



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Thursday 21st November, 2019**

Time: **10.00 am**

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

Members: **Councillors:**

Tim Mitchell (Chairman)
Peter Freeman
Maggie Carman

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

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



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

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

Corporate Website: www.westminster.gov.uk

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the 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 the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. GROUND TO FOURTH FLOOR, 8-14 MEARD STREET, LONDON, W1F 0EQ

(Pages 1 - 54)

<u>App No</u>	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
1.	West End Ward /West End Cumulative Impact Area	Ground to Fourth Floor 8-14 Meard Street London W1F 0EQ	New Premises Licence	19/12338/LIPN

2. 48 GREEK STREET, LONDON, W1D 4EF

(Pages 55 - 92)

<u>App No</u>	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
2.	West End Ward /West End Cumulative Impact Area	48 Greek Street London W1D 4EF	New Premises Licence	19/12191/LIPN

**Stuart Love
Chief Executive
14 November 2019**

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

POLICY CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from 7th January 2016.

GUIDANCE CONSIDERATIONS

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

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:	21 November 2019
Licensing Ref No:	19/12338/LIPN - New Premises Licence
Title of Report:	Ground To Fourth Floor 8-14 Meard Street London W1F 0EQ
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:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 0207 641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	24 September 2019		
Applicant:	13 Meard Street Tenant Limited		
Premises:	Ground To Fourth Floor		
Premises address:	8-14 Meard Street London W1F 0EQ	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	This is an application for a new premises licence which intends to operate as office space with the provision of refreshment facilities limited to designated office users and their bona fide guests.		
Premises licence history:	This is a new application and therefore no licence history exists.		
Applicant submissions:	There are no submissions from the applicant.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On sales only
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	The applicant states that the premises are never open to the public						
End:							
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	22 October 2019
<p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.</p>	
Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	14 October 2019
<p>I write in relation to the application submitted for a new premises licence for Wework, Ground to Fourth Floor, 8-14 Meard Street, London.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of children from harm <p>The application seeks the following:</p> <ul style="list-style-type: none"> • Supply of Alcohol On Premises Monday to Saturday 12:00 to 23:00 Sunday 12:00 to 22:30 • Opening Hours to Public Never Open to the Public <p>The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and PB2.</p> <p>The application and operating schedule currently falls within Westminster's PB2 Policy. In paragraph 2.5.23 the Licensing Authority considers that the grant of new licences for pubs and bars in the Cumulative Impact Areas should be limited to exceptional circumstances. The provision of a bar within workplace solely for the use of those working there, and their invited guests, will generally be regarded as an exception to the policy not to grant new bars in Cumulative Impact Areas. Regard will be had to other policies in this Statement and the hours of operation of the workplace, the hours and extent of the use of the bar and the effect on the cumulative impact in the Cumulative Impact Areas.</p> <p>The Licensing Authority note that the application is within core hours and the intended use of the premises is an office space. The operating schedule does not provide specific restrictions to</p>	

the way in which alcohol is consumed at the premises. The Licensing Authority encourages the applicant to provide further submissions into how the bar area will controlled and managed, specifically how the alcohol will be served (i.e. by waiter/waitress service), and whether there is any limitation to the specific types of alcohol on sale.

In relation to the below proposed condition 7, how will the premises control the members, companies, employees and guests into the premises.

- The supply of alcohol shall only be to members of the Wework group of companies or employees of member companies, or their bona fide guests.

The Licensing Authority notes that on the plans there are outdoor areas on certain floors. The Licensing Authority encourages the applicant to provide further submissions into how these area's will be operated and controlled.

The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Response from applicant to the Licensing Authority dated 22 October 2019:

2 points to note here

1. Entry is controlled by electronic gates so access into the licensed areas can only be obtained if you are the holder of an access card that allows the electronic gates/doors to open. Same at all Wework venues. Cards are only given to Members of Wework. If they have guests they need to sign them in at the electronic gates.
2. I have asked the client about the external terrace areas. They are prepared to offer a condition that the terrace areas will be cleared of people by 21.00 every day.

Response from the Licensing Authority to the applicant dated 1 November 2019:

The Licensing Authority take note of the first point below and welcome the condition;

1. The terrace areas will be cleared of people by 21.00 every day.

This application will need to go to Licensing Sub-Committee for the members must be satisfied the applicant has demonstrated the premises will not add to cumulative impact in the cumulative impact area, in accordance with policies CIP1.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019
I [REDACTED] 8-14 Meard Street - and have done so for twenty years. I know my neighbours, for this is mainly a residential street.	
The street is pedestrianised outside the relevant area where a licence is sought. If the licence is granted, it will lead to there being a noisy social bar opposite where I - and my neighbours - live.	

The licensing, given the nature of the associated office space, will mean that for seven days a week, into the evenings, including Sundays, there will be much of the time be disturbances of people drinking inside and outside the building. Being pedestrianised, a lot of outside drinking - and smoking - no doubt will arise. Doors will be left open - and so the noise of the social gathering, with some degree of intoxication, will add to the fray. Even if proposers proclaim their intention that it would just be for small gatherings, it will inevitably slide into bigger noisier events.

Further - no doubt - if the licensing goes ahead, there will be applications for music - and so forth.

The relevant property is meant to be an office space, not a bar, serving/selling drinks - and a bar at its entrance onto the street. Please note: the proposal is not for a small area for drinking, tucked away in the inner depths of the building.

In effect, the licensing would turn this pedestrianised part of Meard Street into a drinking area. Remember, the proposed area for the licence is on the ground floor, leading straight into the street, opposite flats and houses - and, indeed, with residential flats above.

Overall, I strongly object to the application being approved. It would contribute to the ruination of the atmosphere of this distinctive eighteenth century street - and, more importantly, would add to the stress of residents, residents already much stressed by the noise and numbers that have increased over the years in this area.

I urge you, please, not to approve the licence.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019

[REDACTED] --What seemed a modest proposal has transform into already sanctioned ruthless expansion without consultation I therefore strongly object as resident living directly above this unfettered venue.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019

These representations are sent on behalf of the Meard and Dean Streets Residents Association.

We object to this application in its entirety.

The extent of the licensed premises is proposed to be that of the entire new office building that has been built behind Royalty Mansions (which is the real 8-14 Meard Street), plus much of the ground floor of 8-14 Meard Street itself. The new office building has over 330 workstations on five floors and the licence application states that the bar can be used by "designated office users" and their bona fide guests - potentially amounting to hundreds of people or even more.

Under the original planning consent for the development, the main entrance to the new office building was to have been via a discrete entrance at No 14 Meard

Street with a corridor to the actual new building behind. The remainder of the ground floor of Royalty Mansions was, apart from the entrance to the flats in that building, to comprise a gym and two retail units at Nos 8 and 10 Meard Street. Those retail units were to be entirely separate from and unconnected to the office space and to each other. They were subject to very strict conditions due to their location (see further below).

This licence application however follows recently-obtained permission for the change of use of the ground floor at Nos 8 and 10 Meard Street from retail to office use, which included the ability to connect those spaces to the remainder of the development. The licensing application shows that most of the resulting combined space on the ground floor of Nos 8 and 10 Meard Street is intended to be a bar, coffee bar, food counter and lounge area servicing the entire office building behind, and not actual office space at all.

The bar area itself is immediately inside the proposed new main entrance to the development at 10 Meard Street, where there is a small lobby space before the security turnstiles, which lead directly into what is termed a "lounge" space of 1,196 sq ft. This space contains the "Beer Island" (apparently with seating), coffee and food bar, an "Honesty Market", a table with further seating or stools, and the Reception desk. The entire "lounge" space (except behind the Reception desk), but *including the lobby area between the street entrance and the turnstiles*, is designated as licensed space.

Together with the office building of 18,000 sq ft, the total proposed designated licensed area therefore exceeds 20,000 sq ft, and more if the terraces are included as the application suggests - even though use of the terraces is limited only to occupiers of the offices and to weekday working hours due to their proximity to the Royalty Mansions flats and other nearby residential properties.

We wish to draw to the committee's attention that Meard Street is a historical and narrow street, pedestrianised for half of its length, including outside the application premises. It is ***Soho's most residential street*** (*by proportion of floor area*), with a terrace of Georgian houses, all in residential use, directly opposite Nos 8-14, and just 21 feet from the proposed entrance. Unusually for Soho and much of central London, 10 of the 12 properties in the terrace are residential throughout, including at ground floor and basement levels, and the remainder are residential above, as is Royalty Mansions itself - the building on the ground floor of which the proposed lounge and bar area is to be located.

Further, being listed buildings which stand directly at pavement level, these properties (and their occupants) are particularly vulnerable to increased footfall and, because they cannot be soundproofed or sealed, to all external noise, smoke and fumes. The cumulative impact of licensed and other business activities has undoubtedly reached the limit of toleration for many Soho residents, not only those living in Meard Street.

This explains the unusually strict conditions applicable to the retail units at Nos 8 and 10 Meard Street under the original planning consent (dated 27 February 2018) for the development as a whole. The conditions included the following: the two retail units must be kept as two separate units (to protect neighbouring residents from noise nuisance) use limited to Class A1 despite the General Permitted Development Order no music or other noise to be audible outside the premises (to protect neighbouring residents from noise nuisance) opening hours restricted to 09.00-20.00 Monday to Saturday and 11.00- 8.00 Sundays and bank holidays (to protect the environment of people living in neighbouring properties) These (and other relevant conditions) were not included in the recent planning

consent for change of use presumably because they were not thought relevant to office use. This licence application demonstrates in stark terms how relevant they were and why they should have been retained.

If it were thought by the committee, however, that residents could be protected by other conditions to be attached to the licence applied for here, as our councillors know from us as a result of numerous issues over many years, that is simply not the case. Most breaches of condition are over by the time the enforcement team is able to act, and the onus is on residents to report breaches and compile evidence. Given the location and set-up for example, it is inevitable that drinking and smoking will spill out onto Meard Street whatever conditions were in place - and that is something that residents simply could not police. More importantly, WeWork's own website states that its staff at this site would be on hand "during the working week" which means not at weekends and probably not in the evenings - the times when drinking and smoking would be both more frequent and more disruptive to residents.

We are aware that the presumption against granting a new licence in a CIA in Policy PB2 2.5.23 does not generally apply to "a bar within a workplace solely for the use of those working there, and their invited guests". However, that only means that, as a minimum, the case must still be considered on its merits. In view of the points in this representation and in those of the other objectors and of the Soho Society, we believe the merits are firmly against the grant of any licence in this case.

