase in capacity in each premises would lead to a significant increase overall within that area".

Please note that we do not object to parts 1 and 3 of the application.

Please accept this formal representation and we look forward to hearing from you with regards to the above points raised.

## 2-B Other Persons

<b>Received:</b>	7 <sup>th</sup> February 2018 (withdrawn)
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3:06 PM on 07 Feb 2018 The Soho Society object to this application on the grounds of cumulative impact in the West End Cumulative Impact Area.

A more detailed representation will soon be lodged.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIA1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy FFP2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1.

### 4. Equality Implications

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

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

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



## 5. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Copy of Existing Licence
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
<b>4</b>	Application Form	10 <sup>th</sup> January 2018
<b>5</b>	The Licensing Authority	5 <sup>th</sup> February 2018
<b>6</b>	Representation- withdrawn	7 <sup>th</sup> February 2018

**Applicant Supporting Documents**

Appendix 1

None

### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/05957/LIPC	Conversion application	30.08.2005	Granted under delegated authority
11/06716/LIPN	Application for premises	28.07.2011	Granted under delegated authority
11/08357/LIPDPS	Application for variation of DPS	05.09.2011	Granted under delegated authority
11/12190/LIPT	Transfer of premises licence application from Azeb Restaurant Ltd to Mr Alberto Mariotti	03.01.2012	Granted under delegated authority
14/10169/LIPT	Transfer of premises licence application from Mr Alberto Mariotti to Mr Giulio Mariotti	09.12.2014	Granted under delegated authority
16/13111/LIPT	Transfer of premises licence from Mr Giulio Mariotti to Land Union (UK) Limited	21.12.2016	Granted under delegated authority
18/00080/LIPT <b>(Licence to be issued)</b>	Transfer of premises licence from Land Union (UK) Limited to Lina Stores Wr Limited		

**There is no appeal history**

**Temporary Event Notices:**

<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
11/05116/LITENP	24.05.2011	Notice allowed
11/05118/LITENP	24.05.2011	Notice allowed
11/05702/LITENP	06.06.2011	Notice allowed
11/05707/LITENP	06.06.2011	Notice allowed
11/05710/LITENP	07.06.2011	Notice allowed

*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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions 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

**Conditions: On Current Licence -**

**Mandatory:**

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.

## **Annex 2 – Conditions consistent with the operating Schedule**

9. Alcohol may be sold or supplied:

- (a) Monday to Saturday 10:00 to 00:00;
- (b) Sunday 12:00 to 23:30;
- (c) On Christmas Day 12:00 to 22:30;
- (d) 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 taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) 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;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the



Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

10. Alcohol shall not be sold or supplied unless the premises have been structurally and bona fide used, or intended to be used, for the purposes of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises.
11. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
12. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
13. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. The supply of alcohol shall be by waiter or waitress service only.
15. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

20. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
21. The number of persons permitted in the premises at any one time (including staff) shall not exceed 40 persons.

**Proposed amendment to Condition 21:**

***The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 54 Persons.***

22. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
23. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.

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

None



Schedule 12  
Part A

WARD: West End  
UPRN: 010033570843

**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

<b>Premises licence number:</b>	16/13111/LIPT
<b>Original Reference:</b>	11/06716/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Trattoria Da Aldo  
Basement And Ground Floor  
51 Greek Street  
London  
W1D 4EH

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

**Late Night Refreshment**  
Monday to Saturday: 23:00 to 00:30  
Sunday: 23:00 to 00:00

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

**Sale by Retail of Alcohol**  
Monday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 23:30

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

**The opening hours of the premises:**

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

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

Alcohol is supplied for consumption on the Premises.

**Part 2**

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

Land Union (UK) Limited  
40 Frith Street  
London  
W1D 5LN

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

04828821

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

**Name:** Mr Aldo Mariotti

*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:** 835126  
**Licensing Authority:** London Borough Of Southwark

**Date:** 21 December 2016

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

## Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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



## Annex 2 – Conditions consistent with the operating Schedule

9. Alcohol may be sold or supplied:

- (a) Monday to Saturday 10:00 to 00:00;
- (b) Sunday 12:00 to 23:30;
- (c) On Christmas Day 12:00 to 22:30;
- (d) 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 taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) 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;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

10. Alcohol shall not be sold or supplied unless the premises have been structurally and bona fide used, or intended to be used, for the purposes of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises.

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

12. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
13. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. The supply of alcohol shall be by waiter or waitress service only.
15. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
21. The number of persons permitted in the premises at any one time (including staff) shall not exceed 40 persons.
22. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
23. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.

