



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday, 8th April 2021**

Time: **10.00 am**

Venue: **This will be a virtual meeting**

Members: **Councillors:**
Jim Glen (Chairman)
Louise Hyams
Maggie Carman

If you require further information, please contact the Committee Officer, Georgina Will, Committee and Governance Officer.

Email: gwills@westminster.gov.uk
Tel: **07870 548 348**
Corporate Website: www.westminster.gov.uk

Note for Members: Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the Membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. 10.00 AM: CHILTERN FIREHOUSE, 1 CHILTERN STREET, LONDON W1U 7PA

Pages

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Ward SCZ*	Site Name & Address	Application Type	Licensing Reference No.
	Chiltern Firehouse 1 Chiltern Street London W1U 7PA	Premises Licence Variation	20/11588/LIPV
* Special Consideration Zone			

2. 2.00 PM: 102 GREAT PORTLAND STREET, LONDON W1W 6PD

149 - 200

Ward SCZ*	Site Name & Address	Application Type	Licensing Reference No.
West End N/A	102 Great Portland Street London W1W 6PD	New Premises Licence	20/11994/LIPN
* Special Consideration Zone			

Stuart Love
Chief Executive
01 April 2021

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

POLICY CONSIDERATIONS

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

GUIDANCE CONSIDERATIONS

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

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1. Procedure for Virtual Hearings Held Under the Licensing Act 2003

The purpose of this procedure is to clarify how the Licensing Sub-Committee (“the Sub-Committee”) will conduct virtual licensing hearings made under the Licensing Act 2003 (as amended) and for licensing applications under other regimes. All hearings are conducted with due regard to the Council’s Constitution, relevant legislation and case law, regulations and guidance.

2. Accessing Virtual Hearings

Virtual Licensing Sub-Committee hearings will be held on Microsoft Teams as a live Teams event. Each application will be dealt with by a separate Teams meeting. All applicants, responsible authorities and other persons (who have submitted a valid representation) (collectively called “Parties”) will be provided with a link to the meeting beforehand. **Only these parties will be able to participate in the hearing** (together with their adviser) provided they have registered, in advance, with the Licensing Authority, as specified below. A link for the general public to watch the meeting will be available on the Council’s website.

3. Final Submissions Before the Hearing

The parties (or their representatives) should use their best endeavours to ensure that all of their final submissions have been made so as to be included in the Sub-Committee report (typically no later than **5.00 pm, 5 working days** before the Sub-Committee hearing). This means by 5pm on the Thursday, the week before the Sub-Committee hearing is due to take place. Final submissions should set out the key points, policies and conditions that a party wishes the Sub-Committee to take account of in determining the application.

Any final submissions that a party wishes to make, (that have not been submitted so as to have been included in the report), must be submitted to the Licensing Service by **12 noon, 3 working days** before the hearing is due to take place. The Licensing email address is: licensing@westminster.gov.uk

4. Rules During Licensing Hearings

The following rules must be followed by all parties to ensure the virtual hearing can progress as successfully as possible:

- 4.1. All parties wishing to participate in the hearing must register their wish to participate in the hearing and provide their email addresses to the Licensing Service at licensing@westminster.gov.uk no later than 12 noon on the Monday before the Thursday hearing is scheduled to take place.
- 4.2. All parties should join the virtual hearing at least 15 minutes before the advertised start time to ensure they are ready to start at the advertised start time. After the advertised start time has passed no registered parties will be allowed to join, except in exceptional circumstances, when permitted by the Chairman, as this could disrupt the meeting.
- 4.3. All parties must only address the hearing when invited to do so by the Chairman.
- 4.4. All parties must keep their microphones on mute unless they are speaking. The Chairman has the ability to mute all parties’ microphones.

- 4.5. If a party wishes to interject, they should put their name in the messaging field. The chairman has the discretion to invite the party to make their comment at an appropriate stage in the hearing.
- 4.6. All parties are asked to keep their comments as succinct as possible.
- 4.7. If a party has a question for another party, this must be addressed to the Chairman who will have the discretion to ask the relevant party to respond.
- 4.8. Parties wishing to make suggestions as to the conditions that may be imposed in the event of the application being granted should do so by reference to the schedule of proposed conditions set out in the Conditions Schedule annexed to the committee papers. In so doing, they should use the same numbering in that schedule. This is to ensure that there is ease of referencing the conditions by all the parties.
- 4.9. To ensure the smooth running of hearings, a time limit will be placed on each party's submissions. This time limit must be adhered to but the Chairman has the flexibility to amend the time limit when it is considered appropriate to do so.
- 4.10. When referring to the hearing papers, participants should give the page and paragraph number when appropriate.
- 4.11. The Chairman has the discretion to amend these rules in any given case where they consider it is appropriate to do so.

5. Procedure

- 5.1. The Chairman will open the meeting and introduce the members of the Sub-Committee and the other officers attending with the members, including the legal adviser, policy adviser and committee officer.
- 5.2. The Chairman will confirm the procedure that the hearing will follow.
- 5.3. The Sub-Committee members and officers will be asked to declare any interests they may have and any other procedural business will be transacted.
- 5.4. The presenting officer from the licensing service will introduce the application, giving a brief description of the application and introducing all the Parties in attendance for each application
- 5.5. Each party who has registered to speak, will be invited to make their representations and will be allowed a maximum of 10 minutes each. In order to ensure that the hearing is fair to all parties and is conducted in an orderly manner, the Chairman has the discretion to extend this time limit where it is appropriate for the determination of the application.
- 5.6. Parties will normally speak in the following order, (the order may change for other types of licensing applications):
 - (a) The applicant
 - (b) Responsible authorities
 - (c) Other persons
- 5.7. The Chairman has the right to grant each party the opportunity to ask questions of each other for the purposes of clarification only where it is appropriate to do so. The Sub-Committee members will then be able to ask questions of the parties.

- 5.8. The legal adviser and/or policy officer may ask questions of the parties as they consider appropriate, including in relation to the conditions which should be attached to the application if the Sub-Committee is minded to grant the application.
- 5.9. Each party will have an opportunity to make a short closing submission each (not introducing any new evidence or case law) of no more than 5 minutes each, in the following order:
 - (a) Responsible authorities
 - (b) Other persons
 - (c) The applicant
- 5.10. The Chairman shall then close the meeting and all parties will leave the meeting. A Decision will not be announced at the end of the hearing unless there is a legal requirement to do so.
- 5.11. The Sub-Committee will deliberate in closed session and all parties will be advised of the outcome in a written Summary Decision. Unless otherwise required or permitted by Regulations, summary decisions will be made within a period of five working days of the last day of the hearing. The written summary of the decision ("Summary Decision") will be sent to all the parties as soon as possible after the Decision has been made. The full Decision, setting out the reasons for the Decision, (Formal Notification) will be sent to the parties as soon as possible thereafter. The time limit for appealing will not commence until the Formal Notification has been sent to the parties.

Dated: 14 January 2021

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City of Westminster

Licensing Sub-Committee Report

Agenda Item 1.

Item No:	
Date:	8 April 2021
Licensing Ref No:	20/11588/LIPV - Premises Licence Variation
Title of Report:	Chiltern Firehouse 1 Chiltern Street London W1U 7PA
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: jdonovan@westminster.gov.uk

1. Application

1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	10 December 2020		
Applicant:	Chiltern Street Hotel Limited		
Premises:	Chiltern Firehouse		
Premises address:	1 Chiltern Street London W1U 7PA	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises currently operates as a hotel.		
Variation description:	<p>This application seeks the following:</p> <p>To vary condition 46 which states:</p> <p>46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day.</p> <p>To the following:</p> <p>46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day save that up until 1 March 2022 the hour shall be extended until 23:00.</p>		
Premises licence history:	The premises had the benefit of a licence from 2012, Licence number 20/08437/LIPDPS. A copy of the current premises licence can be found at Appendix 3 . The premises have also had the benefit of Temporary Even Notices.		
Applicant submissions:	There are no supporting documents from the applicant.		
Applicant amendments:	None		

1-B	Current and proposed licensable activities, areas and hours				
Regulated Entertainment					
Performance of Dance – Residents, their bona fide guests and patrons of the hotel proprietor					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	Current: Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor
Tuesday	00:00	00:00			
Wednesday	00:00	00:00			
Thursday	00:00	00:00			
Friday	00:00	00:00			
Saturday	00:00	00:00			
Sunday	00:00	00:00			

Seasonal Variations/ Non-standard timings:	Current:	Proposed:
	N/A	N/A

Performance of Dance – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current:		Proposed:			
	N/A		N/A			

Performance of Dance – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current:		Proposed:			
	N/A		N/A			

Performance of Dance – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:		Proposed:			
	N/A		N/A			

Exhibition of a Film – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current: N/A				Proposed: N/A	

Exhibition of a Film – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

Exhibition of a Film – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

Exhibition of a Film – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Live Music – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Live Music – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Live Music – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Live Music – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Playing of Recorded Music – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Playing of Recorded Music – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Performance of Recorded Music – Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Residents, their bona fide guests and patrons of the hotel proprietor						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
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				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Late night refreshment – Patrons of the hotel proprietor						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	23:00	05:00				
Wednesday	23:00	05:00				
Thursday	23:00	05:00				
Friday	23:00	05:00				
Saturday	23:00	05:00				
Sunday	23:00	05:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Late night refreshment – Hotel Lounge Bar/Function Space, Chiltern Street Restaurant and pre-booked events in the ground floor meeting room						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:00	No change		Hotel Lounge Bar and Function Space, Chiltern Street Restaurant, and ground floor meeting room	No change
Tuesday	23:00	01:00				
Wednesday	23:00	01:00				
Thursday	23:00	01:00				
Friday	23:00	01:00				
Saturday	23:00	01:00				
Sunday	23:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Sale by Retail of Alcohol - Residents, their bona fide guests and patrons of the hotel proprietor						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Sale by Retail of Alcohol – Chiltern restaurant and pre-booked events in the ground floor meeting room						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No Change		Ground floor meeting and Chiltern restaurant	
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				

Sale by Retail of Alcohol – Ground floor meeting room						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No Change		Ground floor meeting	None
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				

Sale by Retail of Alcohol – Hotel Lounge Bar/Function Space						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No Change		Hotel Lounge Bar and Function Space	None
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement, Ground, First, Second, Third and Fourth Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

1-C	Conditions being varied	
Condition	Proposed variation	
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day.	46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day save that up until 1 March 2022 the hour shall be extended until 23:00.	

2. Representations

2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	PC Cheryl Boon
Received:	06 January 2021
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application. It is outside the Cumulative Impact Area but it is our belief that if granted the application would undermine the Licensing Objective in relation to The Prevention of Crime and Disorder and the Protection of Children from Harm. I would like to propose updating the CCTV and Challenge 21 conditions and then the addition of one other condition.</p> <p>To update CCTV conditions 16 and 17 as shown on the current Premises Licence (20/08437/LIPDPS) with:</p> <ol style="list-style-type: none">1. 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.2. 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 Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested. <p>To update condition 47 on the current Licence with:</p> <ol style="list-style-type: none">3. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram <p>In addition the following condition to be added to any future operating schedule:</p> <ol style="list-style-type: none">4. 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:<ol style="list-style-type: none">(a) all crimes reported to the venue(b) all ejections of patrons(c) any complaints received concerning crime and disorder(d) any incidents of disorder(e) all seizures of drugs or offensive weapons(f) any faults in the CCTV system(g) any refusal of the sale of alcohol(h) any visit by a relevant authority or emergency service. <p>Please let me know whether you are willing to agree to these conditions that the Police are proposing as this may enable us to withdraw our representation.</p>	

Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	06 January 2021

I refer to the application for variation of the Premises Licence.

This representation is based on the operating schedule submitted.

The applicant is seeking the following

1. To amend condition 46 that states;

46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day.

to

46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day save that up until 1 March 2022 the hour shall be extended until 23:00.

I wish to make the following representation

1. The additional hours requested for the provision of tables and chairs will have the likely effect of causing an increase in Public Nuisance within the area.

The applicant states there are existing conditions on the premises licence to promote the licensing objectives but would consider addition conditions if required.

A check on the premises file indicate there to be over 30 complaints/visits within the last two years concerning noise associated with the premises. A list of the complaints/outcomes will be provided.

In compliance with condition 13 (ii) the applicant is requested to submit to the undersigned a copy of the noise mitigation policy for review.

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

A copy of the noise history report can be seen at **Appendix 1**.