We further take the view that the bar in this application, being located as it is in a separate part of the development, does not constitute "a bar within a workplace [for the use of those] working there".

Finally, given the need to support the existing licenced and other businesses in Soho and their employees, and that the occupants of this office have one of the greatest choices of bars, coffee shops and food outlets imaginable on their doorstep, it is hard to see any justification for a bar on the premises.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019

I object strongly to this application, as a neighbour (across the street) from this premises.

The application is inconsistent with the plans originally submitted for 8-14 Meard St in the planning process, and will in effect involve creating a sizeable private bar / cafe in what is supposed to be a residential street.

Particularly in the proposed ground floor location, this will inevitably impact residential amenity and alter the character of the street. This is contrary to the planning permission for the site and to Westminster's policies for the area. It will create more disruption for residents both in Royalty Mansions (directly above the proposed cafe / bar area) and on the south side of Meard St than was originally expected in the planning application. The consequences for noise, usage, foot flow in the street, pavement smoking and other forms of disruption will be far different than in the original application and will represent a significant loss of amenity for me and other Meard St residents.

There is no need for a further licenced premises in this location as there are numerous pubs, restaurants and private clubs nearby.

WeWork's site plans are not entirely clear but also appear to involve significant changes from the original planning application (including in respect of location and nature of access doors, and signage) which are contrary to the spirit of the original application and to Westminster's planning guidance.

Full consideration must be given to residents' concerns, and to established planning guidance and policy. I would expect that this application requires full consideration by councillors rather than officials, and should be rejected in its entirety.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019

I strongly object to this licensing application.

- it would appear that the application is for a very large footplate - quite at odds with the original planning application and with the small footplates of the rest of the street and the style and history of the building.

-the building has been designated as office use - not as restaurant/bar/food station/lounge - and therefore completely in breach of the terms of the office planning permission granted.

- any bar would be in the centre of an almost totally residential street, and directly in conflict with the residential use in terms of people traffic, noise and constant disturbance (deliveries, people using it out of normal office hours, smokers standing outside with drinks, rubbish, music) - turning the street that is quieter out of office hours, into an entertainment centre/hub.

- this historic street has been protected and developed as a unique residential area in soho and westminster, and should not be allowed to lose its character and turn instead into further shopping/eating/drinking licensed premises.

- there is no need for further licensed premises in soho - especially in a street that is residential and in a building that is for office use

- it will be disastrous for the residences of royalty mansions and the homes on meard street to have a bar in its midst, with the concomitant noise and behaviour associated with drinking at all hours.

Westminster councillors are asked to balance their desire for residential use with offices - and keep bars and licensed premises to specific areas and non-residential streets in order to keep the spread of noise and disturbance to a minimum.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019

These work / drink premises are indistinguishable from private members clubs like Soho House - where members spend as much time working as drinking - and these places allow drinking and working. Given the concentration of entertainment uses in Soho the boundary should be policed firmly - no new licences should be given in this case. Meard Street is a residential street and residents should not have to suffer noise nuisance from people leaving and arriving for

entertainment purposes at night.

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]
[REDACTED]

Received:

21 October 2019

Please see Appendix 2 for supporting document:

I live on the corner of Dean & Meard Streets so the rear of my house is subject to noise from Meard Street. I have lived here since August 3rd 1993.

This application is for a liquor license on a 146sqm space on Meard Street which is the most residential street in Soho and the only street with residential on ground floors, facing the proposed bar area. This space was originally granted planning permission for two shop units, then for office space. No planning application has been made, as far as I am aware, for a change of use for a bar: described by the applicant as *'Office space with provision for refreshment facilities limited to designated office users and their bona fide guests'*.

I object to this application for a variety of reasons as set out below. Were it to be granted in my view the sale of alcohol should not be where currently proposed and should be on the internal floors as per 125 Shaftesbury venue and with conditions as proposed below.

The Statement of Licensing Policy 2016, PB2 New Public Houses and Bars in the cumulative impact areas Policy - Policy PB2. Section 2.5.23 (page 50) states that the Licensing Authority considers that the grant of variations or new licences for pubs and bars in the cumulative impact areas should be limited to exceptional circumstances. However, it goes on to say, *'The provision of a bar within a workplace solely for the use if these working there, and their invited guests, will generally be regarded as an exception to the policy not to grant new bars in the Cumulative Impact Areas. Regards will be had to other polices in this Statement and hours of operation of the workplace, the hours and extent of the use of the bar and the effect on cumulative impact in the CISs. The off-sale of alcohol and drinking outside the premises would also be of concern.'*

This application is very difficult to fathom but as far as I can understand, via their map which I have annotated for Members and Officers:

- A large bar area is proposed on the Meard Street frontage with a 'beer island';
- There is nothing in the application on possible numbers of users, but there appear to be c.331 work stations, so with one guest each there are potentially over 600 liquor users + 'members of associated companies';
- There is little information as to how such numbers and their impact on a residential street can be managed.

I object for the following reasons:

1. I object to the application as it is currently presented, on the grounds of prevention of crime and disorder, prevention of public nuisance and cumulative impact in the West End Cumulative Impact Area;
2. Meard Street is narrow and noises reverberate including people talking in the street;
3. The application and associated map does not make it clear that the primary liquor area faces Meard Street;
4. There is no information on how the numbers involved can fail to make an impact on residential amenity;
5. The numbers involved and the outside use is bound to cause a public nuisance in a residential street;
6. The hours proposed are to 23.00 and are thus bound to impact on residential amenity by causing a public nuisance due to noise in the evenings;
7. There is no information on whether any form of music will be played, there is no sound

- lobby on the plans, and this area was designed for two shop units and there is no information on whether the glass facing Meard Street is sound insulated;
8. There is an apparent contradiction in the numbers/users proposed as the application states:
 - *'Office space with provision for refreshment facilities limited to designated office users and their bona fide guests'*,
 - However the schedule of conditions states:
 - *'7. The supply of alcohol shall only be to members of the WeWork group of companies or employees of members companies, or their bona fide guests.'*
 9. It is normal practice when considering the potential impact of a licensing application on the four licensing objectives to be apprised of the numbers involved or how can the potential impact can be assessed or possible conditions be imposed? In this case it appears impossible to fathom the potential numbers;
 10. The terminal hour for shops selling alcohol as an ancillary activity is 20.00 – section 2.4.21;
 11. The Statement of Licensing Policy 2016, PB2 New Public Houses and Bars in the cumulative impact areas Policy - Policy PB2. Section 2.5.23 (page 50) with the exception quoted above may well apply in other areas, but is inappropriate in a residential street;
 12. The space in question is part of a much larger premise and the above exception might apply were the applicant to site the proposed lounge, beer station etc within the overall premise (as in WeWork 125 Shaftesbury Avenue);
 13. This part of the area of cumulative impact already has a large number of licensed which *'...members of the WeWork group of companies or employees of members companies, or their bona fide guests'* could make use of;
 14. The City Council has already recognised the public nuisance in this area as below:

A. Policy & Resources Committee Report of April 26th 1993: Corporate Action Plan for the Protection of the Street Environment & the related "Stress Areas" Report:

This (and some later reports) deal with *'...the degradation and environmental quality of three areas (including Soho)... the analysis confirms the general perception of these areas as suffering greater than average environmental stress.'* (1.1 & 4.1).

B. Planning & Licensing Committee Report of June 20th 2000: Revision of part of the policies for the Management of the Entertainment industry in Westminster including interim A3 Policies 'Stress Areas'.

This report states:

2.1 *'The Areas marked as... Soho (etc) in the plans attached as Appendix 1 be approved... as areas where residential amenity is under severe pressure and late night activity is at saturation levels.'*

3.3 *'...The City Council considers that the level of night time activity is already at time prejudicial to residential amenity in Queensway, Edgware Road, Soho and Covent Garden.'*

5.2 *'...the Committee should formally designate the stress areas for planning purposes.'*

6.6 & 6.7: *'... in mixed commercial/residential areas such as...Soho residential amenity is under such severe pressure that the areas have been designated as the "West End Stress Area."' It is our view that in some areas the number of such premises has reached saturation point. Consequently in these areas it would be undesirable to license any more entertainment premises or night cafes.'*

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	22 October 2019

We write to make a relevant representation to the above application on behalf of ██████████
██████████.
██████████ objects to this application as it is currently presented, on the grounds of

prevention of crime and disorder, prevention of public nuisance and cumulative impact in the West End Cumulative Impact Area.

About [REDACTED]

[REDACTED] is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

Application summary

New premises licence: WeWork office space, ground to 4th floors, to provide refreshment facilities limited to office users and their bona fide guests.

Supply of alcohol: Monday - Sunday, 12.00 - 23.00

The application

This application seeks to provide alcohol to office users and their guests seven days a week from 12.00 until 23.00. We object on the following grounds,

- We object to this application in its entirety, it aims to establish a new bar open seven days a week and on Sunday outside core hours in a cumulative impact area.
- This is a large new office facility covering four floors and accommodating approximately 331 workers plus their guests (guest numbers are not specified) being able to consume unlimited amounts of alcohol from 12.00 to 23.00.
- These premises are situated in a narrow, pedestrianised and highly residential street. Furthermore, these premises are directly under two Royalty Mansions flats, the potential for noise nuisance and anti-social behaviour as people leave the premises or when they smoke outside is high.
- Policy PB2 2.5.23 states the Licensing Authority considers that the grant of variations and new licences for pubs and bars in the CIA should be limited to exceptional circumstances. It goes on to state, the provision of a bar within a workplace solely for the use of those working there, and their invited guest, will generally be regarded as an exception to the policy not to grant new bars in the CIA. We disagree with this statement in relation to this application, this is a large facility with capacity for over 331 workers with unlimited guests being supplied with unlimited amounts of alcohol. It will become a drinking establishment until 23.00 for well over 600 people, in our view this will add to the cumulative impact in the area and is therefore not an exception to policy.
- In the event of the departure of the tenant this large property will retain its licence to supply alcohol, we are concerned at the risk that any new tenant could provide a different offer with the potential to cause noise nuisance and anti-social behaviour in this quiet street.

We believe that the application would fail to promote the licensing objectives of prevention of public nuisance, the prevention of crime and disorder and will add negatively to cumulative impact.