**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: West End  
UPRN: 010033570843

Premises licence  
summary

Regulation 33, 34

Premises licence number:

16/13111/LIPT

**Part 1 – Premises details**

**Postal address of premises:**

Trattoria Da Aldo  
Basement And Ground Floor  
51 Greek Street  
London  
W1D 4EH

**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**

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

**Late Night Refreshment**

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

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

**Sale by Retail of Alcohol**

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

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

**The opening hours of the premises:**

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

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

Alcohol is supplied for consumption on the Premises.

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

Land Union (UK) Limited  
40 Frith Street  
London  
W1D 5LN

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

04828821

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

**Name:** Mr Aldo Mariotti

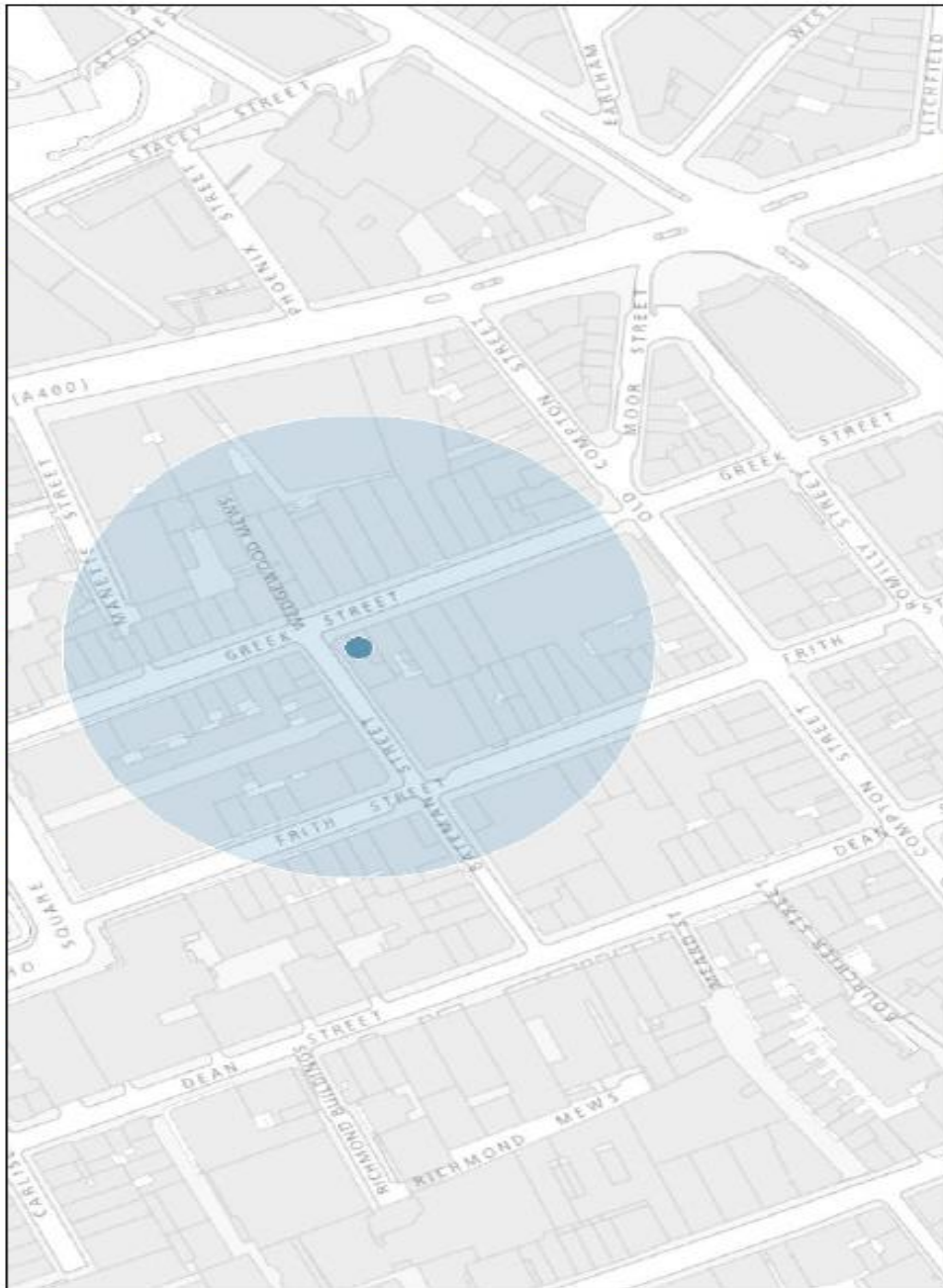
**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 21 December 2016