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	In support
Received:	15 December 2020		
<p>This move to extend the hours of the courtyards use should be welcomed and encouraged. The Firehouse has become the bedrock of Marylebone and is a much loved neighbour and everything that can be done to support them operating in what has been an incredibly challenging year should be done. In an environment where most people will still only mix outside the increased operating hours of the courtyard area is a natural and logical variation which as a [REDACTED] I'm fully supportive of.</p>			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	20 December 2020		
<p>I wish to object strongly to the application to extend the time of closing the hotel courtyard to 11.30pm. Although I understand the current reasons for this request, my reasons for objection are:</p> <ul style="list-style-type: none"> - The Firehouse has already caused noise and disruption outside permitted hours and continues to do so (the Noise Team will know about this). - Residents in [REDACTED] cannot use their sitting rooms in the evening; hear their own tvs or open their windows because of the current noise. - Residents near the Firehouse on [REDACTED] are subjected to continuous music from Reception. - I am seriously concerned about the mental health of the residents of [REDACTED], particularly those who have been seriously ill from COVID 19. <p>Most of the residents in [REDACTED] live in harmony with the businesses in Chiltern Street and have admired their efforts during the crisis. The Firehouse has, to date, acted selfishly with disregard to their neighbours; broken their promises to rectify problems and focused on their own agenda with customers mostly from outside the area.</p>			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	07 January 2021		
<p>This application seeks to amend condition 46 of the current premises licence (ref: 20/08437/LIPDPS), which currently reads: 'All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day' with a significant hours extension: 'save</p>			

that up until 1 March 2022 the hour shall be extended until 23:00.'

I write to make a 'relevant representation' under the Licensing Act 2003 about this application to increase outside hospitality hours at the Chiltern Firehouse for a full year until March 2022. This objection is made on the basis that the likely impact of the application, if granted, will be to harm the licensing objectives, particularly 'prevention of public nuisance' to local residents. I respectfully ask the Committee at least to maintain the current balance. Longer term, when Covid permits, residents intend to ask for a full licence review of use of the courtyard, the pavement and of late-night hospitality, all of which is out of character for this street and this area, further to protect our fragile amenity. As you may know, the balance of units in this street means that this is predominately a residential street in which most other premises close at 1800. During the day the street is busy, not loud, but mostly tolerable for residents (except for Firehouse and the frequent performance cars that sit outside Firehouse).

The changes sought now to the Firehouse conditions would mean that the recently increased 100+ tables and chairs in what is described as 'the courtyard', and the 10 tables and 20+ chairs which have more recently been placed outside the premises building on the Chiltern Street frontage, would be available for use to customers for an additional 2 hours every day, and crucially into the night-time hours when residents are either winding down or, in the case of many of us, trying to sleep. I am an elderly resident, CV19 vulnerable, and the increase in both voices and traffic in the street and surrounding area that this would occasion would severely impact on my physical, mental and emotional health, over and above the current impact, which is already considerable, especially as many times, including during lockdown when the business has been restricted or closed, I have already had to phone the Council's Noise Team to complain about noise from the Firehouse to get peace during the evening and at night, as the Council's records will show.

Background

I have [REDACTED]. When I arrived the street was quiet with no outside hospitality and businesses closed at 1800 except for the pubs. The premises used to be a fire station but after it was vacated, the owners, the Portman Estate actively mounted a campaign to persuade its residential tenants to support a change of use from community to commercial hotel use. The Portman's directors repeatedly allayed residents and the community concerns by actively telling us that the plan was to 'sell sleep'. The proprietor, who was briefly introduced to us, did not demur. It was on this basis - that our landlord had assured us that our support was for a premises 'selling sleep' and not noise and other undesirable nuisance - that residents, kindly in support of our landlord, either supported the plan or did not object to it. Residents were not told about possible use of outside area. We thought, and were actively given the impression, that we were getting an up-market, quiet hotel such as nearby Durrants. I anticipated there might perhaps a few quiet hotel residents sitting in a garden area courtyard during the day, but mostly hotel residents would be out and about in London, as most people are when staying in urban boutique hotels.

[REDACTED] whose representation I have seen, has already sent you relevant information about the licence hearing which took place on 15 March 2012, noting that the Firehouse has always wanted this extension to 2300, and if granted will almost certainly want to continue it after March 2022, but that previously it has not been granted. Like her and many other residents, I also expressed concerns at the time about noise and nuisance from the hospitality areas, especially those outside.

You will note that the barrister acting for Firehouse said at that time that: It was not in the business' interests for hotel residents to be inconvenienced by the activities in the courtyard. However, there is a general impression that there are in fact relatively few hotel residents and that the vast majority of income is from other hospitality (sales in the several restaurant areas and bars housed in the complex) and other activities such as those described by the proprietor in various magazine articles. Requests from residents during meetings with the Firehouse for an idea of the business plan, in order that residents can understand our business neighbour, go unanswered. It is not the business that residents were actively led to believe it would be.

There is an existing condition on the premises licence that: No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. This condition has been breached many, many times since the premises opened.

Residents have been regularly disturbed by some or all of the issues noted in my representation. You will also note that: 'The Sub-Committee.. noted the concerns of local residents... Mr Brown stated that the courtyard area had been described as a 'quiet chamber' in the Applicant's letter but as a 'sounding box' by [REDACTED]. There was a 'no noise shall emanate' condition on the agreed conditions but prevention was the best policy...Residents were of the view that the tables and chairs outside the restaurant should either not be located there or that the terminal hour for the licensable activities there was earlier...local residents had submitted a condition that the courtyard area should not be used for outside drinking/dining between 21:00 hours and 09:00 hours each day and 08:00 hours the following morning. However, the Applicant's proposed replacement condition stated that all tables and chairs should be removed from the outside area or rendered unusable by 23:00 each day and did not specifically refer to the courtyard.'

The Sub-Committee taking all the written representations and comments at the hearing into consideration decided that the licensing objectives would be promoted if licensable activities in the courtyard, including regulated entertainment concluded at 9pm. Tables and chairs would also not be used outside the restaurant after 9pm.' This also was in line with the planning consent for the premises, although the Firehouse has now applied for this also to be varied and residents are also objecting.

Reasons for my objection

I object to the application on the condition that the likely effect will be to harm the licensing objectives, particularly 'prevention of public nuisance'. I repeat here much of what [REDACTED] said, that since the premises opened, residents have experienced ongoing nuisance from all parts of the premises. As outlined above, the residential element of the hospitality complex seems to be ancillary to the provision of licensable activities to the public. The premises has become known as a destination venue for entitled, very wealthy and some famous clientele, and this has seriously impacted on the lives of residents who live near to the premises, and on our physical, mental and emotional health, as well as our day to day lives. We can't rest or sleep properly because of the nuisance and therefore we get sick and our amenity is severely curtailed. In short, the operation of the premises is entirely different to that presented to us at the time of the application for change of use, and of planning and licence applications before the premises opened, both by the applicant and owners and by the Portman Estate (whether or not the latter was aware that this was the case).

Some of the nuisance we have experienced is outside the scope of this application, nevertheless it is summarised here because the pattern of nuisance, promises of resolution, and frequent reoccurrence of the very same issues is symptomatic of where the priorities of the

owners lie – with the paying members of the public who frequent the noisy restaurant, bars and nightclub at the premises, and not with positioning in step residentially with local residents or the local ‘community’ as the owners often claim.

The use of the courtyard has been a constant issue for residents since the premises opened, and noise from the courtyard, and from cars coming and going at all hours, continues to be a problem for those [REDACTED] and around the vast venue. The staff stationed at the doors contribute rather than diminish this nuisance and it is a gathering place for those entering and leaving the hospitality complex. Management staff have accepted residents requests for more authoritative doormen to control activities around the street gate and in the courtyard but so far these promises have not been fulfilled. In addition, during Covid, there has been no extra precautions to protect those in the street, even though a marshal has been suggested. However, this will not help with the majority of the noise and pollution, which comes from cars and also from customers seated or standing within the courtyard, nor will it help with noise from the pavement seating, as the ethos seems to be to please customers at any price, not to respect that this is a residential street.

Recently, the Firehouse installed at least (that I can see) nine large patio heaters in the courtyard and greatly increased the number of seats, so they already have greater capacity than before. I do not know if they need or have licences for these heaters, but they are very polluting and, I think, are banned by some Councils. This is in addition to their very polluting, though legal, log fires throughout the premises. We have raised this with them frequently but they refuse to take action. As we said, they are not interested in the health of their residential neighbours.

We have raised all of these issues time and time again with management at the regular meetings mandated by a condition on the premises licence. These meetings simply waste our time, as there is no lasting improvement in any area whatsoever. I have many photos and videos showing breaches of licensing and more recently of Covid conditions on social distancing within and around the premises, and the Council will have details of the many noise complaints we have all had to make.

It seems to me that this application is contrary to the Council’s Statement of Licensing Policy, particularly Policy PN1. I am told that the new Statement of Licensing Policy to come into force shortly states that: ‘The Licensing Authority will not grant applications that do not promote the prevention of public nuisance licensing objective.’ Granting this application will result in an increase in public nuisance, as before when the Firehouse recently had temporary event licences for the courtyard to stay open until 2300 before Christmas: the noise was wholly unacceptable and I also filmed many young customers on several occasions leaving after the close-down curfew hour. Obviously I sympathise with businesses which have experienced problems due to the pandemic, but this pandemic has also highlighted the importance of mental and emotional wellbeing, of protecting the elderly and of the need to tackle pollution, and the balance in public opinion has thankfully tipped towards promoting a more kindly, gentle and quiet life in communities such as ours, as Marylebone businesses were, and many still are, before Firehouse. I cannot support these changes to the Firehouse conditions, even on a temporary basis, as they will without a doubt severely impact on my amenity, my whole home and work life in my home, and my physical, mental and emotional health as an elderly and vulnerable resident, and on that of my much valued, kindly and considerate neighbours, our real community.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	07 January 2021		
<p>THIS REPRESENTATION is made by [REDACTED], which is recognised by Westminster as [REDACTED] and so represents the interests of those who live and work in this area.</p> <p>We are writing on behalf of the local community OBJECTING to the application by Chiltern Street Hotels Limited: 20/11588/LIPV.</p> <p>IT IS SUBMITTED that the application would likely lead to public nuisance and that it contains no information as to how the applicant proposes to promote the prevention of public nuisance as required in PN1.</p> <p>Chiltern Street must be one of the most remarkable streets in London. The section from Marylebone Road to Dorset Street is almost purely residential but the section from Dorset Street to Blandford Street is truly wonderful. Both sides of the street consist of very handsome red-brick mansion blocks, notable for the detail on the façades, with retail units on the ground floor. The shops in this street are very quirky (whisky emporium, woodwind musical instruments specialist, large-size shoes for ladies etc) and for many years this was a wonderful thoroughfare to visit. However, in 2013 this changed somewhat when the Chiltern Firehouse opened.</p> <p>Guide Michelin use the term “celebrity-driven restaurant” when writing about Chiltern Firehouse and this seems very apt. It conjures up images of crowds of noisy outsiders arriving by private transport determined to have a good time and mix promiscuously with likeminded people. Indeed, the publicity engendered by the Firehouse encourages these images. Unfortunately, this is a cruel outcome for the many dozens of residents who live within (literally) shouting distance of the hotel.</p> <p>Worse still is that the premises has an outside courtyard from which it is impossible to avoid the noise of diners and drinkers escaping from the Firehouse to the great distress of the local community.</p> <p>Westminster Council, as the licencing authority, have been remarkably good over the years at balancing the needs of residents and the hospitality industry within the City. No-one wants to live in a cultural desert. We all want London to thrive and provide the fantastic variety of leisure facilities available – probably the most diverse in the World. But the best thing about Marylebone is the fact that it is so heavily residential whilst being so close to the Royal Parks and the West End. Over the years WCC and the Marylebone community have created a great balance between residents’ and hospitality venues’ needs to the benefit of both. It is thus a tremendous shame when a new business becomes a bad neighbour and endangers this delicate state of affairs.</p> <p>The Chiltern Firehouse is a bad neighbour. Despite continued communication from the local</p>			

residents complaining about the disturbance caused, the management seem unable or unwilling to find a solution to the noise problem. The noise from the Courtyard is a particular issue which makes Condition 46 of the Licence (20/08437/LIPDPS) so vital - "All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day."

We are not aware of the reason for this application's temporary nature but perhaps it is motivated by the realisation that there has been a relaxation of constraints on some hospitality venues due to Covid. There are many locations in Soho and the West End where these temporary changes have made commercial sense but would have limited impact on residential accommodation. The existence of a lethal virus does not give cause for an increase in public nuisance, even on a temporary basis, for the residents of Chiltern Street.

We urge the Committee to reject this application for extension of hours as it fails to promote the objectives of PN1.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	07 January 2021		

I write to make a 'relevant representation' under Licensing Act 2003 in respect of the above application.

I object to the application on the basis that the likely impact, if granted, will be to harm the licensing objectives, particularly 'prevention of public nuisance'.

Since the premises opened, residents have experienced ongoing nuisance from the operation of the premises. The hotel element of the operation seems to be ancillary to the provision of licensable activities to the public. The noise of patrons leaving the venue at all hours of the evening and early morning has seriously impacted on the lives of residents [REDACTED]. In short, the operation of the premises is entirely different to that presented to us at the time of the planning and licence applications before the premises opened.

The application seeks to amend condition 46 of the current premises licence (ref: 20/08437/LIPDPS), which currently reads:
'All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day.'

The proposal is for the condition to now read:
'All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day save that up until 1 March 2022 the hour shall be extended until 23:00.'