The Licensing Objectives

In relation to the licensing objectives our concerns are as follows.

Prevention of crime and disorder

Levels of crime and disorder in the West End Ward is the highest in the whole of Westminster. In Soho certain streets are associated with high levels of criminal activity which is directly linked to the large numbers of people attracted to the vast range and number of premises supplying alcohol, the pubs, restaurants, bars and clubs. Meard Street is situated within this

area and residents already experience high levels of drug dealing and other criminal activity.

Prevention of public nuisance

This is a highly residential and narrow street and workers leaving the premises having had the opportunity to drink alcohol until 23.00 area will have a detrimental impact on residential amenity. Residents are already disturbed by noise from people loitering in the street and those engaged in anti-social behaviour.

Licensing Policy - Cumulative Impact

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

In conclusion, this application aims to create a large new bar in a highly residential, pedestrianised street in the cumulative impact area, in our view there is no exception to policy. We respectfully request this application is rejected.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019

The relevant property is designated as office space and the proposed drinking area is at the front ground floor, straight onto narrow Meard Street. It is opposite a row of Meard Street properties that is by far residential - flats and houses. Above the proposed licensed drinking space are residential flats. Already then, the intention to use the area for alcoholic drinking, as a social area and bar, is against the overall current planning of the property, as offices. It has never been approved to be a bar.

If the licensing goes ahead, the effect would be a drinking bar in a residential street, with lots of coming and going, undermining the residential nature of this street. There would be the noise from this ground floor front area of the crowds at the bar. It would cause disturbances to residents - no doubt members and guests would hang around in the street, smoking, sometimes intoxicated - and this would be going on seven days a week.

I can see no good reason to approve the licensing of this office space - and many good reasons against. After all, here in the heart of Soho there is no lack of bars of all types.

Allowing this application would clearly be detrimental to residents of this street, adding to the stress from noise and crowds - and it would disturb us SEVEN DAYS A WEEK. Please do not approve this licence.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019

The footplate of the space designated for lounge/drink/bar is much too large in a street and building where the buildings are historically small and contrary to the original planning consent

- the use of the building is for offices and not for entertainment or food or beverage and approving this licensing would not be in line with the approved use
- the bar/lounge/entertainment area is in an almost entirely residential street, immediately next to royalty mansions and in front of an historic residential parade of homes.
- there are more than enough licensed premises in the vicinity and so the permission should not be granted on the basis of need.
- councillors have worked hard to develop and maintain the unique historic nature of the street which is a rare residential area. This license would be in conflict to the residential nature of the street
- a bar/lounge/food area will increase noise, deliveries, people - outside office hours. Permission was granted for office use in the building and this should not be changed to entertainment/drink use.
- the bar/lounge area is right on the street and not within the main office building - turning the street from residential use to one of retail/bar/restaurant. Not at all in keeping with the supposed intentions of westminster councillors.

Councillors are asked to balance the needs of residents in this historic street with the proposed change of use from office to licensed premises and reject this application for yet another licensed premises in an entirely office building.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2019

This premises was previously designated as office space, which made sense, given that it's located on an almost entirely residential street. (I live directly across from it with my husband and son.) The effect of this new application would be to place a very large bar (capacity 300?) in the middle of our street, directly under a block of flats, and within literally a few yards of several private residences. The nuisance generated by noise, people coming and going (especially when intoxicated), smoking or arguing in the street, is presumably not what was intended when permission was given for an office on this site. Also, given that this is Soho - an area not short of bars, restaurants and clubs - is it really right that what was meant to be a working environment should become just another bar, under a thin veneer of being something else? If permission is given, it will show that the council cares nothing for those who actually live and wish to raise families in Soho. Please reject this very unwelcome and unsuitable application.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy 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> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30</p> <p>Friday and Saturday: 10:00 to midnight</p> <p>Sundays immediately prior to Bank Holidays: Midday to midnight</p> <p>Other Sundays: Midday to 22:30</p> <p>For premises for the supply of alcohol for consumption off the premises:</p> <p>Monday to Saturday: 08:00 to 23:00</p> <p>Sundays: 10:00 to 22:30</p> <p>For premises for the provision of other licensable activities:</p> <p>Monday to Thursday: 09:00 to 23.30</p> <p>Friday and Saturday: 09:00 to midnight</p> <p>Sundays immediately prior to Bank Holidays: 09:00 to midnight</p> <p>Other Sundays: 09:00 to 22:30</p>
Policy PB2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Equality Implications

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

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

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

4. Appendices

Appendix 1	Premises plans
Appendix 2	Objectors Supporting Documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Michelle Steward Senior Licensing Officer
Contact:	Telephone: 0207 641 1872 Email: msteward1@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service Representation	22 October 2019
5	Licensing Authority Representation	14 October 2019
6	Representation 1	22 October 2019
7	Representation 2	22 October 2019
8	Representation 3	22 October 2019
9	Representation 4	22 October 2019
10	Representation 5	22 October 2019
11	Representation 6	22 October 2019

12	Representation 7	21 October 2019
13	Representation 8	22 October 2019
14	Representation 9	22 October 2019
15	Representation 10	22 October 2019
16	Representation 11	22 October 2019

10/07/2019 17:23:45

wework



- WALL TYPES**
- EXISTING
 - GLASS
 - GYP
 - COLUMNS
- PROGRAM CATEGORIES**
- 36% WORK
 - 23% CIRCULATE
 - 3% MEET
 - 31% WE
 - 6% OPERATE
 - 2% WASH
 - 100%

SPRINKLER SYSTEM THE OUTLET

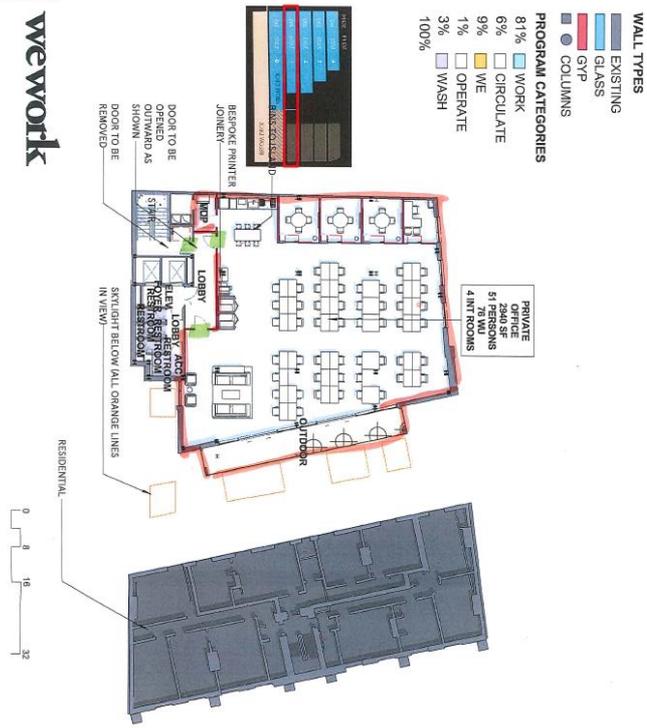
FIRE EXIT SIGN

LICENSED DESK

LOUNGE % OF USF	18.1%
BOOTH	5 / 1
PHONE BOOTHS	3 / 2
ALL MEETING ROOMS	1
CONF ROOM	1

AVG PO SIZE	2.3
DESKS	72
USF PER DESK	91.8
USF	6,610

CONFIDENTIAL
L303
LAYOUT
GROUND FLOOR
8-14 Meard Street



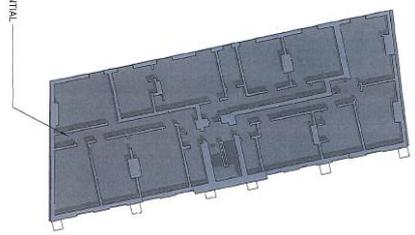
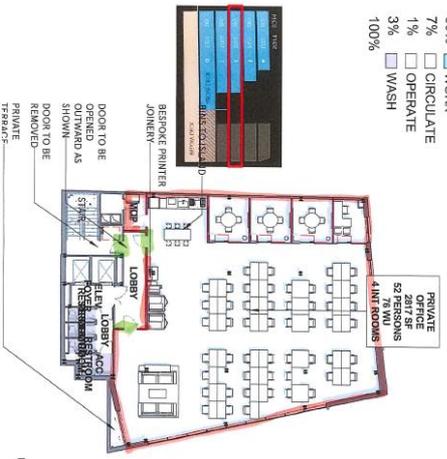
SPEAKER SYSTEM THICKETION
FLR EXIT SIGN
LISSISSO DEWIST

LOUNGE % OF USF	0.0%
BOOTH	1 / 1
PHONE BOOTHS	1 / 2
ALL MEETING ROOMS	

AVG PO SIZE	7.6
DESKS	76
USF PER DESK	45.0
USF	3,420

CONFIDENTIAL
 L304
LAYOUT
1ST FLOOR
 8-14 Meard Street

- WALL TYPES**
- EXISTING
 - GLASS
 - GYP
 - COLUMNS
- PROGRAM CATEGORIES**
- 89% WORK
 - 7% CIRCULATE
 - 1% OPERATE
 - 3% WASH
 - 100%