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

Trattoria Da Aldo Basement And Ground Floor 51 Greek Street



February 15, 2018

Resident Count: 87

DISTANCE	OBJECTID	LicenceNumber	TradingName	Address	PremisesType	TimePeriod
0.953921662	36046	16/13111/LIPT	Trattoria Da Aldo	Basement And Ground Floor 51 Greek Street London W1D 4EH	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
7.931303888	18146	16/13059/LIPVM	Union Club	50 Greek Street London W1D 4EQ	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 01:00
9.500258829	69524	17/07004/LIPV	Simmons	2 Bateman Street London W1D 4AE	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
13.552419	80028	15/03152/LIPVM	Club 49	Basement And Ground Floor 49 Greek Street London W1D 4EG	Restaurant	Monday to Saturday; 10:00 - 03:30   Sunday; 12:00 - 23:00



18.31363954	23092	14/02772/LIPV	Thirst	23 - 24 Bateman Street London W1D 3AW	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 23:00
20.53586917	69327	14/03450/LIPDPS	L'Escargot	48 Greek Street London W1D 4EF	Restaurant	Monday to Sunday; 10:00 - 01:00
21.7951889	78912	17/11842/LIPDPS	Bonnie Gull	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
23.16165819	70256	06/05119/WCCMAP	San Valentino Bar	13A Greek Street London W1D 4DN	Shop	Monday to Saturday; 23:00 - 03:00
24.74866428	3528	14/07710/LIPDPS	La Capannina Club	Basement 21 Bateman Street London W1D 3AL	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 00:30
24.74866428	3515	13/05652/LIPN	21 Bateman Street	Ground Floor 21 Bateman Street London W1D 3AL	Restaurant	Friday to Saturday; 12:00 - 03:00   Sunday to Thursday; 12:00 - 00:00

30.43217078	79926	16/10525/LIDPSR	Miabella	Basement 12-13 Greek Street London W1D 4DL	Restaurant	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 23:00
30.43217078	79966	17/09067/LIPV	Miabella London	Basement 12-13 Greek Street London W1D 4DL	Restaurant	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 23:00
30.75982904	29242	16/08065/LIPDPS	Patara	Basement And Ground Floor 15 Greek Street London W1D 4DP	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
32.30367759	69438	17/08893/LIPDPS	Chotto-Matte	11-13 Frith Street London W1D 4RB	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:30
32.48057587	68837	16/12862/LIPCH	Be At One	16-17 Greek Street London W1D 4DR	Night clubs and discos	Monday to Saturday; 09:00 - 06:00   Sunday; 09:00 - 00:00

32.67938163	69296	09/09864/LIPN	Bibimbap Korean Restaurant	11 Greek Street London W1D 4DJ	Restaurant	Monday to Wednesday; 17:00 - 00:00   Monday to Sunday; 12:00 - 15:00   Thursday to Saturday; 17:00 - 02:00   Sunday; 17:00 - 00:00
37.18400607	69292	11/08277/LIPN	10 Greek Street	10 Greek Street London W1D 4DH	Restaurant	Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00   Sunday; 11:00 - 22:30
39.28305562	9025	17/07375/LIPN	Zebrano	Basment And Ground Floor 18 Greek Street London W1D 4DS	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 23:00   New Year's Eve; 00:00 - 00:00

39.28305562	9014	14/11103/LIPVM	Zebrano	Basment And Ground Floor 18 Greek Street London W1D 4DS	Public house or pub restaurant	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 23:00
40.57678243	26446	06/05103/WCCMAP	Jazz After Dark	Ground Floor 9 Greek Street London W1D 4DQ	Night clubs and discos	Monday to Thursday; 09:00 - 02:30   Monday to Saturday; 10:00 - 00:30   Friday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 00:00   Sunday; 12:00 - 00:00
40.62529683	7016	14/01953/LIPDPS	Nando's	Ground Floor 10 Frith Street London W1D 3JF	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
40.77470927	79503	06/07744/WCCMAP	Garlic & Shots	Basement And Ground Floor 14 Frith Street London W1D 4RD	Restaurant	Monday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 23:30

41.12878907	36215	06/06525/WCCMAC	New Evaristo Club	Ground Floor 57 Greek Street London W1D 3DX	Night clubs and discos	Monday to Saturday; 11:00 - 01:30   Sunday; 12:00 - 01:30
42.29363961	68409	16/03007/LIPDPS	Gourmet Burger Kitchen	15 Frith Street London W1D 4RE	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
43.91104322	70812	17/02045/LIPVM	Prince Edward Theatre	Prince Edward Theatre 28 Old Compton Street London W1D 4HS	Theatre	Monday to Sunday; 09:00 - 01:00
44.31955935	79509	11/12180/LIPVM	Ceviche	Basement And Ground Floor 17 Frith Street London W1D 4RG	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 01:00
47.38009137	33821	15/03340/LIPVM	Balls & Company	Basement And Ground Floor 58 Greek Street London W1D 3DY	Restaurant	Monday to Thursday; 12:00 - 23:30   Friday to Saturday; 12:00 - 00:00   Sunday; 12:00 - 22:30