The change to the conditions would mean that the tables and chairs in the courtyard and the tables and chairs which have more recently been placed outside the premises building on the Chiltern Street frontage would be available for use to customers for an additional 2 hours. This disturbance from the Firehouse during pre-Covid times was already unacceptable and a constant nuisance. They have not demonstrated good management, and the extension in hours will only serve to exacerbate issues and worsen the lives of nearby residents due to the disturbance of patrons leaving late in the evening. No previous management plans have been successful in curbing disturbance, and whilst I realise Covid has placed pressure on hospitality, the Firehouse have already enlarged and enlarged their operation with their canopy and chairs and tables on the street – so please help us retain a few hours of evening peace.

In recent years, Westminster has looked favourably on business, granting licences and planning permissions for almost anything the Firehouse has requested – case in point being the chairs and tables application which attracted a huge number of objections from local residents. It seems that residents’ views tend to fall on deaf ears, but hopefully enough is enough. Please help us. I have two small babies, and I really hope that Westminster will help our street remain a good place to raise a family. Chiltern Street is successful partially due to the lovely character provided by the well-maintained red brick residential mansion blocks above the shops – so I urge you to see residents as an important part of supporting retail activities.

I notice that the recent applications to extend courtyard hours have been lodged over Christmas, when many residents are away.

The original planning permission was carefully considered, placing limitations on the use of the courtyard so as to minimise disturbance to residents. The original permission is subject to a condition that ‘The courtyard area shall not be used for outside dining/drinking between 21:00 hours each day and 09:00 hours the following morning’.
Please heed these recommendations and deny the extension of courtyard operating hours.

It should be noted that there is an existing condition on the premises licence that:
No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
This condition has been breached many, many times since the premises opened. Residents have been regularly disturbed by some or all of the issues noted above.

Unfortunately, I have no faith that the extension of courtyard hours will not be yet another creep in expansion of operation, and will most likely be used as precedent for a permanent extension in hours. Issues of noise and nuisance as well as constant breaches of licensing and planning conditions have not been addressed – so please help residents in refusing this application.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	07 January 2021		

We write to make a ‘relevant representation’ under Licensing Act 2003 in respect of the above application.

Our representation is made on the basis that the likely impact of the application, if granted, will be to harm the licensing objectives, particularly ‘prevention of public nuisance’.

The application seeks to amend condition 46 of the current premises licence (ref: 20/08437/LIPDPS), which currently reads:

‘All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day.’

The proposal is for the condition to now read:

‘All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day save that up until 1 March 2022 the hour shall be extended until 23:00.’

The change to the conditions would mean that the tables and chairs in what is described as ‘the courtyard’ (which has been utilised since the premises opened) and the tables and chairs which have more recently been placed outside the premises building on the Chiltern Street frontage would be available for use to customers for an additional 2 hours.

[REDACTED]

We object to the application on the basis that the likely effect will be to harm the licensing objectives, particularly 'prevention of public nuisance'. There is an existing condition on the premises licence that 'No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.'

This condition has been breached many times since the premises opened. Residents have been regularly disturbed by noise emanating from the premises and any extension in the hours during which tables and chairs can be used outside will increase the nuisance accordingly.

We believe that the application is contrary to the Council's Statement of Licensing Policy, particularly Policy PN1 which states that 'The Licensing Authority will not grant applications that do not promote the prevention of public nuisance licensing objective.'

It is inevitable that granting this application to amend condition 46 of the licence will result in an increase in public nuisance as it will increase the noise disturbance suffered late at night by the residents of the street.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed

Received:	24 December 2020
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I wish to make a 'relevant representation' under Licensing Act 2003 in respect of the above application.

My representation is made on the basis that the likely impact of the application, if granted, will be to harm the licensing objectives, particularly 'prevention of public nuisance'.

We have been residents [REDACTED].

The Firehouse has been a well documented source of nuisance for local residents with noise emanating from the courtyard and entrance being a large part of the problem. This application is extremely distressing.

I believe you have a representation from [REDACTED] outlining the history of the restrictions for the courtyard. I would echo those comments and in addition I would like to point out that a recent Licence Review of the adjoining licensed premises formerly known as the Bok Bar (56 Blandford St) was clear in establishing a cutoff for outdoor drinking of 9 p.m.

While we are not unsympathetic to the plight of the hospitality industry in general, more late outdoor drinking is surely not the best answer here. The Firehouse is not able to contain the current level of late night activity. Allowing more people in the courtyard after 9 p.m. will generate much more noise related nuisance. This would appear to conflict with the Council's Statement of Licensing Policy, particularly Policy PN1: 'The Licensing Authority will not grant applications that do not promote the prevention of public nuisance licensing objective.'

Although it is understood that this is proposed as a temporary amendment, it clearly seeks to set a precedent for an inevitable future application for an extension to outdoor hours. Please reject this application.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	31 December 2020		
<p>I wish to object strongly to the Application to vary the Premises Licence at The Chiltern Firehouse, 1 Chiltern Street, London W1U 7PA.</p> <p>[REDACTED] and the progressive changes at the hotel are causing an intolerable increase in the noise level, making it impossible to enjoy normal living, especially in warmer months when windows are normally open.</p> <p>The proposed variation is to permit the use of tables and chairs located outside the building, on the pavement, until 23.00 each day.</p> <p>The reason for my objection is that the customers generate excessive noise, which already occurs earlier in the day and evening, rendering it impossible for the residents [REDACTED] [REDACTED] to enjoy normal peace and quiet in their homes.</p> <p>Chiltern Street is being progressively changed from a quiet residential street into a part of the entertainment industry. If that change is the intention of Westminster Council the residents should be so advised and consulted, but I hope it is not the case.</p> <p>Please refuse the proposed licence extension.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	18 December 2020		
<p>Introduction</p> <p>I write to make a 'relevant representation' under Licensing Act 2003 in respect of the above application.</p> <p>My representation is made on the basis that the likely impact of the application, if granted, will be to harm the licensing objectives, particularly 'prevention of public nuisance'.</p> <p>The application seeks to amend condition 46 of the current premises licence (ref: 20/08437/LIPDPS), which currently reads: 'All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day.'</p> <p>The proposal is for the condition to now read: 'All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day save that up until 1 March 2022 the hour shall be extended until 23:00.'</p> <p>The change to the conditions would mean that the tables and chairs in what is described as 'the courtyard' (which has been utilised since the premises opened) and the tables and chairs which have more recently been placed outside the premises building on the Chiltern Street frontage</p>			

would be available for use to customers for an additional 2 hours.

Introduction and background

[REDACTED]

[REDACTED]

The premises used to be a fire station. It was converted into a mixed use licensed premises. As part of the redevelopment, a new premises licence was applied for in 2012 (ref: 12/00502/LIPN). I submitted a representation in respect of that application.

A significant part of my concern then was the use of the courtyard area, and the potential for tables and chairs to be placed outside the premises building on the Chiltern Street frontage.

Current premises licence

The hearing took place on 15 March 2012. The formal decision notice confirms that:

'Consideration was also given by the Sub-Committee to operations in the outside area notably the Chiltern Street frontage and Courtyard area...'

Members heard from Mr Skeens on the Applicant's proposals for operations in the outside area of the Hotel notably the Chiltern Street frontage and courtyard area. The Applicant was requesting tables and chairs outside the restaurant until 9pm and tables and chairs until 11pm in the courtyard area in order to accommodate two meal sittings. It was also being proposed that there would be unamplified live music for pre-booked private events and for up to four musicians between the hours of 10am and 9pm. There would be at least one SIA door supervisor or a dedicated and trained duty manager in the courtyard to manage the area. Mr Skeens emphasized that the windows of the Hotel were secondary glazed and looked over the courtyard. It was not in the business' interests for hotel residents to be inconvenienced by the activities in the courtyard.

'Environmental Health and Metropolitan Police did not express concerns in their representations regarding the use of the courtyard. The Sub-Committee however noted the concerns of local residents on this matter. Mr Brown stated that the courtyard area had been described as a 'quiet chamber' in the Applicant's letter but as a 'sounding box' by [REDACTED]

[REDACTED] There was a 'no noise shall emanate' condition on the agreed conditions but prevention was the best policy. Mr Brown added that residents wished to have no regulated entertainment at all in the courtyard as there was potential noise breakout. Residents were of the view that the tables and chairs outside the restaurant should either not be located there or that the terminal hour for the licensable activities there was earlier. He commented that local residents had submitted a condition that the courtyard area should not be used for outside drinking/dining between 21:00 hours and 09:00 hours each day and 08:00 hours the following morning. However, the Applicant's proposed replacement condition stated that all tables and chairs should be removed from the outside area or rendered unusable by 23:00 each day and did not specifically refer to the courtyard.'

The Sub-Committee taking all the written representations and comments at the hearing into consideration decided that the licensing objectives would be promoted if licensable activities in the courtyard, including regulated entertainment concluded at 9pm. Tables and chairs would also not be used outside the restaurant after 9pm.'

This determination was in line with the planning consent for the premises, which is subject to a condition that 'The courtyard area shall not be used for outside dining/drinking between 21:00 hours each day and 09:00 hours the following morning'.

There is also a licence condition that:

'There shall be no regulated entertainment within the external Courtyard area at any time except for unamplified live music for pre-booked private events and up to four musicians between the hours of 10:00 and 21:00.'

Reasons for objection

I object to the application on the basis that the likely effect will be to harm the licensing objectives, particularly 'prevention of public nuisance'.

Since the premises opened, residents have experienced ongoing nuisance from the operation of the premises. The hotel element of the operation seems to be ancillary to the provision of licensable activities to the public. The premises has become known as a destination venue for wealthy and famous clientele, and this has seriously impacted on the lives of residents who live near to the premises. In short, the operation of the premises is entirely different to that presented to us at the time of the planning and licence applications before the premises opened.

Some of the nuisance we have experienced is outside the scope of this application, nevertheless I have summarised it below as I believe that the pattern of nuisance, promises of resolution, and reoccurrence of the very same issues is symptomatic of where the priorities of management lie - with the members of the public who attend the restaurant, bars and nightclub at the premises, not with local residents.

The use of the Courtyard has been a constant issue for residents since the premises opened.

The noise from the courtyard continues to be a problem for [REDACTED]. The staff stationed at the doors contribute rather than diminish this nuisance and it is a gathering place for those entering and leaving the hotel. There have been promises to get some more authoritative doormen to control activities outside the hotel on the public pavement but so far these promises have not been fulfilled.

We have raised these issues time and time again with management at the regular meetings mandated by a condition on the premises licence. I have taken careful notes at these meetings. By way of example, at a recent meeting held on 5 October 2020 I noted one of the topics discussed as 'noise coming from the courtyard which is loud and intrusive to residential flats'.

It should be noted that there is an existing condition on the premises licence that:

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

This condition has been breached many, many times since the premises opened. Residents have been regularly disturbed by some or all of the issues noted above.

I believe that the application is contrary to the Council's Statement of Licensing Policy, particularly Policy PN1. I believe that the new Statement of Licensing Policy to come into force shortly states that:

'The Licensing Authority will not grant applications that do not promote the prevention of public nuisance licensing objective.'

Accordingly, it is inevitable that granting this application will result in an increase in public nuisance. Although I sympathise with businesses which have experienced problems due to the pandemic, and admire the ingenuity and resilience of the shops and cafes in Chiltern Street, I cannot countenance any changes to the conditions of the hotel even on a supposedly temporary basis.

Westminster City Council has adopted a revised Statement of Licensing Policy that became operative from 07 January 2021. This application for was applied for on 10 December 2020. At the time of submission, the Council’s Statement of Licensing Policy 2016 was applied to this application. However, the Licensing Service has outlined below the policy considerations necessary for this application in accordance with the revised policy which will be effective when this application is determined on 08 April 2021.

3. Policy & Guidance

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

Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
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	<p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ul style="list-style-type: none"> • Hotels <p>Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy HOT1 (A) applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel. 4. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.

	<p>5. The application and operation of the venue meeting the definition of a Hotel as per Clause C.</p> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a Hotel as per Clause C. <p>C. For the purposes of this policy a Hotel is defined as a premises that is primarily used as an establishment providing overnight accommodation for customers.</p>
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4. Equality Implications

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

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

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

5. Appendices

Appendix 1	Noise History report
Appendix 2	Applicant supporting documents
Appendix 3	Current premises licence and premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: jdonovan@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	07 January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service representation	06 January 2021
5	Environmental Health Service representation	06 January 2021
6	Interested party 1 representation	15 December 2020
7	Interested party 2 representation	20 December 2020
8	Interested party 3 representation	07 January 2021
9	Interested party 4 representation	07 January 2021
10	Interested party 5 representation	07 January 2021
11	Interested party 6 representation	07 January 2021
12	Interested party 7 representation	24 December 2020
13	Interested party 8 representation	31 December 2020
14	Interested party 9 representation	18 December 2020

CITY OF WESTMINSTER

MEMORANDUM

TO	Licensing Officer
REFERENCE	20/11588/LIPV

FROM	EH Consultation Team
REFERENCE	
BEING DEALT WITH BY	Ian Watson (iwatson@westminster.gov.uk)
TELEPHONE	
DATE	23rd March 2021

The Licensing Act 2003

1 Chiltern Street, W1

I refer to the application for variation of the Premises Licence.

The following is a history of complaints or adverse visits to the premises since 2019.