SPRINKLER SYSTEM THERMOSTAT

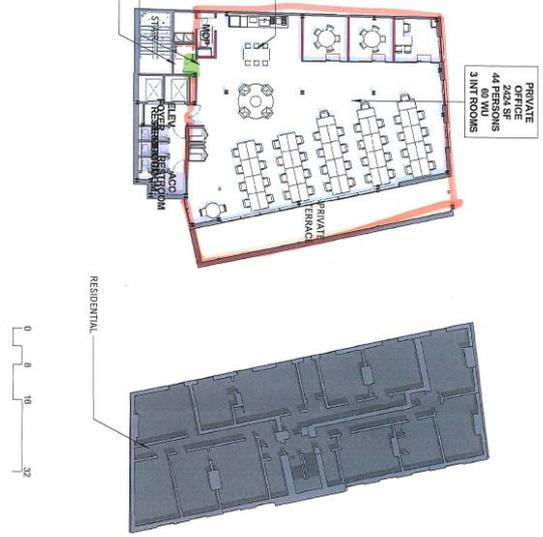
Fire Exit Sign

LICENSED DESK

LOUNGE % OF USF	0.0%
BOOTH	1 / 1
PHONE BOOTHS	1 / 2
ALL MEETING ROOMS	

AVG PO SIZE	8.4
DESKS	76
USF PER DESK	44.8
USF	3,410

CONFIDENTIAL
 1,305
LAYOUT
2ND FLOOR
 8-14 Meard Street



SPRINKLER SYSTEM THROUGHOUT
 FIRE EXIT SIGN
 LICENSED DESKWISE

LOUNGE % OF USF	0.0%
BOOTH	1 / 1
PHONE BOOTHS	1 / 2
ALL MEETING ROOMS	

AVG PO SIZE	6.7
DESKS	60
USF PER DESK	47.3
USF	2,840

CONFIDENTIAL
 L306
LAYOUT
3RD FLOOR
 8-14 Meard Street

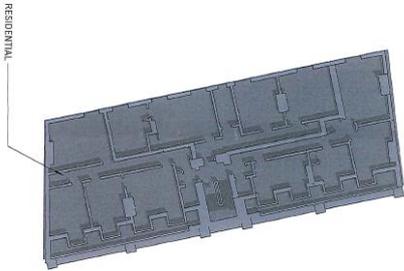
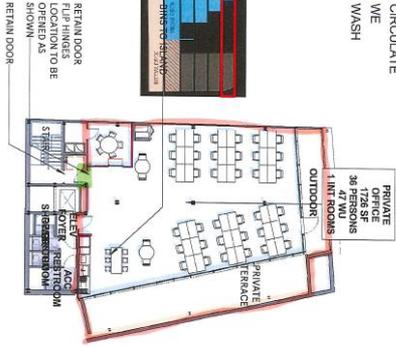
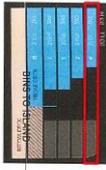
SPARKLE SYSTEM THEATRE

FAC EXIT SIGN

LICENSED DRAWING

LOUNGE % OF USF	0.0%
BOOTH	1 / 1
PHONE BOOTHS	1 / 1
ALL MEETING ROOMS	

- WALL TYPES**
- EXISTING
 - GLASS
 - GYP
 - COLUMNS
- PROGRAM CATEGORIES**
- 68% WORK
 - 2% CIRCULATE
 - 26% WE
 - 4% WASH
 - 100%



10072019 17:24:09
wework

AVG PO SIZE	5.9
DESKS	47
USF PER DESK	43.3
USF	2,040

CONFIDENTIAL
 L307
LAYOUT
4TH FLOOR
 8-14 Meard Street

Information provided by Planning to the Objector

Dear [REDACTED]

I write further to our telephone conversation and the information contained within your email, thank you for taking the time and trouble to send this through.

I have now had the opportunity to look further into this matter and as you say, planning permission has been granted for the change of use of the two retail premises at ground floor (which were never occupied as such) into office use which appear to be associated with the rest of the office use in the building. I have attached a copy of the Officer's delegated report which outlines the reasons this permission was granted.

What we now need to ascertain is whether the proposed use of the ground floor (with beer bar, barista, lounge etc) constitutes a material change of use or whether this could be considered an ancillary use having regard to the overall lawful office use in the building. We will therefore need to inspect the property and likely serve a Planning Contravention Notice to establish the facts regarding the use so that we can establish whether there has or will be a material change of use.

I have copied in Kevin Jackaman and Ros Hick in Licensing so that they are aware of this live planning issue in advance of the hearing set down for 21 November. We will revert to you in due course once we have established all of the facts.

Kind regards

Roald

Roald Piper
Planning Enforcement Team Leader
Place Shaping and Town Planning
Growth, Planning and Housing
Postal Address: PO Box 732, Redhill, RH1 9FL
Tel: 020 7641 3250
westminster.gov.uk

Westminster City Council

Development Planning
Westminster City Council
PO Box 732
Redhill, RH1 9FL

westminster.gov.uk



City of Westminster

Your ref: 8 - 14 Meard Street

My ref: 17/09109/FULL

Please
reply to:

Tel No:

Adam Jones

020 7641 1446



Development Planning
Westminster City Council
PO Box 732
Redhill, RH1 9FL

27 February 2018

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE

Application No: 17/09109/FULL

Application Date:

Date Received: 12.10.2017

Date Amended: 12.10.2017

Plan Nos: Demolition Drawings:

247.08-160 Rev. P1 ; 274.08-120 Rev. P1 ; 247.08-161 Rev. P1 ; 247.08-162 Rev. P1 ; 247.08-160 Rev. P1 ; 247.08-163 Rev. P1 ; 247.08-164 Rev. P1 ; 247.08-165 Rev. P1 ; 247.08-126 Rev. P1 ; 247.08-122 Rev. P1 ; 247.08-125 Rev. P1 ; 247.08-166 Rev. P1 ; 247.08-121 Rev. P1 ; 247.08-167 Rev. P1 ; 247.08-168 Rev. P1 ; 247.08-127 Rev. P1 ; 247.08-123 Rev. P1 ; 247.08-124 Rev. P1

Proposed Drawings:

247.08-260 Rev. P1 ; 247.08-250 Rev. P1 ; 247.08-14 210 Rev. P_1 ; 247.08-251 Rev. P1 ; 247.08-14 227 Rev. P1 ; 247.08-265 Rev. P1 ; 247.08-255 Rev. P1 ; 247.08-14 260 Rev. P_1 ; 247.08-14 215 Rev. P_1 ; 247.08-257 Rev. P1 ; 247.08-268 Rev. P1 ; 247.08-258 Rev. P1 ; 247.08-14 217 Rev. P_1 ; 247.08-14 216 Rev. P_1 ; 247.08-14 213 Rev. P_1 ; 247.08-14 214 Rev. P_1 ; 247.08-14 Rev. P_2 ; 247.08-14 252 Rev. P2 ; 247.08-253 Rev. P2 ; 247.08-263 Rev. P2 ; 247.08-14 254 Rev. P2 ; 247.08-256 Rev. P2 ; 247.08-266 Rev. P2

Other Documents:

Document titled "8-14 Meard Street Transport Statement" Version 3.1, dated 22 January 2017 created by Urban Flow

Address: 8-14 Meard Street, London, W1F 0EQ,

Proposal: Demolition of the rear ground, first and second floor office accommodation and replacement with

4qp46t091207

a full width rear extension at first to fourth floors to provide Office (Class B1) floorspace. Change of use of basement to part gym (Class D2) and part office (Class B1) and change of use of part ground floor to retail (Class A1), office (Class B1) and gym (Class D2). Replacement shopfronts at ground floor level on Meard Street and amendments to the rear of the existing residential flats in Royalty Mansions (Class C3) and associated works

See next page for conditions/reasons.

Yours faithfully



John Walker
Director of Planning

Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email districtsurveyors@westminster.gov.uk to arrange a preliminary discussion.

Note:

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Condition(s):

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

Reason:

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

- 2 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 3 You must apply to us for approval of detailed drawings of the following parts of the development - a. Shopfronts. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (November 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 5 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

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You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 6 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This

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acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
(g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
(h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
(i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 7 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 8 You must put up the plant screens shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 9 You must provide the waste store shown on drawing 247.08-14 210 Rev.P1 and 247.08-14 Rev. P2 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the property. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 10 No waste (or bins) are to be left on the public highway unless immediately before collection. Any bins used must be promptly removed from the public highway following waste collection.

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Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 11 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 12 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 13 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 14 No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing, in consultation with Historic England (Archaeology). For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

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A) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 15 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

Photo-voltaic panels

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 16 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application.

- The green wall and three trees at first floor level between Royalty Mansions and the new offices,
- The green roofs at third and fourth floor levels, and
- The planted pergola at plant screen at roof level.

You must not remove any of these features.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 17 You must install the vertical brises-soleil in front of the second and third floor office (Class B1) windows as shown on the approved drawings before the offices (Class B1) are occupied. You must not remove these features.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

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- 18 You must not use the green roofs or the main roof of the building for sitting out or for any other purpose. You can however use the roofs to escape in an emergency and for access for maintenance.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 19 The two retail (Class A1) units shown on drawing 247.08-14 Rev. P_2 (labelled as "#8 Meard Street" and "#10 Meard Street") must be kept as two separate units. They may not be combined to create a single large retail (Class A1) unit and no unit should be bigger than 77 square metres (GIA).

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 20 You must not use the two retail (Class A1) units shown on drawing 247.08-14 Rev. P_2 (labelled as "#8 Meard Street" and "#10 Meard Street") for any other purpose other than retail (Class A1). This is despite the provisions of Class C of Part 3 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it).

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE 8 of our Unitary Development Plan that we adopted in January 2007 or S24 of Westminster's City Plan (November 2016)

- 21 You must not play live or recorded music in the either of the retail (Class A1) units shown on drawing 247.08-14 Rev. P_2 (labelled as "#8 Meard Street" and "#10 Meard Street") which can be heard outside of the premises.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 22 The retail (Class A1) uses and gym (Class D2) use allowed by this permission must not begin until you have fitted self-closing doors at their entrances from Meard Street. You must not leave these doors open except in an emergency or to carry out maintenance.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

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- 23 The approved terraces in association with the office (Class B1) use located at first and fourth floors may only be used by occupiers of the offices (Class B1) between the following hours: 09.00-20.30 - Monday - Friday and not at all on Saturdays, Sundays or Bank Holidays.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 24 Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it) the retail (Class A1) accommodation hereby approved shall not be used as a food retail supermarket unless otherwise agreed in writing by the City Council as local planning authority

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007.

- 25 You must not operate any delivery service from the retail (Class A1) units shown on drawing 247.08-14 Rev. P_2 (labelled as "#8 Meard Street" and "#10 Meard Street"), even as an ancillary part of the primary Class A1 use.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007, and to protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 26 You must only use the area labelled as "Gym" on approved drawings 247.08-14 210 Rev.P1 and 247.08-14 Rev. P2 only as a gym. You must not use it for any other purpose, including any within Class D2 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it).

Reason:

We cannot grant planning permission for unrestricted use within Class D2 as we need to ensure that the precise use would have no harmful environmental or amenity impact

- 27 No music from the gym (class D2) use shall be audible outside the site

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

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- 28 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 29 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the Gym (Class D2) use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the Gym (Class D2) use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity.