47.38009137	33818	06/12741/WCCMAP	Kaslik	Basement And Ground Floor 58 Greek Street London W1D 3DY	Restaurant	Monday to Thursday; 12:00 - 23:30   Friday to Saturday; 12:00 - 00:00   Sunday; 12:00 - 22:30
48.73442385	7090	12/07550/LIPDPS	Karaoke Box	Ground Floor 18 Frith Street London W1D 4RQ	Club or institution	Monday to Wednesday; 09:00 - 02:00   Thursday to Saturday; 09:00 - 05:00   Sunday; 09:00 - 23:00
51.22739868	70096	17/09918/LIPDPS	Pillars Of Hercules Public House	7 Greek Street London W1D 4DF	Pub or pub restaurant with lodge	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00   Sundays before Bank Holidays; 12:00 - 00:00

51.40987208	9122	17/14515/LIPDPS	Pizza Express	Basement And Ground Floor 20 Greek Street London W1D 4DU	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00
53.52872802	69300	14/03170/LIPVM	Londis	21 Greek Street London W1D 4DX	Shop	Monday to Sunday; 08:00 - 03:00
58.26375608	70028	16/09302/LIPDPS	Hazlitts Hotel	6 Frith Street London W1D 3JA	Hotel, 3 star or under	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
60.25937575	8560	14/09211/LIPVM	Bo Drake Restaurant	Basement And Ground Floor 6 Greek Street London W1D 4DE	Restaurant	Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30
60.78195049	82513	17/07932/LIPN	Not Recorded	55 Frith Street London W1D 4SJ	Restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 23:59   Sunday; 12:00 - 22:00

61.2832714	4599	13/01185/LIPVM	Montagu Pyke	Ground Floor 105 Charing Cross Road London WC2H 0DT	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 07:00 - 22:50   Sundays before Bank Holidays; 07:00 - 00:00
63.77979423	70004	16/00361/LIPVM	Dog & Duck Public House	18 Bateman Street London W1D 3AJ	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30   Monday to Saturday; 07:00 - 00:30   Friday to Saturday; 07:00 - 00:00   Sunday; 07:00 - 00:00   Sunday; 07:00 - 22:30   Sundays before Bank Holidays; 07:00 - 00:00
66.01883188	69287	17/05943/LIPRW	Bun House	23-24 Greek Street London W1D 4DZ	Restaurant	Monday to Sunday; 09:00 - 03:30



67.18262224	70161	14/09011/LIPDPS	Eat Tokyo	16 Old Compton Street London W1D 4TL	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
67.33607695	70215	06/06142/WCCMAP	Little Italy	21 Frith Street London W1D 4RN	Restaurant	Monday to Sunday; 09:00 - 05:00
67.94098535	28732	09/01147/LIPV	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4TP	Restaurant	Monday to Saturday; 09:00 - 01:30   Sunday; 09:00 - 00:30
67.94402885	69391	17/04895/LIPDPS	Mimi's	56-57 Frith Street London W1D 3JG	Hotel, 3 star or under	Monday to Saturday; 07:00 - 23:30   Sunday; 07:00 - 23:00   Sundays before Bank Holidays; 07:00 - 23:30

67.94402885	69389	16/07867/LIPN	Frith Street Hotel	56-57 Frith Street London W1D 3JG	Hotel, 4+ star or major chain	Monday to Saturday; 07:00 - 23:30   Monday to Sunday; 00:00 - 00:00   Sunday; 08:00 - 00:00   Sundays before Bank Holidays; 12:00 - 23:30   New Year's Eve; 00:00 - 00:00
69.56222786	26568	16/01109/LIPCH	La Porchetta Pizzeria & Pollo Bar	Basement And Ground Floor 20 Old Compton Street London W1D 4TW	Restaurant	Monday to Saturday; 11:00 - 00:30   Sunday; 11:00 - 00:00
70.60884619	68449	16/10460/LIPVM	68 And Boston	4 Greek Street London W1D 4DB	Night clubs and discos	Monday to Saturday; 09:00 - 02:30   Sunday; 09:00 - 02:00   Sundays before Bank Holidays; 09:00 - 02:30

71.16728476	7170	08/06508/LIPDPS	The Arts Theatre Club	Ground Floor West 50 Frith Street London W1D 4SQ	Shop	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 23:00
71.16728476	79547	16/09930/LIPDPS	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30
73.00340528	39251	17/03238/LIPCH	Little Italy	21A Frith Street London W1D 4RW	Restaurant	Monday to Sunday; 09:00 - 05:30
73.00340528	6999	06/06245/WCCMAP	Little Italy Two	Ground Floor 21A Frith Street London W1D 4RF	Restaurant	Monday to Saturday; 10:00 - 05:00   Sunday; 12:00 - 05:00

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