Saturday 19th January 2019 @ 01.50 hours. Complaint of live music. Visit @ 02.25 hours and music breakout from Firehouse was audible to customers boundary but barely audible inside with window closed. Would be a problem if customer required natural ventilation. Called at Firehouse and spoke to the DPS Jose Oyenarteda Roche while accompanied by CI Adam Webb. Advised DPS of complaint and requested reduction which was observed. DPS confirmed that doorman was carrying out periodic crude noise measurements from street. Records seen which suggested that levels in street were consistently around 46dB. No measure of ambient levels was available. Adam Webb requested a site of Part A of Premises Licence and ran through licencing issues with DPS including those relating to noise and nuisance. Some non-compliances noted.

Monday 11th February 2019 @ 01.10 hours. Noise from amplified music in the street. Customer contacted @ 01.30 hours and no response. Premises visited @ 02.10 hours and no music audible in the street.

Thursday 21st February 2019 @ 01.07 hours. Party tonight, loud music and disturbance. Customer contacted and drove by exit from hotel at 00.45 hours and 02.00 hours and found no excessive noise while guests were leaving.

Sunday 14th April 2019 @ 03.02 hours. DJ playing electronic music. Customer contacted and drive by @ 03.55 hours - all quiet.

Thursday 6th June 2019 @ 16.45 hours. Mobility scooter playing a radio. Phoned customer on arrival @ 17.00 hours who confirmed that noisemaker was the man with the large silver scooter.

No loud music playing at the time. Spoke to [REDACTED] who confirmed that the man was often outside the main entrance. She said the loud music was a recent addition to his already annoying behavioural traits which included taking pictures of guests as well as shouting at them, albeit good natured.

Saturday 8th June 2019 @ 00.50 hours. Loud Music. Customer contacted @ 01.09 hours and noise stopped.

Wednesday 17th July 2019 @ 22.09 hours. Loud Music. Customer contacted @ 22.49 hours and advised intermittent noise, to drive by, visit @ 00.01 hours and no noise heard/witnessed outside premises.

Friday 30th August 2019 @ 23.50 hours. Their music is very loud and thumping and is stopping us from sleeping. Customer contacted @ 00.11 hours and music ongoing. No visit details entered.

Wednesday 2nd October 2019 @ 22.10 & 23.11 hours. Premises having an event, and big brass band is very loud, and paparazzi and lots of people on the street outside as well. Premises visited @ 00.05 hours and noise stopped as we arrived. We spoke with the licensee Mr Michael Thomas Ryan who had a TEN for the event. He agreed to make sure the noise was kept down and showed us that they had a limiter on the sound system.

Wednesday 6th November 2019. Service advised of meeting between the Firehouse and residents to discuss ongoing noise issues, planning controls and improvements.

Saturday 7th December 2019 @ 01.38 hours. Club music from 00.50 hours and intermittent screaming and shouting from guests leaving from Broadstone Place. Customer contacted @ 01.58 hours whilst officers on site but no noise witnessed.

Sunday 2nd February 2020 @ 02.13 hours. Loud club music from midnight until 2am. Customer contacted @ 02.34 hours and music had stopped.

Sunday 2nd February 2020 @ 19.44 hours. Customer states, there is a late-night party in Chiltern Firehouse tonight. A TEN has been requested for a party until 4am but is not shown as granted on the Westminster Website. I have noticed they have built a temporary structure in the public highway the rear of the building on Broadstone Place. Is there any consent to do this since it's not in their demise? Customer left a voicemail. Premises visited and TEN in place and authority given for structure. Event related to BAFTA awards.

Tuesday 18th February 2020 @ 22.54 hours. Noise from Chiltern Firehouse who are having an event and Bok Bar, with people in the street. Customer contacted @ 23.15 hours and premises visited @ 00.35 hours. Carried out some brief obs at the firehouse and subsequently spoke to Michael Thomas Ryan, Executive Director of Operations after I was approached by him while carrying out obs. Brit Awards afterparty in progress. The traffic in and out of the event was being managed from Kenrick Place and adequate supervision was observed. Some music breakout was observed from the front of the firehouse on Chiltern Street and this was pointed out to Mr Ryan.

Tuesday 18th February 2020 @ 23.25 and 23.59 hours. Noise from vehicles, paparazzi and people on Broadstone Place. See above for action taken.

Saturday 7th March 2020 @ 00.35 hours. Thinking music coming from the club/hotel. Audible in home and disrupting sleep. SMS sent to customer @ 00.54 hours. No visit details.

Tuesday 26th May 2020 @ 17.45 hours. Afternoon noise of guests and three small dogs constantly yapping. Customer contacted @ 17.53 hours and visit not required. Contacted Michael Ryan whose view is that the complainant is oversensitive with possible vendetta against Firehouse. He confirmed that there is one guest in residence who has been there a year and has underlying health conditions. He stated that the guest has one dog and not the three which was alleged. Advised him to keep the complaint in mind and he also mentioned that he would enter into a dialogue with the complainant.

Thursday 28th May 2020 @ 17.02 hours. Loud talking. Guest appears to be having meeting with no SD 2 metres. Customer contacted @ 17.22 hours and no visit required.

Friday 29th May 2020 @ 16.21 hours. Small dogs barking continually since just after 15.00. Owner doesn't control them. I am in Zoom meeting - very disturbing for me. Customer contacted @ 16.41 hours and she said there is an American woman staying there (from her accent) who has three dogs, which she described as two Pekingese and one unknown small breed. She said that George Christian was already dealing with the complaint. NFA.

Tuesday 2nd June 2020 @ 18.25 hours. Construction work to gates awning. Customer contacted @ 18.46 hours and work had stopped.

Wednesday 17th June 2020 @ 19.03 hours. 'Takeaway' drinks operating as a meeting place for groups of young people to drink on the street - no SD. Same thing happened on Friday, Saturday and Sunday. I have videos. Customer contacted @ 19.23 hours and advised someone would visit and investigate. Premises visited @ 19.30 hours and 20 patrons were observed within 15 metres of the entrance between 19.31 and 20.00 hours. Social distancing measures were inadequate. Verbal advice given to the duty manager to ensure gatherings do not occur and signposted to the Gov.uk website re; takeaway measures and social distancing information.

Tuesday 23rd June 2020 @ 20.00 hours and Friday 26th June @ 18.27 hours. 'Takeaway' drinkers on pavement and in yard with no SD, staying for long periods. Cars parked blaring stereo with beat. Premises visited @ 19.25 hours and groups of drinkers seen both sides of the street, 8 adjacent to front of the premises and 15-20 persons on opposite side of street. Little social distancing being practised. Persons walking through outdoor eating area, ordering drinks and returning to the street.

Spoke with the restaurant General Manager, Mr Hamish Thompson re social distancing, management of the outside area adjacent to the venue and discouragement for persons to drink in the street were discussed. The use of the SIA door staff (not present at the time) was also discussed.

Sunday 12th July 2020 @ 15.06 hours. Loud music from bedroom above restaurant. Customer contacted @ 15.27 hours and no action required.

Sunday 26th July 2020 @ 14.14 hours. Three small dogs belonging to the one guest yapping for ages - not curbed by the owners. Very disturbing as i am trying to work. Customer contacted @ 14.34 hours and no action required.

Monday 10th August 2020 @ 15.22 hours. Large refrigerated lorry parked in loading bay - very noisy and polluting. Driver jumped out to have a cigarette and break. Warden (i think) talked to him but apparently has done nothing as not moving. Customer contacted @ 15.41 hours and no action required.

Monday 10th August 2020 @ 23.26 hours. Group dining and talking loudly in courtyard. Customer contacted @ 23.45 hours and said two people seated outside and talking and she can hear them from her flat across the road. Premises not open to the public. No visit made, no time to visit.

Friday 14th August 2020 @ 21.55 hours. Party going on since about 19.30 - lots of shouting but cannot see the exact location from my flat. Customer contacted @ 22.15 hours and visit made, no noise from Firehouse but approximately 4 people speaking in [REDACTED]. No music. No nuisance.

Monday 17th August 2020 @ 12.18 hours. Visible smoke and odours from the Chiltern Firehouse kitchen extract, [REDACTED] It fills our flat with burning smells. Customer contacted @ 12.39 hours and no visit requested.

Friday 21st August 2020 @ 23.10 hours. Music from ladder shed, plus group of at least 9 men in two black saloons parked in loading bay causing ASB and shouting. Customer contacted @ 23.29 hours and visit made @ 23.40 hours. Group of males stood in front of the premises which was gated shut. Some were dispersing when we patrolled. No nuisance observed.

Wednesday 16th September 2020 @ 20.53 hours. Music from ladder shed. Customer contacted @ 21.14 hours and no visit required.

Saturday 17th October 2020 @ 23.54 hours. Loud music and voices not sure where from. Customer contacted @ 00.13 hours and visit made. Music heard from guest room of hotel on first floor. Spoke with Bar Manager Nico who will remedy.

Thursday 22nd October 2020 @ 22.40 hours. Music from guest room. Customer contacted @ 23.00 hours and no visit required.

Wednesday 4th November 2020 @ 21.15 hours. Classical music & loud American voices, courtyard should be closed. Customer contacted @ 21.34 hours and no visit required.

Saturday 5th December 2020 @ 23.24 hours. Music from guest bedroom. Customer contacted @ 23.44 hours and no visit required.

Sunday 6th December 2020 @ 22.31 hours. Loud jazz music from the courtyard, contrary to licence conditions. Customer contacted @ 22.51 hours and no visit required.

Monday 14th December 2020 @ 21.59 hours. Loud music from courtyard. Customer contacted @ 22.20 hours and no visit required.

Thursday 24th December 2020 @ 23.52 hours. Loud music, also heard earlier by neighbours who thought there was a party. Customer contacted @ 00.11 hours and music has stopped, people may still be in the premises. No visit required.

Friday 26th February 2021 @ 23.19 hours. Loud voices from people in courtyard. Customer contacted @ 23.38 hours and no visit required.

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

Ian Watson
Senior Practitioner Environmental Health (Licensing)

There are no supporting documents from the applicant.



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

Schedule 12
Part A

**WARD: Marylebone
High Street
UPRN: 010033616706**

Premises licence

Regulation 33, 34

**Premises licence
number:**

20/08437/LIPDPS

Original Reference:

12/00502/LIPN

Part 1 – Premises details

Postal address of premises:

Chiltern Firehouse
1 Chiltern Street
London
W1U 7PA

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Sunday: 00:00 to 00:00
(Residents, their bona fide guests and patrons of the hotel proprietor)
Monday to Sunday: 07:00 to 01:00
(Pre-booked private functions in the ground floor meeting room)
Monday to Sunday: 08:00 to 23:00
(Ground floor meeting room)
Monday to Sunday: 10:00 to 01:00
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

Exhibition of a Film

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 07:00 to 01:00

(Pre-booked private functions in the ground floor meeting room)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00

(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

Performance of Live Music

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 07:00 to 01:00

(Pre-booked private functions in the ground floor meeting room)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00

(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00

(Hotel Lounge Bar/Function Space)

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

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 07:00 to 01:00

(Pre-booked private functions in the ground floor meeting room)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00

(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

Late Night Refreshment

Monday to Sunday: 23:00 to 05:00

(Patrons of the hotel proprietor)

Monday to Sunday: 23:00 to 01:00

(Hotel Lounge Bar/Function Space, Chiltern Street Restaurant and pre-booked events in ground floor meeting room)

Sale by Retail of Alcohol

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 07:00 to 01:00

(Chiltern Street Restaurant and pre-booked events in the ground floor meeting room)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00
(Hotel Lounge Bar/Function Space)

The opening hours of the premises:

Monday to Sunday: 00:00 to 00:00

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

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

Part 2

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

Chiltern Street Hotel Limited
C/o Manhattan Loft Corporation
Edison House
223 - 231 Old Marylebone Road
London
NW1 5QT

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

07218870

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

Name: Hamish Thompson

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

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

Licence Number: LN/000013135
Licensing Authority: London Borough Of Islington

Date: 6 November 2020

This licence has been authorised by Mary Pring on behalf of the Director - Public

Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

Annex 2 – Conditions consistent with the operating Schedule

11. The Premises Licence Holder shall, if requested in writing by local residents, host publicised meetings with local residents to discuss concerns relating to the operation of the Premises Licence. Notice of such meetings shall be notified in writing to local residents and other interested parties who have registered their wish to be notified to the Premises Licence Holder. The notice period shall be at least 10 days.
12. The Premises Licence holder shall appoint a competent Acoustic Consultant who is registered with the Institute of Acoustics to:
 - (i) carry out a survey,
 - (ii) produce a report and
 - (iii) assist the Premises Licence Holder in producing a 'Noise Mitigation Policy'.

The Noise Mitigation Policy shall have regard to all matters contained in the 'Guidance on Noise' Section of the City Council's Licensing Policy (currently Appendix 11 of the 2011 Policy).