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Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 30 For music noise, the design of the separating structures between the proposed gym and residential flats should be such that the received music noise level in the residential habitable spaces, with music playing, should be 10 dB below the existing ambient and maximum noise levels in the residential habitable spaces when music is not playing, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq and LFmax in the octave bands 63 Hz and 125 Hz; The overall music noise level in terms of LAeq,5mins should be at least 10 dB below the existing background noise level in terms of dB LA90,5mins.

A Sound Limiter shall be installed and set by a competent acoustic engineer so that it maintains compliance with the above criteria. All amplification equipment within the development including music generating equipment and fitness instructor's announcement equipment shall be routed and controlled through the sound limiter. The operational panel of the noise limiter shall be secured by key or password so that only persons with management responsibility have access. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 31 You must apply to us for approval of details of mitigation measures to be installed in the building to ensure the hereby approved gym (Class D2) use complies with the Council's noise criteria as set out in Conditions 7, 28, 29 and 30 of this permission.

You must not commence the Gym (Class D2) use until we have approved what you have sent us and undertaken the necessary works. Any necessary works approved must be maintained for the life of the approved use.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient

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noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 32 Customers shall not be permitted within the gym (Class D2) premises outside the following hours:
06:00 - 22:00 on Monday to Friday (not including bank holidays and public holidays), and
08:00 - 21:30 on Saturday, Sundays, bank holidays and public holidays.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 33 You must not allow more than 80 customers into the gym (Class D2) at any one time.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 34 The two retail (Class A1) units shown on drawing 247.08-14 Rev. P_2 (labelled as "#8 Meard Street" and "#10 Meard Street") may not open to customers outside of the following times:
09.00-20.00 Monday to Saturday
11.00-18.00- Sunday and Bank Holidays

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 35 You must undertake the servicing of the site in line with the details listed in section 7.2 (Servicing) of the document titled "8-14 Meard Street Transport Statement" Version 3.1, dated 22 January 2017 created by Urban Flow

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 36 All servicing must take place between 08:00-20:00 on Monday to Saturday and 11:00-18:00 on Sunday and Bank Holidays. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties and to protect the environment of people in neighbouring properties as set out in S24, S29, S32 and S42 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and ENV 13 as well as STRA 25, TRANS 20 and TRANS 21 of our Unitary

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Development Plan that we adopted in January 2007.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 3 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 4 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 5 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

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- 6 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 7 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 8 With reference to condition 13 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk.

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

You are urged to give this your early attention

- 9 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 10 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

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It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 11 Conditions 6, 7 and 8 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (182AA)
- 12 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 13 With regards to Condition 14:
Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Desk Based Assessment

The desk-based assessment should be provided as soon as possible and include a deposit model of the site's potential based on nearby investigations. Any geotechnical investigations already undertaken should be used too. The results will inform the scope of further archaeological evaluation required prior to any development on the site. Desk-based assessment produces a report to inform planning decisions. It uses existing information to identify the likely effects of the development on the significance of heritage assets, including considering the potential for new discoveries and effects on the setting of nearby assets. An assessment may lead on to further evaluation and/or mitigation measures.

Geotechnical Monitoring

Archaeological monitoring of geotechnical pits and boreholes can provide a cost-effective means of establishing the potential for archaeological remains to survive on previously developed land or where deep deposits are anticipated. It is usually used as part of a desk-based assessment or field evaluation.

Evaluation

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

The evaluation should be scoped on receipt of the deposit model and DBA. This should comprise of shored trial pits or trenches and can be combined with any geotechnical investigations to be undertaken. The results will be used to inform on an appropriate mitigation strategy, should this be necessary.

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Further information on archaeology and planning in Greater London including Archaeological Priority Areas is available on the Historic England website.

14 With regards to Condition 31:

You may need to submit a supplementary acoustic report to support the details submitted.

It is possible that existing background, ambient and maximum levels within the residential dwellings could be very low for measurement and assessment purposes. It is expected that the accuracy of results should be taken into consideration when dealing with the measurement of low noise levels. Standard Deviation of measurement is a recognised measure of accuracy of results and reasonable consideration should be given to Standard Deviation as well as the capabilities of the instrumentation used for the assessment. It is acknowledged that it is impossible to physically measure noise which is 10 dB below existing noise levels or measure NR criteria which is below existing NR levels. Therefore, it is anticipated that the assessment of some Conditions will include a comparison of 'on/off' conditions and seek to investigate the 'increase' in measured levels with the above points taken into consideration. For example; a level 10 dB below existing levels would increase existing levels by 0.4 dB. The assessment of some conditions might also include a calculation approach where measurement is impracticable or a combination of measurement and calculation. Measurement assessment of some conditions requires that residents allow the applicant access to carry out Acoustic testing to demonstrate compliance through measurement. If access is not made available the applicant may deploy a calculation approach and base the criteria on reasonable assumptions of the existing acoustic conditions within the residential properties.

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City of Westminster

TOWN AND COUNTRY PLANNING ACT 1990 PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Applicant's Rights and General Information

1. Applicant's Rights (refusals and conditional approvals)

a) Appeals to the Planning Inspectorate

If your application has been **refused** by the City Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government.

The time limits for submitting an appeal may vary. The period after the date of the City Council's decision within which an appeal must be received by the Secretary of State is:

- o **28 days** in the case of an appeal against refusal of a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice.
- o **8 weeks** in the case of an appeal against refusal of advertisement consent.
- o **12 weeks** in the case of appeals made under s78(1) against refusal of any 'householder application' – that is,
 - refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house.
 - Refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.
 - Refusal of prior approvals relating to dwelling houses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order.
- o **12 weeks** in the case of 'minor commercial applications that is,
 - refusal of an application for development of an existing building or part of a building currently in use for any purposes in Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.
 - Interested parties have no right to comment on an appeal with regards to a minor commercial development (specifically a shopfront).
- o **6 months** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building consent application. The 6 month time limit also applies to any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

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If you want to appeal, you must use the correct appeal form from the following list: Planning, Householder, Minor Commercial, Listed Building Consent or Certificate of Lawful Use or Development.

The Planning Inspectorate has an online appeals service: www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the application form and associated documents and the completed appeal documents. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure that you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Alternatively, you can obtain a form from the Customer Support Team, Planning Inspectorate, 3/08a, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN Tel: 0303 4440000. An extension of time for lodging an appeal is unlikely to be granted except in special circumstances. There is a guide and other useful advice about appeals on line at www.planningportal.gov.uk/planning/appeals/online/makeanappeal

APPROVAL OF DETAILS:

If your application has been granted and is subject to the approval of details reserved by condition please use the form 'Application For Approval Of Details Reserved By Condition' in order to discharge the relevant details. This form can be downloaded from the City Council's web site at www.westminster.gov.uk/planning

b) Purchase Notices

In certain circumstances the owner of a property has the right to serve a Purchase Notice on the City Council or the Department for Communities and Local Government. A Notice may be served if, following a refusal or a conditional approval, the owner considers the land cannot be put to a reasonably beneficial use in either its existing state or through development which has or would be permitted. A Purchase Notice would require the City Council to purchase the owner's interest in the land in accordance with the relevant provisions of the Acts (Part VI of the Town and Country Planning Act 1990 and Sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

2. General information relating to all approvals

a) Other legislative requirements

This decision has been made by the City Council as the local planning authority. You are reminded of the need to comply with other relevant regulations and statutory provisions and respect the rights of other owners/occupiers provided by relevant property legislation.

Transportation: If your proposal involves works which affect the public highway you should consult the City Council as Highways Authority. This includes works to, over or below any carriageway, footway or public forecourt. You should contact the Highways Planning Team by email highwaysplanning@westminster.gov.uk or telephone 020 7641 3326. If your proposal is related to paving works and/or is associated with an agreement under Section 106 of the Town and Country Planning Act 1990 please telephone: 020 7641 2920.

Highways Licensing: For general enquiries about temporary structures on the highway, such as hoardings, skips, the excavation and storage of materials on the highways, please telephone 020 761 2000.

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- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



Item No.

The application site is an unlisted building located in the Soho Conservation area, Core Central Activities Area (Core CAZ) and the West End Special Retail Policy Area (WESRPA). The building is located on the north side of Meard Street, mid-way between Wardour and Dean Streets. The site includes 12 flats within Royalty Mansions which front onto Meard Street at first to fourth floor levels.

The basement and ground floors form part of a recently granted permission at the site (granted 27 February 2018 RN: 17/09109/FULL) which allowed "Demolition of the rear ground, first and second floor office accommodation and replacement with a full width rear extension at first to fourth floors to provide Office (Class B1) floorspace. Change of use of basement to part gym (Class D2) and part office (Class B1) and change of use of part ground floor to retail (Class A1), office (Class B1) and gym (Class D2). Replacement shopfronts at ground floor level on Meard Street and amendments to the rear of the existing residential flats in Royalty Mansions (Class C3) and associated works." This permission is currently being implemented on site with construction works well under way however, none of the approved uses have commenced.

Planning permission is now sought to allow the use of part ground floor as office (B1) accommodation. This part in question is the area granted permission to be used as retail (Class A1) in the above permission and is on the side of the site closest to Dean Street, No external alterations are proposed as part of this application.

LAND USE

Loss of Retail (Class A1) Floorspace:

The proposed office (B1) accommodation would replace two permitted retail (Class A1) units at ground floor. These units provide a combined area of 146sqm GIA retail space. During the determination of the application the amount of retail floorspace was reduced to the permitted amount by approximately 40% and the permission allowing these units was heavily conditioned to restrict the operation of the retail units following strong objections from local residents and residents groups. These objections were on the grounds that the proposed use would impact amenity, detract from the residential character of the street, associated increase in footfall/traffic etc. and that they considered the retail to be contrary to policy in this location.

These conditions (19, 20, 21, 22, 24, 25 and 34) ensure that the two A1 units cannot be combined to form one large unit, remove all permitted development rights relating to A1 uses, ensure music played in the A1 units cannot be heard outside, prohibit use of the units as food retail supermarkets, prohibit a delivery service operating from the unit even in an ancillary form, and to ensure self-closing doors were installed. The opening hours of the retail units were also restricted by way of condition to between 09.00-20.00 Monday to Saturday and 11.00-18.00- Sunday and Bank Holidays.

While Council policies seek to strongly protect retail within Westminster, the Core CAZ and the WESRPA, it is difficult to protect the use in this location as the approved retail units have not been implemented. Furthermore the previous uses on the site did not include any retail and was vacant photographic laboratory (Class B1c) at basement and ground floors. There would therefore be no real loss of retail floorspace at the site and the loss cannot be resisted.

Increase in Office (Class B1) Floorspace:

The originally permitted scheme allowed for 1898sqm (GIA) of office floorspace on the site, which was an increase of 653sqm on the site. The proposed change of use will provide an additional 146sqm of office floorspace, bringing the uplift from the original building to 799sqm and the total amount of office floorspace on site to 2037.5sqm.

The submitted drawings show the area proposed to be used as office floorspace is linked to the already permitted office area by a corridor but also have two access doors from the street, which were permitted as part of the larger scheme at the site as the entrances to the retail units.

Item No.

Policy S20 of the City Plan identifies the need for significant additional office floorspace (Class B1) within Westminster. The Core CAZ is also identified as a suitable location for office floorspace in Policies S6 so the increased provision in this location is considered acceptable.

HIGHWAYS AND WASTE

The Waste Project Officer has commented on the application and advised that the applicant will need to confirm the bin capacities for the storage of waste as no details are provided. However, the applicant has advised that any waste generated will be accommodated in the waste store approved as part of the redevelopment described above. Given the size of the already approved development, it is not considered necessary to secure details of waste storage for this additional office area.

The previous scheme permitted on the site over-proved for on site cycle storage, providing 35 spaces when only 26 were required. The increase in office floorspace here would increase cycle storage requirement by 2 space (requiring a total of 28). It is therefore considered that no additional details of cycle storage will be required for this area and the approved storage facilities will be sufficient.

CONCLUSION

The application is considered acceptable and recommended for approval.

Recommendation:

Grant conditional permission

Case Officer or Morning Meeting Officer: Adam Jones	Date: 25 June 2019
Reason (if over 8/13 wk deadline):	

DRAFT DECISION LETTER

Address: 8-14 Meard Street, London, W1F 0EH,

Proposal: Use of part ground floor as office (B1) accommodation.

Plan Nos: 1315 0G PL-00

Case Officer: Adam Jones

Direct Tel. No. 020 7641 1446

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

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

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

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. 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.
10. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
11. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices.
12. Outside of the hours authorised for the sale of alcohol and whilst the premises are open, the licence holder shall ensure that all alcohol within the premises which is dispensed by the licence holder is secured so as to prevent access to the alcohol by both members and staff.
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
15. The supply of alcohol shall only be to members of the WeWork group of companies or employees of member companies, or their bona fide guests.
16. The Wework Community Manager responsible for the premises shall ensure that the area of the premises where alcohol is supplied under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Wework Responsible Alcohol Management Plan
17. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

Condition proposed by the applicant and accepted by the Licensing Authority so as to form part of the operating schedule:

18. The terrace areas will be cleared of people by 21.00 every day.



Resident Count: 156

Licensed Premises within 75 metres of 8-14 Meard Street London W1F 0EQ				
Licence Number	Trading Name	Address	Premises Type	Time Period
19/10489/LIPDPS	Wahaca	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Monday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00
17/01564/LIPV	Honest Burgers	Basement And Ground Floor 4 Meard Street London W1F 0EF	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/02052/LIPDPS	Vapiano	84 - 86 Wardour Street London W1F 0TQ	Restaurant	Monday to Thursday; 07:00 - 00:30 Friday to Saturday; 07:00 - 01:30 Sunday; 07:00 - 23:30 Sundays before Bank Holidays; 07:00 - 00:30

14/03817/LIPVM	Lo-Profile	Basement 84 - 86 Wardour Street London W1F 0TG	Club or institution	Monday; 09:00 - 01:30 Monday to Saturday; 10:00 - 23:30 Tuesday to Wednesday; 09:00 - 02:30 Thursday; 09:00 - 03:30 Friday to Saturday; 09:00 - 04:00 Sunday; 12:00 - 23:00
17/05557/LIPT	(Former 'Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Monday to Saturday; 07:30 - 23:30 Sunday; 07:30 - 23:00
18/16244/LIPV	Hummus Bros	88 Wardour Street London W1F 0TH	Restaurant	Monday; 08:00 - 23:00 Tuesday; 08:00 - 23:00 Wednesday; 08:00 - 23:00 Thursday; 08:00 - 23:00 Friday; 08:00 - 23:00 Saturday; 08:00 - 23:00 Sunday; 08:00 - 23:00
14/09446/LIPN	Pickle And Toast	72 Wardour Street London W1F 0TD	Cafe	Monday to Wednesday; 07:00 - 23:00 Thursday; 07:00 - 23:30 Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
18/07978/LIPDPS	MasQMenos	Basement And Ground Floor 68-70 Wardour Street London W1F 0TB	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:00
19/08880/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 00:00
18/00946/LIPDPS	Blacks	Basement To First Floor 67 Dean Street London W1D 4QH	Club or institution	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00
18/07653/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00

16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30 Friday to Saturday; 23:00 - 00:00
18/02207/LIPDPS	Balans Restaurant	Ground Floor 60 - 62 Old Compton Street London W1D 4UG	Restaurant	Monday; 09:00 - 03:30 Tuesday to Sunday; 09:00 - 05:00
12/03560/LIPV	Selva Food & Wine	68 Old Compton Street London W1D 4UJ	Shop	Monday to Sunday; 00:00 - 00:00
17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00
19/04930/LIPN	Runway East	66 Old Compton Street London W1D 4UH	Office	Monday; 09:00 - 23:30 Tuesday; 09:00 - 23:30 Wednesday; 09:00 - 23:30 Thursday; 09:00 - 23:30 Friday; 09:00 - 23:30 Saturday; 09:00 - 23:30 Sunday; 09:00 - 23:30
19/00635/LIPN	Jackson & Rye	56 Wardour Street London W1D 4JG	Restaurant	Monday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 00:00
17/08963/LIPN	Rambla	64 Dean Street London W1D 4QQ	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
19/11488/LIPCH	Byron	99 Wardour Street London W1F 0UF	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
11/11034/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Restaurant	Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
19/04378/LIPDPS	Amathus	Hammer House 113-117 Wardour Street London W1F 0UN	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30

19/11795/LIPDPS	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Restaurant	Monday to Wednesday; 09:00 - 02:30 Thursday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00
17/02012/LIPVM	Leggero (formerly La Polenteria)	64 Old Compton Street London W1D 4TL	Cafe	Monday to Thursday; 07:30 - 23:30 Friday; 07:30 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00
12/03653/LIPDPS	Tonkotsu	Basement To First Floor 63 Dean Street London W1D 4QG	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/01788/LIPDPS	Tuk Tuk	Basement And Ground Floor 56 Old Compton Street London W1D 4UE	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
06/05560/WCCMAP	Gerry's Wine & Spirits	74-76 Old Compton Street London W1D 4UW	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
19/06686/LIPDPS	Soho Dean Street	76 Dean Street London W1D 3SQ	Not Recorded	Monday to Sunday; 07:00 - 01:00
17/01943/LIPDPS	Tuscan Delicatessen	Basement And Ground Floor 72 Old Compton Street London W1D 4UN	Cafe	Monday to Sunday; 10:00 - 00:30
19/12106/LIPT	Not Recorded	72 Old Compton Street London W1D 4UN	Cafe	Monday to Sunday; 10:00 - 00:30
12/08457/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

Item No:	
Date:	21 November 2019
Licensing Ref No:	19/12191/LIPN - New Premises Licence
Title of Report:	48 Greek Street London W1D 4EF
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 020 7641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	20 September 2019		
Applicant:	L'escargot Ltd		
Premises address:	48 Greek Street London W1D 4EF	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	According to the application form, the premises will trade as a restaurant, Bar and private members club		
Premises licence history:	A premises licence have previously held a premises licence, licence reference 14/03450/LIPDPS, however the licence lapsed when the licence holder (L'escargot (Soho) Ltd) went into in liquidation in April 2019. A copy of the previous licence licence is attached as appendix 4.		
Applicant submissions:	The applicant is seeking a new licence for the same hours, activities, conditions and plans as the previous licence, licence number 14/03450/LIPDPS		

1-B Proposed licensable activities and hours							
Live music, recorded music and anything of a similar description:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ 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. Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit: Unrestricted					

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ 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.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ 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.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ 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.					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	17 October 2019
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The premises are located within the West End Cumulative Impact area as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>The applicant has submitted floor plans of the premises but these are not clearly identifiable as to the floors they represent nor contain legends for any fire safety devices.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 01.00 hours and Sunday between 12.00 to 01.00 hours. New Year's Eve to New Year's Day. 2. To provide Late Night Refreshment 'Indoors' Monday to Sunday between 23.00 to 01.00 hours. New Year's Eve to New Year's Day. 3. To provide regulated entertainment 'indoors' comprising <ul style="list-style-type: none"> • Live Music • Recorded Music • Anything of a similar description to Live Music and Recorded Music. Monday to Sunday between 10.00 to 01.00 hours. New Year's Eve to New Year's Day. Unrestricted private entertainment. 	

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End CIA.
2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CIA.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance and impact on public safety within the West End CIA.

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

The applicant has provided additional information with the application which is being addressed.

Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	18 October 2019

Following on from the below email regarding the Licensing Authority making no representation it has come to our attention that this application is not actually a shadow licence due to the premises licence holder on licence 14/03450/LIPDPS went into liquidation back in April 2019, lapsing this licence. As this is a new application for a new licence the Licensing Authority will now be making a representation to application 19/12191/LIPN.

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

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

The application seeks the following:

Live Music, Recorded Music, Anything of a similar description to that falling within (e), (f) or (g),
Monday to Sunday 10:00 to 01:00

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.

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

Late Night Refreshment
Monday to Sunday 23:00 to 01:00

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.

Supply of Alcohol On & Off Premises

Monday to Saturday 10:00 to 01:00
Sunday 12:00 to 01:00

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.

Opening Hours to Public

Monday to Sunday 10:00 to 01:00

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.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and PB2.

The Licensing Authority note that the applicant has proposed in the application that the premises is a restaurant with a bar. In paragraph 2.5.3 the policy states 'The Council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as "vertical drinking" premises where customers consume alcohol standing throughout the evening. The council, however, is not minded to relax conditions for restaurants where alcohol may only be consumed by persons as an ancillary to their substantial table meal.

Therefore, the Bar falls under Westminster's PB2 Policy which states that the Licensing Authority considers that the grant of new licences for pubs and bars in the Cumulative Impact Areas should be limited to exceptional circumstances.