13. The Premises Licence Holder shall ensure that the Noise Mitigation Policy is:
 - (i) implemented in full to ensure that, so far as is reasonably practicable, risk of Public Nuisance is minimized;
 - (ii) made available to local residents and to authorised Officers of the City Council upon request.
 - (iii) reviewed from time to time or in response to complaints or concerns received from local residents and, if necessary, amended. The Policy shall also be reviewed and amended if requested by the Environmental Health Consultation Team.
14. A copy of the policy shall be kept at the Hotel reception and shall be available immediately upon request by any local resident or licensing officer.
15. At all times the Hotel will be overseen by at least two SIA Door Supervisors.

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

16. The licence holder shall maintain a comprehensive CCTV system that ensures all public areas of the licensed premises are monitored, including all entry points, and 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 a duly authorised City Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.
17. 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 to the public. This staff member shall be able to show Police recent recording with the absolute minimum of delay when requested.
18. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
19. All refuse will be stored internally prior to collection.
20. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
23. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
24. When films are shown cinema style linked seating will not be provided except as agreed with the Environmental Health Consultation Team.
25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:-
 - dry ice and cryogenic fog (except for food presentations)
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame (except for candles)
 - strobe lighting.

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

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

27. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
28. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
29. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
30. All self closing doors shall be effectively maintained and not held open other than by an approved device.
31. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system.
34. Except for the hotel bedrooms, the licensee shall not permit striptease in the premises. Except for the hotel bedrooms, the Licensee shall not permit nudity and all persons shall be decently attired at all times.
35. With the exception of the showing of films in Hotel Bedrooms, no entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided under the authority of this licence.
36. With the exception of public and life safety emergency speakers, Loudspeakers shall not be located in the external entrance lobby or outside the premises building.
37. With the exception of designated smoking bedrooms (if any), notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
38. Waiter or Waitress service will be available at all times.
39. Capacities:

Ground floor:

The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 620, with no more than;

Restaurant 200 persons

Lounge Bar/Function Bar 340 persons

Meeting Room 80 persons

40. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
41. No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised Officer of the Environmental Health Service.
42. No additional sound generating equipment shall be used without being routed through the sound limiter device.
43. All windows and external doors to the ground floor bar and restaurant shall be kept closed from 18:00 hours except for immediate access and egress of persons.
44. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
45. There shall be no regulated entertainment within the external Courtyard area at any time except for unamplified live music for pre-booked private events and up to four musicians between the hours of 10:00 and 21:00.
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day.
47. A Challenge 21 scheme, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
48. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. As part of this agreement that shall require the company to inform all drivers not to wait in the street with the engine running.
49. There shall be at least 1 SIA door supervisor or a dedicated and trained duty manager in the courtyard to manage the courtyard area whose primary purpose is to ensure that the four licensing objectives are promoted in particular that of prevention of public nuisance.

CHILTERN STREET RESTAURANT

50. i) There shall be no entry to new customers after 23:30 Monday to Thursday, 00:00 Friday and Saturday and 22:30 Sundays (00:00 on Sundays before Bank holidays); and/or

- ii) No customer shall be permitted to remain in the Restaurant between 01:00 and 07:00 hours Monday to Sunday;
- iii) Subsections i) and ii) above do not apply to the following persons:-
 - a) Residents of the hotel and their bona fide guests
 - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.

51. The restaurant shall only operate as a restaurant:

- (i) in which customers are shown to their table,
- (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
- (iii) which do not provide any take away service of food or drink for immediate consumption, and
- (iv) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals except in:
 - (i) the holding bar area; and
 - (ii) during pre-booked private functions.

52. There shall be no regulated entertainment in the restaurant.

53. After 11pm and before 7am admission to the restaurant shall be through the hotel only.

THE CHILTERN STREET HOTEL LOUNGE BAR/ FUNCTION ROOM

- 54. i) No customer shall be permitted to remain in the Hotel Function Room/Lounge Bar between 01:00 and 10:00 hours Monday to Sunday;
- ii) Subsection i) above does not apply to the following persons:-
 - a) Residents of the hotel and their bona fide guests
 - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.

55. After 9pm and before 7am admission to the Hotel Lounge Bar shall be through the hotel reception only.

56. Except for recorded music, any regulated entertainment shall be restricted to pre-booked private functions. A copy of the booking including any guest list shall be kept at the reception and shall be available for inspection by any officer from one of the Responsible Authorities for a period of 31 days following the event.

GROUND FLOOR MEETING ROOM

57. From 23:00 hours to 08:00 following morning, the Ground Floor Meeting Room shall only be used by:-

- i) Hotel residents and their bona fide guests; and/or
- ii) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
- iii) For pre-booked events to 1am.

1. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
 2. DATE 08/14/2013 BY 60322 UCBAW/STP/STP
 3. AUTHORITY 50 USC 3024
 4. REVIEWER 60322 UCBAW/STP/STP
 5. COMMENTS

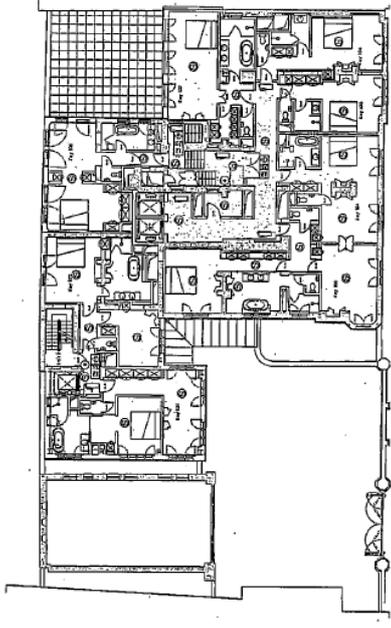
DATE AFTER REVISIONS

NO.	DATE	BY	REVISIONS
1	08/14/2013	UCBAW/STP/STP	INITIAL RELEASE



LEGEND:

- ⊙ Member of Staff
- ⊙ Member of Group
- ⊙ Fire Cabinet
- ⊙ Fire Extinguisher
- ⊙ CCTV Camera
- ⊙ Group Storage
- ⊙ Fire Exit
- ⊙ Fire Alarm Control



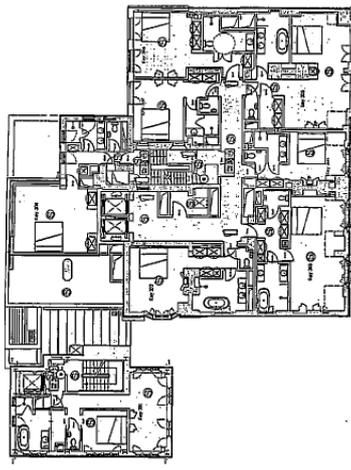
The red line shows the ambit of the premises and licensable activities may
 take place anywhere within the red line. The position of any loose furniture
 is shown for diagrammatic purpose only. The location of fire equipment is
 shown as is on the title hereof but may be moved in consultation with the
 fire officer.

Dated: 23.01.2013

David Archer Architects
 1000 West 10th Street
 Suite 100
 Anchorage, Alaska 99501
 Phone: (907) 562-1234
 Fax: (907) 562-1235
 Website: www.davidarcher.com

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 Fax: (907) 562-1235
 Website: www.davidarcher.com

LEGEND:
 Number of Staff
 Means of Egress
 Fire Escape
 Fire Extinguisher
 Fire Alarm Control Panel
 Fire Detector
 Fire Alarm Call Point



The red line shows the ambit of the premises and licensable activities may take place within the red line. The position of any loose furniture is shown for reference only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated: 23.01.2012



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

Schedule 12
Part B

Premises licence
summary

WARD: Marylebone
High Street
UPRN: 010033616706

Regulation 33, 34

Premises licence
number:

20/08437/LIPDPS

Part 1 – Premises details

Postal address of premises:

Chiltern Firehouse
1 Chiltern Street
London
W1U 7PA

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Sunday: 00:00 to 00:00
(Residents, their bona fide guests and patrons of the hotel proprietor)
Monday to Sunday: 07:00 to 01:00
(Pre-booked private functions in the ground floor meeting room)
Monday to Sunday: 08:00 to 23:00
(Ground floor meeting room)
Monday to Sunday: 10:00 to 01:00
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

Exhibition of a Film

Monday to Sunday: 00:00 to 00:00
(Residents, their bona fide guests and patrons of the hotel proprietor)
Monday to Sunday: 07:00 to 01:00
(Pre-booked private functions in the ground floor meeting room)
Monday to Sunday: 08:00 to 23:00
(Ground floor meeting room)
Monday to Sunday: 10:00 to 01:00
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

Performance of Live Music

Monday to Sunday: 00:00 to 00:00
(Residents, their bona fide guests and patrons of the hotel proprietor)
Monday to Sunday: 07:00 to 01:00
(Pre-booked private functions in the ground floor meeting room)
Monday to Sunday: 08:00 to 23:00
(Ground floor meeting room)
Monday to Sunday: 10:00 to 01:00
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00
(Residents, their bona fide guests and patrons of the hotel proprietor)
Monday to Sunday: 08:00 to 23:00
(Ground floor meeting room)
Monday to Sunday: 10:00 to 01:00
(Hotel Lounge Bar/Function Space)

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

Monday to Sunday: 00:00 to 00:00
(Residents, their bona fide guests and patrons of the hotel proprietor)
Monday to Sunday: 07:00 to 01:00
(Pre-booked private functions in the ground floor meeting room)
Monday to Sunday: 08:00 to 23:00
(Ground floor meeting room)
Monday to Sunday: 10:00 to 01:00
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

Late Night Refreshment

Monday to Sunday: 23:00 to 05:00
(Patrons of the hotel proprietor)
Monday to Sunday: 23:00 to 01:00
(Hotel Lounge Bar/Function Space, Chiltern Street Restaurant and pre-booked events in ground floor meeting room)

Sale by Retail of Alcohol

Monday to Sunday: 00:00 to 00:00
(Residents, their bona fide guests and patrons of the hotel proprietor)
Monday to Sunday: 07:00 to 01:00
(Chiltern Street Restaurant and pre-booked events in the ground floor meeting room)
Monday to Sunday: 08:00 to 23:00
(Ground floor meeting room)
Monday to Sunday: 10:00 to 01:00
(Hotel Lounge Bar/Function Space)

The opening hours of the premises:

Monday to Sunday: 00:00 to 00:00

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

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

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

Chiltern Street Hotel Limited
C/o Manhattan Loft Corporation
Edison House
223 - 231 Old Marylebone Road
London
NW1 5QT

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

07218870

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

Name: Hamish Thompson

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

Restricted

Date: 6 November 2020

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

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
12/00502/LIPN	New premises application	15.03.2012	Granted by Licensing Sub-Committee
13/00561/LIPT	Transfer application	09.05.2013	Granted Under Delegated Authority
13/09884/LIPV	Variation application	10.01.2014	Granted Under Delegated Authority
13/10084/LIPVM	Minor Variation application	24.12.2013	Refused
14/01670/LIPDPS	Application to Vary the Designated Premises Supervisor	31.03.2014	Granted Under Delegated Authority
14/10069/LIPVM	Minor Variation application	05.12.2014	Granted Under Delegated Authority
14/11358/LIPDPS	Application to Vary the Designated Premises Supervisor	06.02.2015	Granted Under Delegated Authority
15/04899/LIPDPS	Application to Vary the Designated Premises Supervisor	05.07.2015	Granted Under Delegated Authority
19/00047/LIPDPS	Application to Vary the Designated Premises Supervisor	25.01.2019	Granted Under Delegated Authority
19/01197/LIPDPS	Application to Vary the Designated Premises Supervisor	12.02.2019	Granted Under Delegated Authority
20/08437/LIPDPS	Application to Vary the Designated Premises Supervisor	06.11.2020	Granted Under Delegated Authority

Application	Details of Application	Date Determined	Decision
19/01080/LITENP	Temporary Event Notice	13.03.2019	Event allowed to proceed
19/01081/LITENP	Temporary Event Notice	13.03.2019	Event allowed to proceed
19/04723/LITENP	Temporary Event Notice	27.06.2019	Event allowed to proceed
19/10339/LITENP	Temporary Event Notice	23.08.2019	Event allowed to proceed
19/10340/LITENP	Temporary Event Notice	23.08.2019	Event allowed to proceed
19/10341/LITENP	Temporary Event Notice	20.08.2019	Event allowed to proceed
19/14635/LITENP	Temporary Event Notice	14.11.2019	Event allowed to proceed
19/14636/LITENP	Temporary Event Notice	12.11.2019	Event allowed to proceed
20/00743/LITENP	Temporary Event Notice	24.01.2020	Event allowed to proceed
20/01572/LITENP	Temporary Event Notice	11.02.2020	Event allowed to proceed
20/11070/LITENP	Temporary Event Notice	30.11.2020	Event allowed to proceed
20/11146/LITENN	Temporary Event Notice	04.12.2020	Event allowed to proceed
20/11226/LITENP	Temporary Event Notice	09.12.2020	Event allowed to proceed

20/11268/LITENP	Temporary Event Notice	08.12.2020	Event allowed to proceed
20/11269/LITENP	Temporary Event Notice	08.12.2020	Event allowed to proceed
20/11270/LITENP	Temporary Event Notice	08.12.2020	Event allowed to proceed

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

Annex 2 – Conditions consistent with the operating Schedule

11. The Premises Licence Holder shall, if requested in writing by local residents, host publicised meetings with local residents to discuss concerns relating to the operation of the Premises Licence. Notice of such meetings shall be notified in writing to local residents and other interested parties who have registered their wish to be notified to the Premises Licence Holder. The notice period shall be at least 10 days.
12. The Premises Licence holder shall appoint a competent Acoustic Consultant who is registered with the Institute of Acoustics to:
 - (i) carry out a survey,
 - (ii) produce a report and
 - (iii) assist the Premises Licence Holder in producing a 'Noise Mitigation Policy'.

The Noise Mitigation Policy shall have regard to all matters contained in the 'Guidance on Noise' Section of the City Council's Licensing Policy (currently Appendix 11 of the 2011 Policy).

13. The Premises Licence Holder shall ensure that the Noise Mitigation Policy is:
 - (i) implemented in full to ensure that, so far as is reasonably practicable, risk of Public Nuisance is minimized;
 - (ii) made available to local residents and to authorised Officers of the City Council upon request.
 - (iii) reviewed from time to time or in response to complaints or concerns received from local residents and, if necessary, amended. The Policy shall also be reviewed and amended if requested by the Environmental Health Consultation Team.
14. A copy of the policy shall be kept at the Hotel reception and shall be available immediately upon request by any local resident or licensing officer.
15. At all times the Hotel will be overseen by at least two SIA Door Supervisors.

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

16. The licence holder shall maintain a comprehensive CCTV system that ensures all public areas of the licensed premises are monitored, including all entry points, and 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 a duly authorised City Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.

The Metropolitan Police has proposed an alternative to condition 16 as follows:

16. 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.
17. 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 to the public. This staff member shall be able to show Police recent recording with the absolute minimum of delay when requested.

The Metropolitan Police has proposed an alternative to condition 17 as follows:

17. 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 Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
18. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
19. All refuse will be stored internally prior to collection.
20. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
23. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption

on the premises.

24. When films are shown cinema style linked seating will not be provided except as agreed with the Environmental Health Consultation Team.
25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:-
 - dry ice and cryogenic fog (except for food presentations)
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame (except for candles)
 - strobe lighting.
26. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
27. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
28. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
29. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
30. All self closing doors shall be effectively maintained and not held open other than by an approved device.
31. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system.
34. Except for the hotel bedrooms, the licensee shall not permit striptease in the premises. Except for the hotel bedrooms, the Licensee shall not permit nudity and all persons shall be decently attired at all times.

35. With the exception of the showing of films in Hotel Bedrooms, no entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided under the authority of this licence.
36. With the exception of public and life safety emergency speakers, Loudspeakers shall not be located in the external entrance lobby or outside the premises building.
37. With the exception of designated smoking bedrooms (if any), notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
38. Waiter or Waitress service will be available at all times.
39. Capacities:

Ground floor:
The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 620, with no more than;

Restaurant 200 persons
Lounge Bar/Function Bar 340 persons
Meeting Room 80 persons
40. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
41. No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised Officer of the Environmental Health Service.
42. No additional sound generating equipment shall be used without being routed through the sound limiter device.
43. All windows and external doors to the ground floor bar and restaurant shall be kept closed from 18:00 hours except for immediate access and egress of persons.
44. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
45. There shall be no regulated entertainment within the external Courtyard area at any time except for unamplified live music for pre-booked private events and up to four musicians between the hours of 10:00 and 21:00.
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day.

Condition 46 is proposed to be varied by the applicant to the following:

46. All tables and chairs shall be removed from the outside area or rendered unusable by 21.00 each day save that up until 1 March 2022 the hour shall be extended until 23:00.
47. A Challenge 21 scheme, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

The Metropolitan Police has proposed an alternative to condition 47 as follows:

47. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
48. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. As part of this agreement that shall require the company to inform all drivers not to wait in the street with the engine running.
49. There shall be at least 1 SIA door supervisor or a dedicated and trained duty manager in the courtyard to manage the courtyard area whose primary purpose is to ensure that the four licensing objectives are promoted in particular that of prevention of public nuisance.

CHILTERN STREET RESTAURANT

50.
 - i) There shall be no entry to new customers after 23:30 Monday to Thursday, 00:00 Friday and Saturday and 22:30 Sundays (00:00 on Sundays before Bank Holidays); and/or
 - ii) No customer shall be permitted to remain in the Restaurant between 01:00 and 07:00 hours Monday to Sunday;
 - iii) Subsections i) and ii) above do not apply to the following persons:-
 - a) Residents of the hotel and their bona fide guests
 - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
51. The restaurant shall only operate as a restaurant:
 - (i) in which customers are shown to their table,
 - (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iii) which do not provide any take away service of food or drink for immediate consumption, and
 - (iv) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals except in:
 - (i) the holding bar area; and
 - (ii) during pre-booked private functions.

52. There shall be no regulated entertainment in the restaurant.
53. After 11pm and before 7am admission to the restaurant shall be through the hotel only.

THE CHILTERN STREET HOTEL LOUNGE BAR/ FUNCTION ROOM

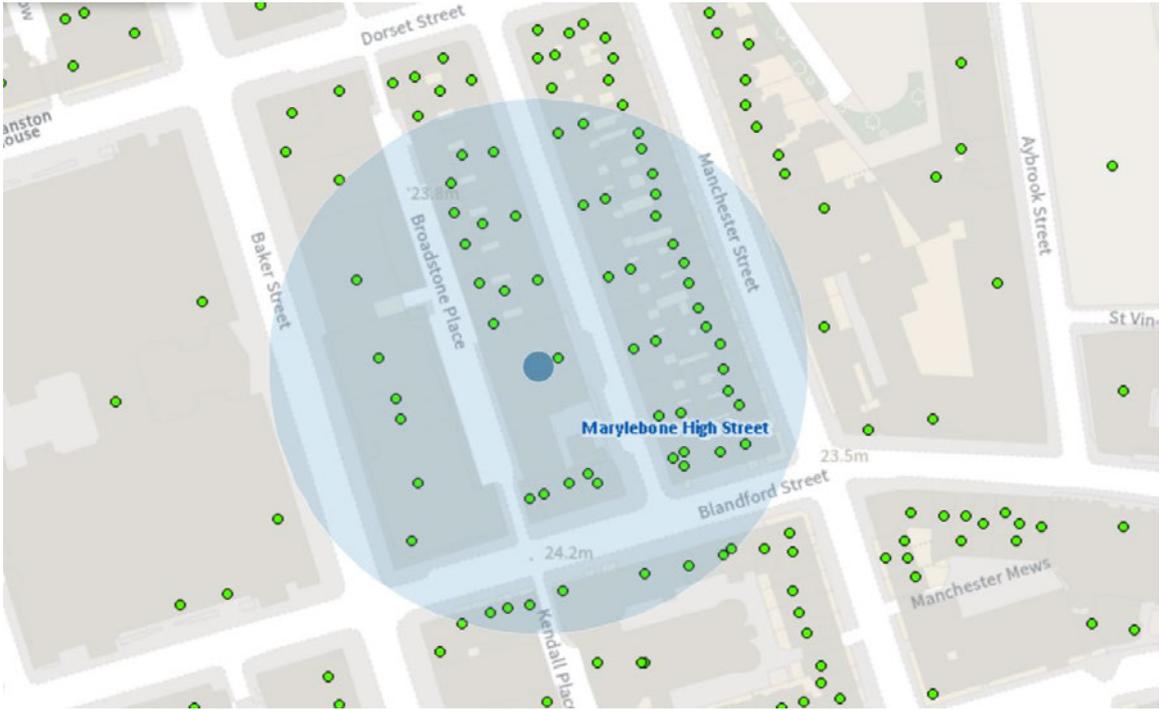
54. i) No customer shall be permitted to remain in the Hotel Function Room/Lounge Bar between 01:00 and 10:00 hours Monday to Sunday;
- ii) Subsection i) above does not apply to the following persons:-
- a) Residents of the hotel and their bona fide guests
- b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
55. After 9pm and before 7am admission to the Hotel Lounge Bar shall be through the hotel reception only.
56. Except for recorded music, any regulated entertainment shall be restricted to pre-booked private functions. A copy of the booking including any guest list shall be kept at the reception and shall be available for inspection by any officer from one of the Responsible Authorities for a period of 31 days following the event.

GROUND FLOOR MEETING ROOM

57. From 23:00 hours to 08:00 following morning, the Ground Floor Meeting Room shall only be used by:-
- i) Hotel residents and their bona fide guests; and/or
- ii) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
- iii) For pre-booked events to 1am.

Conditions proposed by the Metropolitan Police Service

58. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.



Resident Count: 178

Licensed premises within 75 Metres of 1 Chiltern Street, London, W1U 7PA				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/08437/LIPDPS	Chiltern Firehouse	1 Chiltern Street London W1U 7PA	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
19/11466/LIPDPS	Monocle Cafe	18 Chiltern Street London W1U 7QA	Cafe	Saturday; 08:00 - 20:00 Sunday; 09:00 - 19:00 Monday to Friday; 07:00 - 20:00
15/02384/LIPVM	Cadenhead's Whisky Shop London	26 Chiltern Street London W1U 7QF	Shop	Monday; 10:00 - 18:30 Friday; 11:30 - 20:00 Saturday; 10:00 - 18:30 Tuesday to Thursday; 10:00 - 20:00
19/16724/LIPDPS	The Bok Bar	56 Blandford Street London W1U 7JA	Public house or pub restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
09/02972/LIPV	A D Supermarket	48 Baker Street London W1U 7BS	Shop	Sunday; 08:00 - 22:30 Monday to Thursday; 07:00 - 02:00 Friday to Saturday; 07:00 - 03:00
17/05008/LIPN	Simple Health Kitchen	48 Baker Street London W1U 7BS	Cafe	Monday to Sunday; 07:30 - 22:30
19/04567/LIPDPS	Yosma	50 - 52 Baker Street London W1U 7BT	Restaurant	Sunday; 07:00 - 00:00 Monday to Saturday; 07:00 - 01:00
19/05495/LIPN	Royal China Club	40 - 42 Baker Street London W1U 7AJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
17/11228/LIPDPS	Purl London	Basement 50-54 Blandford Street	Wine bar	Sunday; 12:00 - 23:00 Monday to Thursday;

		London W1U 7HX		12:00 - 00:00 Friday to Saturday; 12:00 - 00:30 New Year's Eve; XXXX - XXXX
18/00910/LIPN	Buongiorno E Buonasera	58 Baker Street London W1U 7DD	Restaurant	Monday to Sunday; 07:00 - 23:00
21/00524/LIPDPS	Chiltern Street Deli	27 Chiltern Street London W1U 7PJ	Cafe within another property	Monday to Sunday; 08:00 - 20:00
13/00772/LIPN	Il Baretto	43 Blandford Street London W1U 7HF	Restaurant	Sunday; 10:00 - 23:00 Monday to Saturday; 10:00 - 23:30
19/13207/LIPDPS	Il Baretto	43 Blandford Street London W1U 7HF	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Item No:	
Date:	8 April 2021
Licensing Ref No:	20/11994/LIPN - New Premises Licence
Title of Report:	102 Great Portland Street London W1W 6PD
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	23 December 2020		
Applicant:	Hrm Gathani Ltd		
Premises:	102 Great Portland Street		
Premises address:	102 Great Portland Street London W1W 6PD	Ward:	West End
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form the premises intend to trade as a fine dining Indian restaurant		
Premises licence history:	This is an application for a new premises licence and therefore has no licence history.		
Applicant submissions:	None		
Applicant amendments:	Following consultation with The Metropolitan Police, the applicant has amended the start time for the sale of alcohol from 08:00 to 09:00		

1-B	Proposed licensable activities and hours						
Recorded music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	08:00	08:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:30
Seasonal variations/ Non-standard timings:			None				

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:00	23:00	23:00	23:00	23:00	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:	07:00	07:00	07:00	07:0	07:00	08:00	08:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:30
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	Cheryl Boon
Received:	19 January 2021 (withdrawn 20 January 2021)
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are making a representation against this application.</p> <p>The venue is situated outside the Cumulative Impact Area and Special Consideration Zone but it is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder and The Protection of Children from Harm.</p> <p>I would like to propose a change to the times you have applied for in relation to the supply of alcohol, this is to bring it in line with Westminster City Council's Licensing Policy, these changes are outlined below:</p> <p><u>Hours - Supply of Alcohol:</u></p> <p>Hours applied for: Monday – Sunday 08:00 – 23:00hrs</p> <p>Police proposed hours: Monday – Saturday 09:00 – 23:00hrs Sunday 09:00 – 22:30hrs</p> <p>I would also like to propose the following conditions that if you agree to would be added to any future operating schedule:</p> <p><u>Proposed Conditions</u></p> <p>1. 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.</p>	

2. 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 Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.
4. The supply of alcohol for consumption on the premises shall be by Server, Waiter or Waitress service only.
5. 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.
6. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
7. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
8. Notices shall be prominently displayed at all exits and the outside smoking area requesting patrons to respect the needs of local residents and leave the area quietly.
9. Food and Non-Intoxicating Beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
10. There shall be no self-service of Alcohol.