As previously mentioned the premises licence holder L'escargot (Soho) Limited of licence 14/14/03450/LIPDPS went into liquidation in April 2019. Paragraph 2.4.8 of Westminster's Licensing Policy states; Applications for new licences to replace licences which have lapsed because of failure to submit an interim authority notice in due time in the event of insolvency of a licence holder will be considered by the licensing authority as possible exceptions.

The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

Therefore, it is a decision for the Licensing Sub-Committee to determine whether the applicant has demonstrated any exceptional circumstances that would allow to depart from policy.

Please accept this as a formal representation.

3. Policy & Guidance

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

Policy CP1 applies

(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.

(ii) Applications for other licensable activities in the Cumulative Impact

	Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy 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> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> 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</p> <p><u>For premises for the provision of other licensable activities:</u> 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</p>
Policy PB2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Equality Implications

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

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

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

5. Appendices

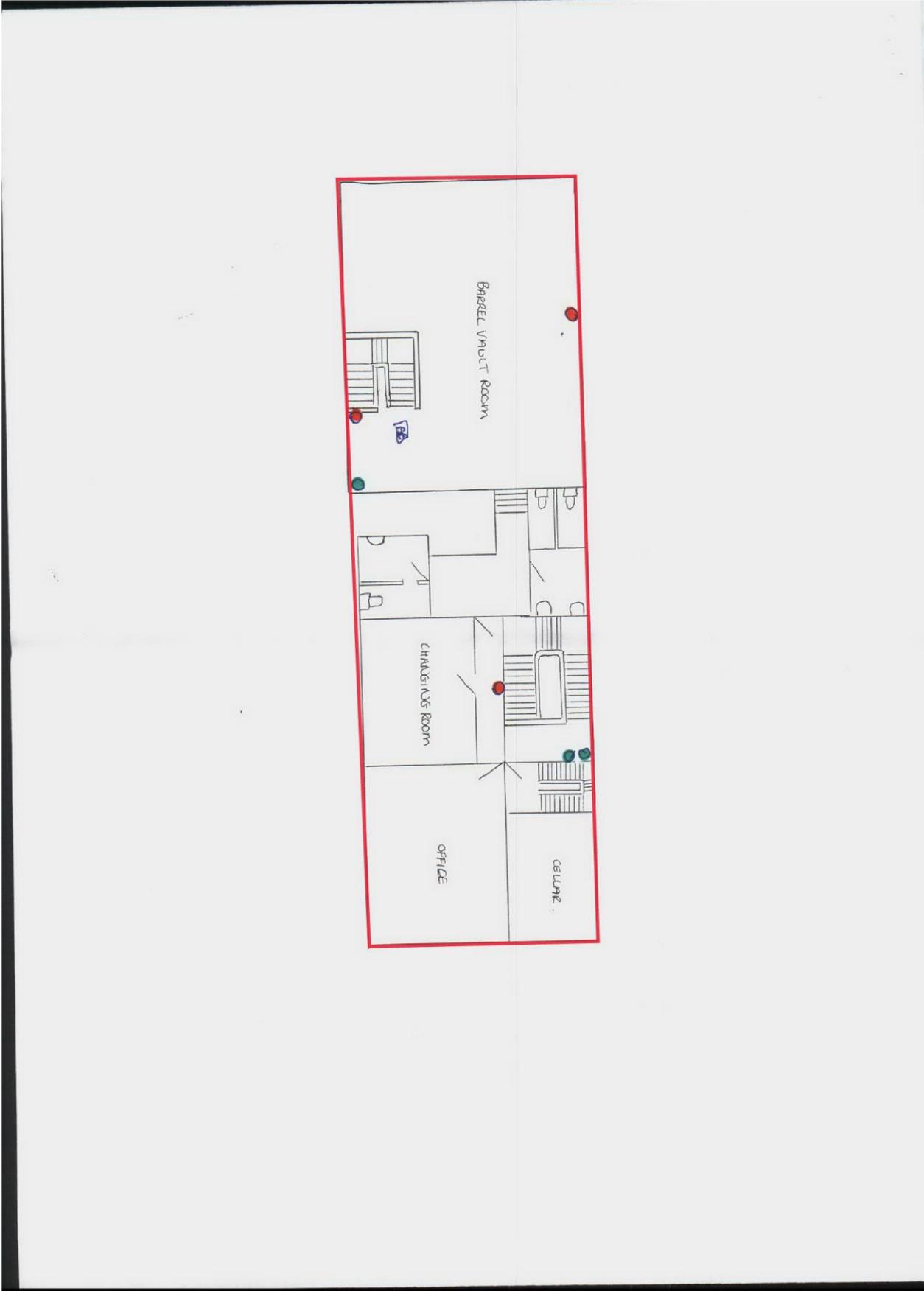
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

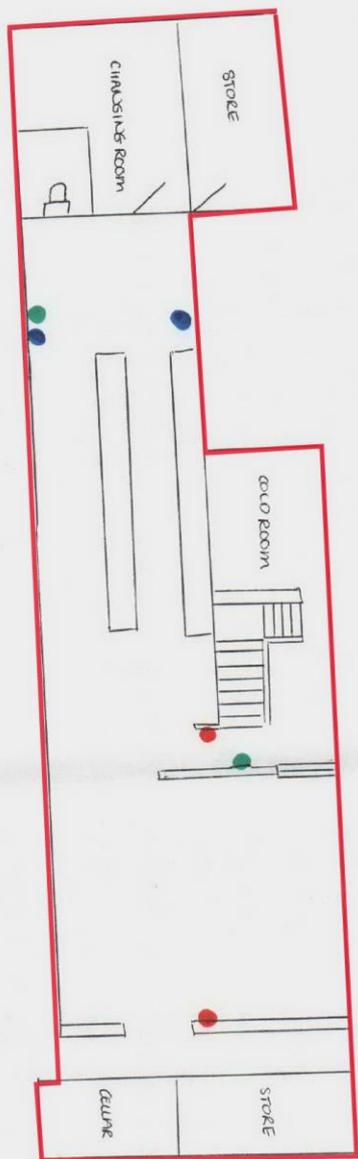
Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 020 7641 8094 Email: kjackaman@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Environmental Health Service Representation	17 October 2019
5	Licensing Authority Representation	18 October 2019





Premises Licence 14/03450LIPDPS



Schedule 12
Part A

WARD: West End
UPRN: 100023472299

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

Premises licence

Regulation 33, 34

Premises licence number:	14/03450/LIPDPS
Original Reference:	05/10700/LIPC

Part 1 – Premises details

Postal address of premises:

L'Escargot
48 Greek Street
London
W1D 4EF

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or 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:

Performance of Live Music
Monday to Sunday: 10:00 to 01:00

Playing of Recorded Music Unrestricted

Anything of a similar description to Live Music or Recorded Music
Monday to Sunday: 10:00 to 01:00

Late Night Refreshment
Monday to Sunday: 23:00 to 01:00

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 01:00
Sunday: 12:00 to 01:00

For times authorised for New Year see conditions at Annex 1 and 3

The opening hours of the premises:

Monday to Sunday: 10:00 to 01:00

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

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

Part 2

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

L'Escargot (Soho) Limited
9 Wimpole Street
London
United Kingdom
W1G 9SR

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

08557725

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

Name: Mr. Brian Clivaz

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: 02602
Licensing Authority: London Borough Of Lambeth

Date: 20 May 2014

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children.
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

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

Conditions for Sale of Alcohol

9. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by any such persons as an ancillary to his meal
10. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
11. Notwithstanding condition 9, intoxicating liquor may be sold or supplied and consumed in the area hatched black on the ground floor of the said premises other than as an ancillary to table meals during the between the hours of 5.30pm and 10.30pm on weekdays and 7.00pm and 10.00pm on Sundays.

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

13. The permitted hours for the sale of alcohol are

Monday to Saturday 10:00 to 01:00

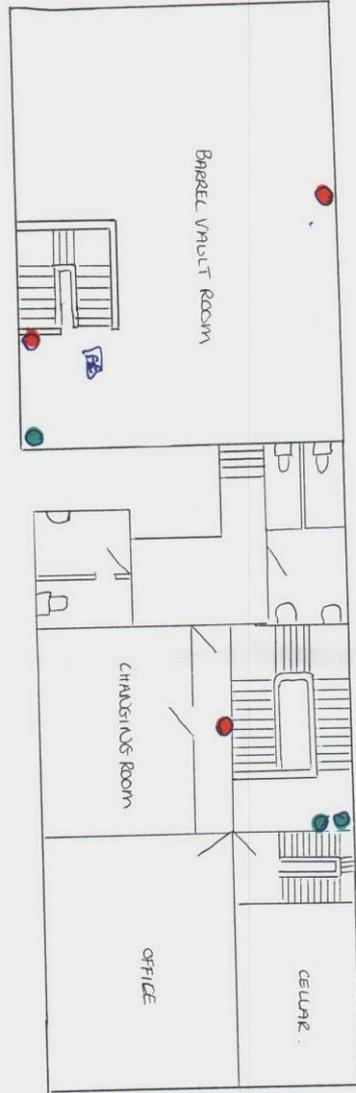
Sundays 12:00 to 01:00

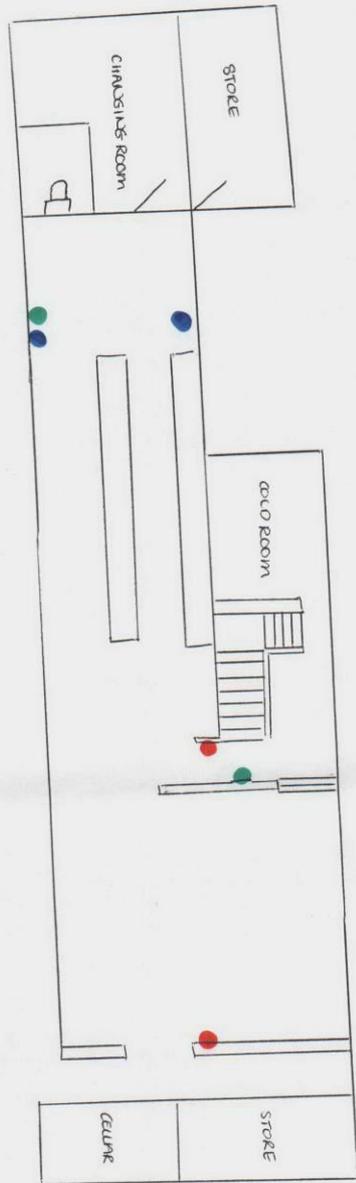
On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

14. The premises will maintain a comprehensive CCTV system that ensures that all entry and exit points and bar areas of the premises are monitored which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available on request. Recordings outside this period shall be made available on 24 hours notice (subject to the Data Protection Act 1998). The CCTV system will be installed and maintained as agreed with the Metropolitan Police Crime Reduction Officer.
15. As necessary staff at the entrances/exits to the premises will request patrons to leave the premises quietly and without engaging in any anti-social behaviour.
16. Notices shall be prominently displayed at the ground floor exit requesting the public to request the needs of local residents and to leave the premises and area quietly.
17. Staff will be trained to provide information to customers as to local transport provision.
18. There will be waiter/waitress service throughout the entire premises.
19. The premises shall be set out with tables and chairs at all times save for events which have been notified in advance to the Metropolitan Police and agreed in writing, such written agreement to be displayed at all reception areas throughout the event.
20. Where outside waste collection is required, all waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. Live music shall be limited to no more than two acoustic performers and they shall be located so as not to obstruct any means of escape.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. All persons under 18 in the public areas of the premises after 21:00 to be accompanied by an adult.
24. Regulated Entertainment is permitted from the end of permitted hours on New Year's Eve to the start of permitted hours the following day.