Please let me know whether you are willing to agree to these conditions and the change of hours that the Police are proposing as this may enable us to withdraw our representation. If you have any questions about any of the above then do not hesitate to contact me.

Following agreement of additional conditions, the Metropolitan Police withdrew their representation on 20 January 2021

Responsible Authority:	Environmental Health
Representative:	Maxwell Koduah
Received:	19 January 2021

I refer to the application for a new Premises Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.

The applicant is seeking to:

1. Play recorded music indoors Monday to Friday 07:00 to 23:30 hours; Saturday & Sunday 08:00 to 23:30 hours
2. Supply alcohol for consumption "On" the premises Monday to Sunday 08:00 to 23:00 hours

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:

1. The playing of recorded music and the hours requested may have the likely effect of causing an increase in Public Nuisance within the area
2. The supply alcohol and the hours requested to supply alcohol may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

In a telephone conversation, you were advised that the playing of background music is not a licensable activity. Please confirm in writing if you are minded withdrawing recorded music from the application.

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

Applicant is asked to contact the undersigned for further discussion and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED]		
[REDACTED]	Valid	In support or opposed:	Opposed
Received:	13 January 2021		

I am objecting to this planning application as I believe that it will create a substantial nuisance to the residents of the flats above.

This building is not suitable as a site for the cooking of food, because cooking odours are able to travel from the kitchen to the common residential parts and thereby into the apartments.

This building has an unusual layout, with interconnecting doors between the commercial premises and the residential common parts, which freely permit the movement of air.

Because heat rises, the movement of air, and therefore odours, is in the direction of the residential areas, from the proposed kitchen.

We already have experience of how easily these odours travel: the previous commercial tenant, Abokado, which did not have planning permission to produce

cooked food, used to heat up miso soup in the kitchen.

The odours of miso soup would fill the common parts.

I made a complaint to Westminster environmental services which was investigated.

An Indian restaurant with a tandoori kitchen would produce an amount of odour vastly greater than the reheating of a pot of Miso soup, and would create a nuisance at a proportionately higher level.

As this problem is caused by the unusual physical connection between their kitchen and our common parts, it can not be solved by adding ventilation.

And as this connection functions as the fire escape for the commercial premises, it will not be possible to solve it by sealing the doors.

As we can reliably predict that this proposed restaurant would create a nuisance and that this nuisance would not be preventable, I ask that this application be refused.

On 21 January 2021 the objector submitted the following further comments:

I put in an earlier objection, asking for licensing to be refused because the proposed Tandoori kitchen is directly connected to the residential stairwell, making it hard to prevent odours from becoming a nuisance to the residents.

Having taken advice I would like to add a second objection requesting that if the application is in fact approved, the licensing authority include conditions that demand mitigation measures against this otherwise inevitable nuisance.

I propose that the condition is added that 'No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.'

I ask that Environmental Health assess the premises for suitable and sufficient extraction equipment, for prevention of odours in the residential parts, and require that the applicant put in place suitable measures.

I suggest that the Environmental health and Licensing authority include the following conditions to mitigate against odours:

1) Restaurant staff should not be permitted to open the fire escape door from their kitchen into the residential parts unless in the case of fire. This fire escape door should either be alarmed or have a 'break glass' mechanism to prevent it being opened.

(I include this because every commercial occupier in the last 15 years has opened this door to ventilate the basement)

2) The door from the kitchen to the basement services area and also the door from the services area to the ground floor should have rubber seals or similar on all four edges to reduce the movement of odours to the residential areas

3) The kitchen should have suitable extraction equipment installed.

4) The above extraction equipment should use filtration and positioning to prevent it creating odour or noise nuisance to nearby residents.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	27 January 2021		
<p>I live [REDACTED] and object as follows:</p> <p>I) Firstly, for prevention of public nuisance and public safety. At the basement level there is a fire-exit door directly opposite the proposed tandoori oven & gas burners. This has historically been left open for ventilation for basement workers causing considerable noise and smell nuisance to the occupiers above. This is acute as there is little volume in the common parts for dissipation. The previous occupier, whose only hot offering was soup, left a pungent smell in the whole building and, during recent conversion work, conversation and the smells of cigarette smoke and solvent have caused annoyance.</p> <p>There has been no planning application for external extraction and I query how this can be so given the pungent nature of the intended cuisine and use of exposed gas flames, so I ask you to send this point to Planning for consideration.</p> <p>The basement will be in use by the public for dining/WCs and there will be a safety risk to residents through the interconnecting door.</p> <p>Accordingly if a licence is to be granted, I would ask for it to be conditioned upon:</p> <ul style="list-style-type: none"> - the interconnecting door being alarmed and kept closed at all times bar fire; - the interconnecting door being given maximal odour insulation; - no music being broadcast in the basement. <p>II) I turn to timings. [REDACTED] and there are other neighbouring residents on a quiet stretch of street where the pavement is at its narrowest due to the one-way system of the BBC. The regurgitation of diners before closing time will cause public nuisance, with music still playing through open doors and noisy loitering of merry diners.</p> <p>I ask, if a licence is to be granted, that it be conditioned upon:</p> <ul style="list-style-type: none"> - no music broadcast after 22:30; - no alcohol service after 22:30. 			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	
Status:	Valid	In support or opposed:	opposed
Received:	21 January 2021		
<p>The area has long been a residential area with predominantly day time activity of local workers and as such has remained a calm and quiet place to live in the evening. The release of licenses with on-premises music up to 23.30 at night is going to create a level of noise and traffic that will be truly disruptive and substantially change the living conditions.</p> <p>I note that this is the latest in many applications for properties that are very close to 102 and I have objected to them all on the same basis. Now this application is [REDACTED] and is of the greatest concern.</p>			

In addition to the issue of night-time noise and traffic I would also like to raise concern on the isolation of the smells and fumes from cooking. This property has not in my term of ownership hosted a restaurant with night-time opening and the possibility of such local environmental issue is considerable. If this license is accepted and restaurant opens, I hope that all residents of 102 Great Portland Street will be provided absolute assurance and support of all local regulations to protect our living environment and ensure there is zero effect from the activities of this restaurant.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED]		
Status:	Valid	In support or opposed:	opposed
Received:	20 January 2021		

Application for a new licence changing a small supermarket / sandwich shop (A1 retail) into a “fine dining Indian restaurant”

The above application is seeking to change the use of the premises at 102 Great Portland Street from A1 retail into a restaurant, which may or may not be permissible.

The applicant states he is going to open a “Fine dining Indian restaurant” and is seeking to provide alcohol from early morning (0700 or 0800) to late at night (2330), seven days a week, together with recorded music, in a mainly residential area.

I have lived in the immediate area for over 20 years at [REDACTED] which is a residential block of 8 floors, containing 18 apartments. My principal concerns are:

1. While the area supports a number of businesses in the daytime, the nights are relatively quiet and peaceful, which is well appreciated by the people who live here. Number 102 is relatively close to my flat, [REDACTED] and people entering and leaving, together with any noise emitted, will immediately become apparent to our block. The hours proposed are well outside what is “normal” for the area. There is potential to be a public nuisance
2. I do not think the hours proposed for Sundays are appropriate – they should be reduced materially.
3. The commencement hours are outside the “core hours” in Westminster’s policy, which are already beyond what residents would wish.
4. Although ‘off sales’ are proposed, it should be made clear that no outside drinking is to be permitted.
5. If approval is given, compliance with PN1 – prevention of public nuisance – should be required, as well as conditions requiring measures to deal with the risk of nuisance.
6. The applicant should be asked to withdraw the application for recorded music from 0700 to 2330 as it is not licensable
7. In conjunction with item (6) above, if the use of recorded music is for background purposes, any agreement to the application should apply a condition to ensure that no noise can be heard outside the premises so as to cause a nuisance.
8. Any alcohol sales must be limited to being served by waiting staff to customers seated with a meal at lunchtime or in the evening. This is not an area for breakfast bingeing or late-night drinking.
9. There is nothing in the application regarding how the restaurant will be serviced e.g., deliveries, preparation for daily business, and waste collection.
10. There are no layout plans showing the arrangement of tables/chairs etc in the proposed restaurant
11. Is there a requirement for extraction and/or air conditioning equipment for the restaurant and/or basement? How will these be operated to avoid nuisance to near neighbours?

I would like Mr Richard Brown to represent me at the hearing, to whom I am copying this letter. I would be grateful for a confirmation of receipt

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
[REDACTED]	Valid	In support or opposed:	opposed
Received:	26 January 2021		

We strongly object to the application on the grounds of the prevention of public nuisance, the prevention of crime and disorder and the public safety protection of children from harm.

We do not see the logic of a "fine dining" establishment requiring a licence to play recorded music from 7:00 am to 11:30 pm five days a week and from 8:00 am to 11:30 pm on Saturdays and Sundays or to sell alcohol from 8:00 am to 11:30 pm seven days a week.

We live in [REDACTED] with single glazed windows. Noise will be an issue including noise from recorded music inside the premises, noise from deliveries, noise from revellers and noise from people leaving the premises and loitering outside our bedroom windows. The terminal hour is too late. External noise transmits to all rooms of our flat and bounces off the surrounding buildings exacerbating the problem. This section of Great Portland Street is unique in its close proximity to the BBC and Radio 4. As residents we endure noise from early morning starts at Radio 4. The BBC headquarters attracts tourists and crowds throughout the day. The One Show and other programs are broadcast live outside. All of this noise compounded by the noise from road traffic takes place in very close proximity to our home. Great Portland Street is a very busy street during the day and residents need some respite from the noise in the evening and on weekends.

Smoking will be an issue. The chemicals and toxins from cigarette and cigar smoke linger in the air and seep into the exterior of the buildings remaining long after the smokers have left. The cigarette and cigar smoke will enter our windows and those of our neighbours. There are young children in our building. Cigarette and cigar smoke kills, even second and third hand cigarette and cigar smoke kills. Residents' health should not be put at risk.

Recorded music will attract revellers to our neighbourhood. There is no justifiable reason for revellers to be permitted to descend on our street en masse and engage in boisterous behaviour right outside our bedroom windows, keeping us awake. We have witnessed anti-social behaviour such as revellers urinating on our building. The revellers also attract rickshaw drivers who speak loudly about taking them to lap-dancing and strip clubs.

Existing restaurants on Great Portland Street in close proximity to our home such as Portland and Sushi Atelier do not have loud music and do not attract revellers. Westminster City Council should uphold these standards.

We are very concerned about an Indian restaurant attracting rats. Several Indian restaurants in London have been found to be infested with rats.

We respectfully request that Westminster City Council reject the application.

3.	<p>Policy & Guidance</p> <p>Westminster City Council has adopted a revised Statement of Licensing Policy that became operative from 7 January 2021. This application was applied for on 23 December 2020. At the time of submission, the Council's Statement of Licensing Policy 2016 was applied to this application. However, the Licensing Service has outlined below the policy considerations necessary for this application in accordance with the revised policy which will be effective when this application is determined on 8 April 2021</p>
<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p>	
<p>Policy HRS1 applies</p>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying

	<p>shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p>
<p>Policy RTN1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 4. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 4. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal

4. Equality Implications

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

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
(c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

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

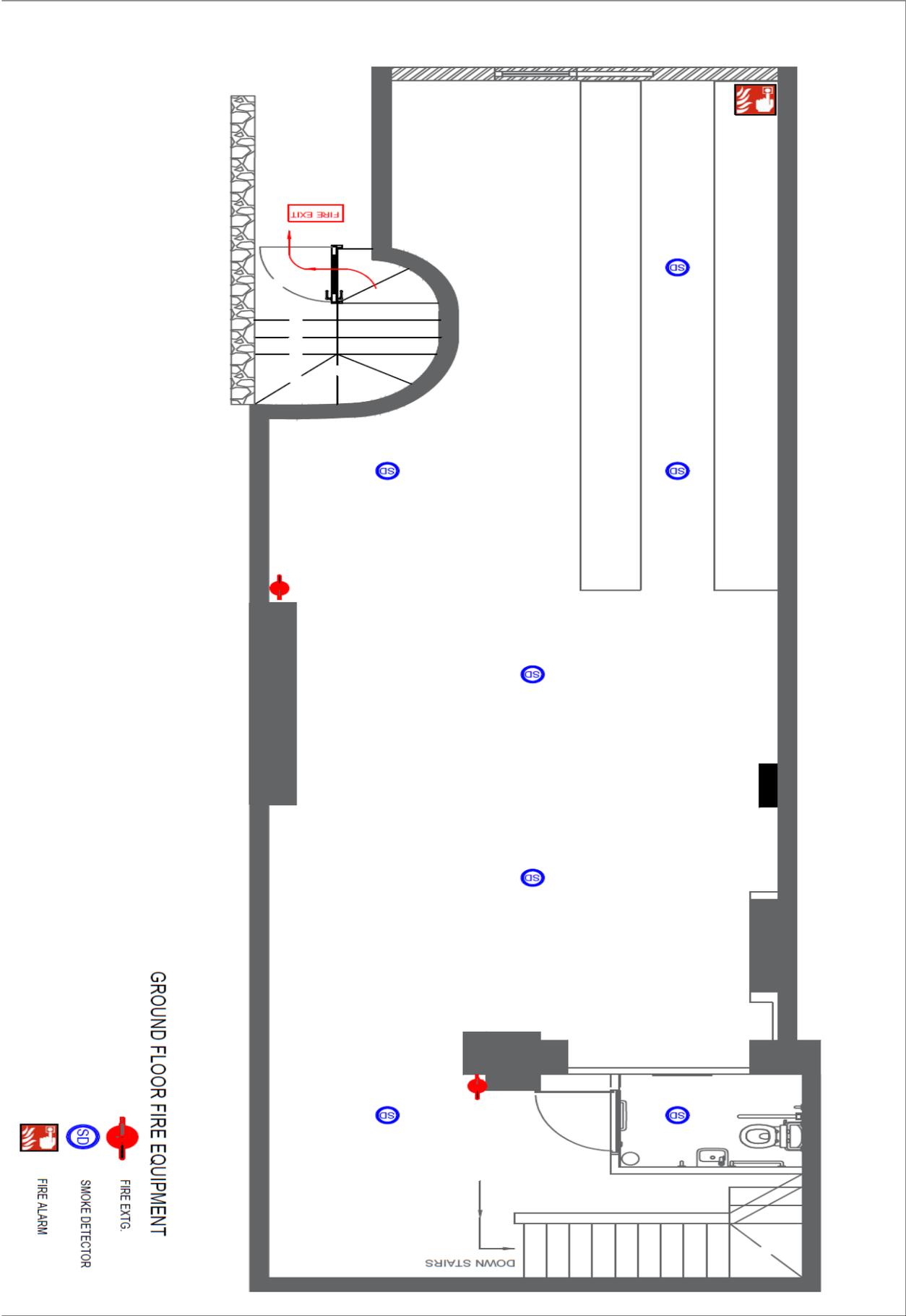
4.	Appendices
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