Annex 4 – Plans

Attached







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

Schedule 12
Part B

WARD: West End
UPRN: 100023472299

Premises licence
summary

Regulation 33, 34

Premises licence number:

14/03450/LIPDPS

Part 1 – Premises details

Postal address of premises:

L'Escargot
48 Greek Street
London
W1D 4EF

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or 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:

Performance of Live Music

Monday to Sunday: 10:00 to 01:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music or Recorded Music

Monday to Sunday: 10:00 to 01:00

Late Night Refreshment

Monday to Sunday: 23:00 to 01:00

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 01:00

Sunday: 12:00 to 01:00

For times authorised for New Year see conditions at Annex 1 and 3

The opening hours of the premises:

Monday to Sunday: 10:00 to 01:00

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

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

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

L'Escargot (Soho) Limited
9 Wimpole Street
London
United Kingdom
W1G 9SR

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

08557725

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

Name: Mr. Brian Clivaz

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

Restricted

Date: 20 May 2014

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

Application	Details of Application	Date Determined	Decision
05/10700/LIPC	Conversion	05.10.2005	Granted under delegated authority
07/01951/LIPT	Transfer of premises licence – Restaurant Portfolio Ltd to Tripstart Ltd	13.03.2007	Granted under delegated authority
07/05696/LIPV	Variation of premises licence – Extension of hours	20.09.2007	Granted by Licensing Sub Committee
09/04556/LIPT	Transfer of premises licence – Tripstart Ltd to Franella Ltd	01.07.2009	Granted under delegated authority
10/05776/LIPT	Transfer of premises licence – Franella Ltd to Charmsounds UK Ltd	31.08.2010	Granted under delegated authority
13/01472/LIPT	Transfer of premises licence - Charmsounds UK Ltd to Haventel Ltd	14.03.2013	Granted under delegated authority
14/02169/LIPT	Transfer of premises licence - Haventel Ltd to L'escargot (Soho) Ltd	20.05.2014	Granted under delegated authority
14/03450/LIPDPS	Variation of DPS	20.05.2014	Granted under delegated authority
14/03450/LIPDPS		11.04.2019	Licence lapsed

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. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by any such persons as an ancillary to his meal

10. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
11. Notwithstanding condition 9, intoxicating liquor may be sold or supplied and consumed in the area hatched black on the ground floor of the said premises other than as an ancillary to table meals during the between the hours of 5.30pm and 10.30pm on weekdays and 7.00pm and 10.00pm on Sundays.
12. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
13. The permitted hours for the sale of alcohol are
Monday to Saturday 10:00 to 01:00
Sundays 12:00 to 01:00
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).
14. The premises will maintain a comprehensive CCTV system that ensures that all entry and exit points and bar areas of the premises are monitored which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available on request. Recordings outside this period shall be made available on 24 hours notice (subject to the Data Protection Act 1998). The CCTV system will be installed and maintained as agreed with the Metropolitan Police Crime Reduction Officer.
15. As necessary staff at the entrances/exits to the premises will request patrons to leave the premises quietly and without engaging in any anti-social behaviour.
16. Notices shall be prominently displayed at the ground floor exit requesting the public to request the needs of local residents and to leave the premises and area quietly.
17. Staff will be trained to provide information to customers as to local transport provision.
18. There will be waiter/waitress service throughout the entire premises.
19. The premises shall be set out with tables and chairs at all times save for events which have been notified in advance to the Metropolitan Police and agreed in writing, such written agreement to be displayed at all reception areas throughout the event.
20. Where outside waste collection is required, all waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. Live music shall be limited to no more than two acoustic performers and they shall be located so as not to obstruct any means of escape.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. All persons under 18 in the public areas of the premises after 21:00 to be accompanied by an adult.

24. Regulated Entertainment is permitted from the end of permitted hours on New Year's Eve to the start of permitted hours the following day.

Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None

Residential Map and List of Premises in the Vicinity

Appendix 5



Resident count: 117

Licensed premises within 75 metres of 48 Greek Street, W1

14/03450/LIPDPS	L'Escargot	48 Greek Street London W1D 4EF	Restaurant	Monday to Sunday; 10:00 - 01:00
15/03152/LIPVM	Club 49	Basement And Ground Floor 49 Greek Street London W1D 4EG	Restaurant	Monday to Saturday; 10:00 - 03:30 Sunday; 12:00 - 23:00
19/06212/LIPN	Not Recorded	Basement And Ground Floor 47 Greek Street London W1D 4EE	Cafe	Monday to Saturday; 12:00 - 23:00 Sunday; 12:00 - 22:30
16/13059/LIPVM	Union Club	50 Greek Street London W1D 4EQ	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00

19/09145/LIPDPS	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
18/03606/LIPDPS	Lina Stores	Basement And Ground Floor 51 Greek Street London W1D 4EH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/02045/LIPVM	Prince Edward Theatre	Prince Edward Theatre 28 Old Compton Street London W1D 4HS	Theatre	Monday to Sunday; 09:00 - 01:00
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
18/03103/LIPN	Mapa Cafe	3-5 Bateman Street London W1D 4AG	Cafe	Monday to Saturday; 11:00 - 23:00 Sunday; 12:00 - 16:00
18/16222/LIPDPS	Chotto-Matte	11-13 Frith Street London W1D 4RB	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:30
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
19/12190/LIPDPS	Not Recorded	15 Frith Street London W1D 4RE	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/08042/LIPDPS	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
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

14/11103/LIPVM	Zebrano	Basement 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
19/08060/LIPT	Zebrano	Basement 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
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
06/05119/WCCMAP	San Valentino Bar	13A Greek Street London W1D 4DN	Shop	Monday to Saturday; 23:00 - 03:00
14/02772/LIPV	Thirst	23 - 24 Bateman Street London W1D 3AW	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00
19/01098/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
17/11842/LIPDPS	Bonnie Gull	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/03170/LIPVM	Londis	21 Greek Street London W1D 4DX	Shop	Monday to Sunday; 08:00 - 03:00
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
19/09656/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
16/10525/LIDPSR	Miabella	Basement 12-13 Greek Street London W1D 4DL	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00

17/09067/LIPV	Miabella London	Basement 12-13 Greek Street London W1D 4DL	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00
17/09330/LIPST	Unit 2	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1- 4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 23:30
17/09323/LIPST	Unit 4	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1- 4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 23:30
19/05772/LIPVM	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4UR	Restaurant	Monday to Saturday; 09:00 - 01:00 Sunday; 09:00 - 00:30 New Year's Eve; 00:00 - 00:00
17/08427/LIPV	Nandos	Ground Floor 10 Frith Street London W1D 3JF	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/09213/LIPCHT	Wuns Tea Room	23-24 Greek Street London W1D 4DZ	Restaurant	Monday to Sunday; 09:00 - 03:30
06/06142/WCCMAP	Little Italy	21 Frith Street London W1D 4RN	Restaurant	Monday to Sunday; 09:00 - 05:00
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

17/13849/LIPT	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
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
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
17/03238/LIPCH	Little Italy	21A Frith Street London W1D 4RW	Restaurant	Monday to Sunday; 09:00 - 05:30
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
19/06444/LIPCH	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
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
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

16/02143/LIPRW	Patty & Bun	Basement And Ground Floor 18 Old Compton Street London W1D 4TN	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
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
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
18/16088/LIPN	New Evaristo Club	Basement 57 Greek Street London W1D 3DX	Club or institution	Monday to Sunday; 11:00 - 01:30
17/03246/LIPCH	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Cafe	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
19/11163/LIPCHT	Manzi's	Basement North 1-8 Bateman's Buildings London W1D 3EN	Restaurant	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 11:00 - 22:30
18/15717/LIPDPS	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/01613/LIPVM	Hoppers	49 Frith Street London W1D 4SG	Restaurant	Monday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:30
18/04275/LIPDPS	Shackfuyu	Basement And Ground Floor 14 Old Compton Street London W1D 4TH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/06836/LIPDPS	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 - 22:30 Sunday; 07:00 - 00:00 Sundays

				before Bank Holidays; 07:00 - 00:00
18/06760/LIPDPS	The Chipping Forecast	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
16/09901/LIPV	Lobos Meat Tapas	Basement and Ground Floor 48 Frith Street London W1D 4SF	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
19/11486/LIPT	Swift	Basement and Ground Floor 12 Old Compton Street London W1D 4TQ	Public house or pub restaurant	Monday to Saturday; 09:00 - 00:30 Sunday; 12:00 - 23:00
19/09015/LIPDPS	Bar Hercules	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
18/03323/LIPDPS	Freak Scene	54 Frith Street London W1D 4SL	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00
19/06909/LIPDPS	Mimis	56-57 Frith Street London W1D 3JG	Hotel, 3 star or under	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00

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
18/01285/LIPDPS	Hazlitts Hotel	6 Frith Street London W1D 3JA	Hotel, 3 star or under	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
17/14665/LIPDPS	Temakinho	10 Old Compton Street London W1D 4TF	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00