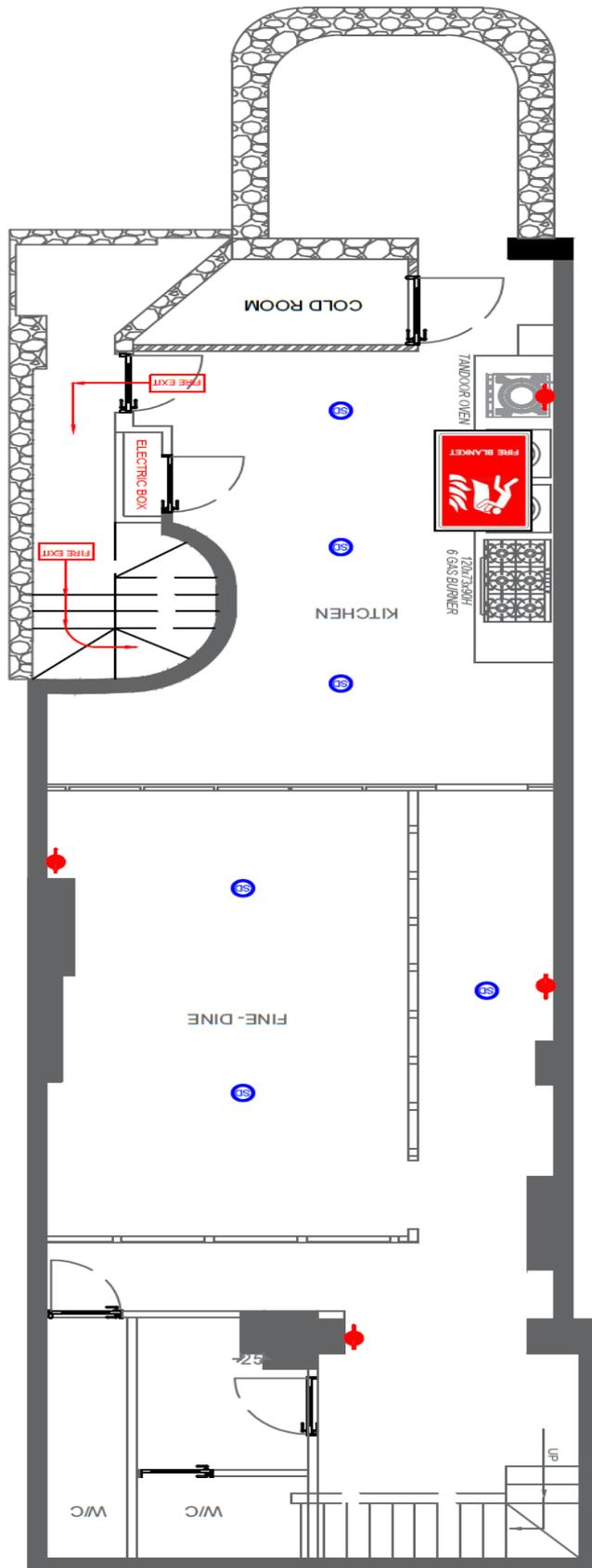
Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	07 January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service representation	19 January 2021 (withdrawn 20 January 2021)
5	Environmental Health Representation	19 January 2021
6	Interested Party Representation (1)	13 January 2021
7	Interested Party Representation (2)	27 January 2021
8	Interested Party Representation (3)	21 January 2021
9	Interested Party Representation (4)	20 January 2021
10	Interested Party Representation (5)	26 January 2021





GROUND FLOOR FIRE EQUIPMENT

-  FIRE EXTG.
-  SMOKE DETECTOR

None

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

None

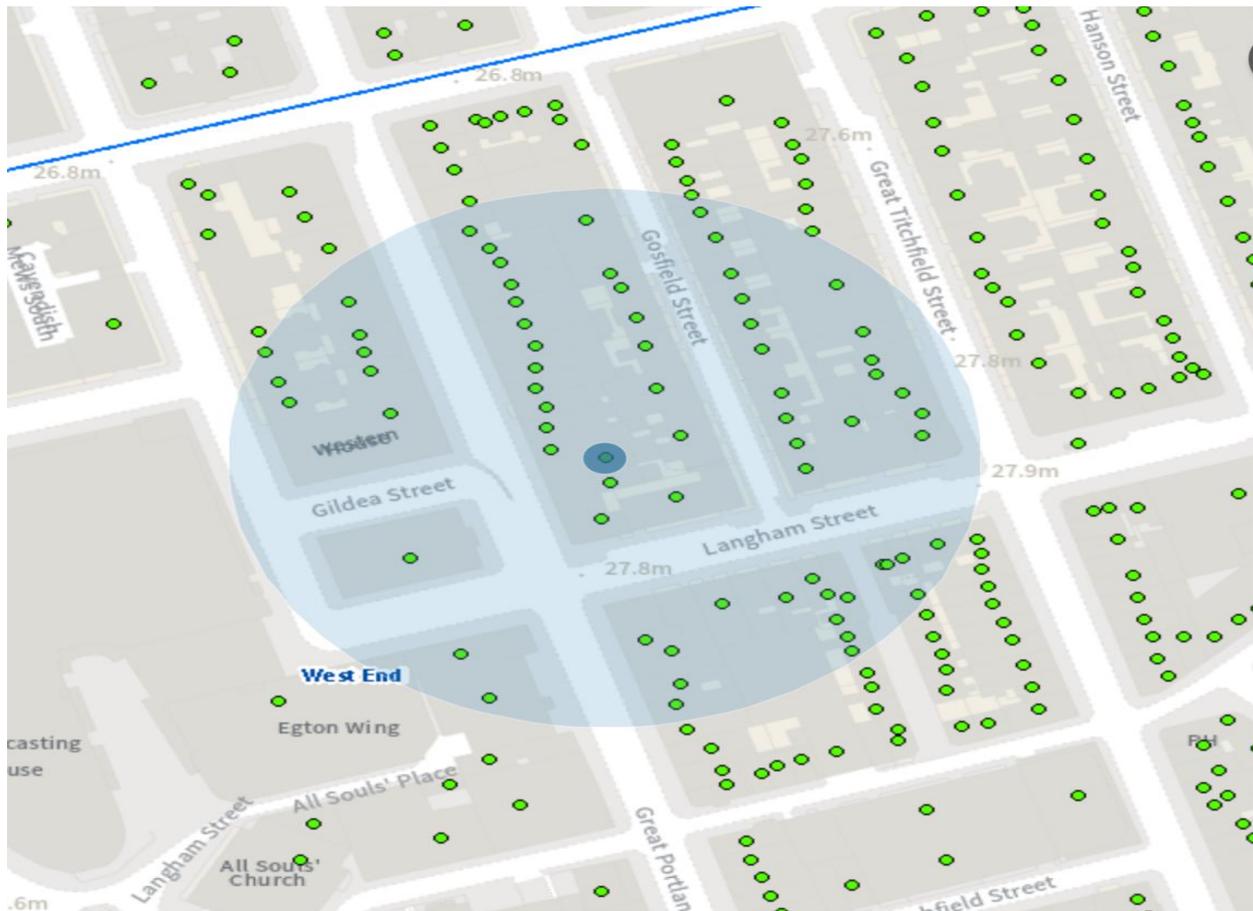
Conditions proposed by the Police and agreed by the applicant so as to form part of the operating schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.
12. The supply of alcohol for consumption on the premises shall be by Server, Waiter or Waitress service only.
13. 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.
14. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
15. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
16. Notices shall be prominently displayed at all exits and the outside smoking area requesting patrons to respect the needs of local residents and leave the area quietly.
17. Food and Non-Intoxicating Beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
18. There shall be no self-service of Alcohol.

Conditions proposed by the Environmental Health

19. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed:
 - a. Ground floor 30
 - b. Basement 25

20. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
21. All windows and external doors shall be kept closed after 21:00 hours except for the immediate access and egress of persons
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
23. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day
24. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
25. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day
26. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business
27. 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
28. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order
29. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided
30. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means
31. No licensable activities shall take place at the premises until the premises have 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.

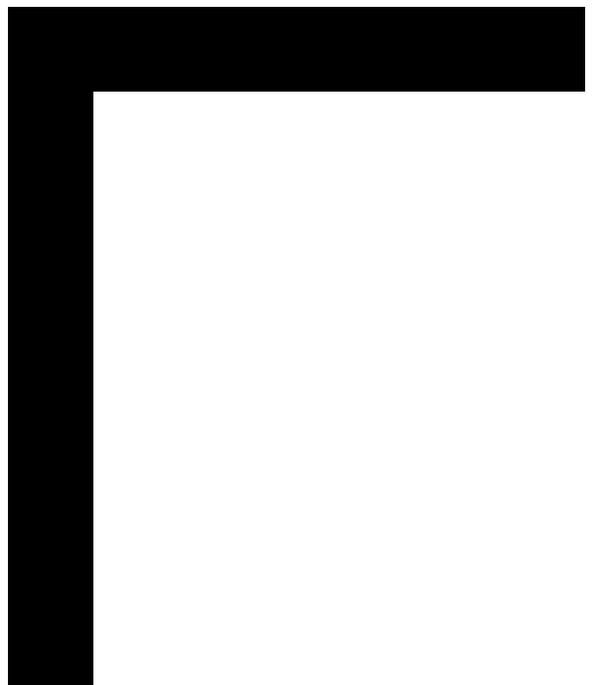


Resident Count: 288

Licensed premises within 75 m of 10 Great Portland Street. London, W1W 6PD				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/00591/LIPV	Fugazzina	Basement And Ground Floor 104 Great Portland Street London W1W 6PE	Shop	Sunday; 08:00 - 22:30 Monday to Saturday; 08:00 - 00:00
20/03540/LIPT	LABORATORIO PIZZA	Basement And Ground Floor 110 Great Portland Street London W1W 6PQ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30

17/14779/LIPCHT	Sushi Atelier	114 Great Portland Street London W1W 6PH	Cafe	Sunday; 07:00 - 22:45 Monday to Thursday; 07:00 - 23:45 Friday to Saturday; 07:00 - 00:15 Sundays before Bank Holidays; 07:00 - 00:00
21/00262/LIPT	Not Recorded	94 Great Portland Street London W1W 7NU	Not Recorded	Monday to Friday; 08:00 - 21:00 Saturday to Sunday; 09:00 - 21:00
16/13088/LIPCH	BBC	Wogan House 99 Great Portland Street London W1W 7NY	Not Recorded	Monday to Sunday; 07:00 - 00:00
17/02261/LIPDPS	Club West One	Wogan House 99 Great Portland Street London W1W 7NY	Studio	Monday to Sunday; 00:00 - 00:00
08/07458/LIPD	BBC	Wogan House 99 Great Portland Street London W1W 7NY	Office	Monday to Sunday; 07:00 - 00:00
20/02336/LIPDPS	Co-operative Food	James Boswell House 118 - 122 Great Portland Street London W1W 6PW	Food store (large)	Monday to Sunday; 06:00 - 00:00
19/14252/LIPDPS	The Grange Langham Court Hotel	31-35 Langham Street London W1W 6BU	Hotel, 3 star or under	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30 Monday to Sunday; 00:00 - 00:00
18/03669/LIPVM	The Whisky Exchange	90 Great Portland Street London W1W 7NT	Shop	Sunday; 10:00 - 18:00 Monday to Saturday; 10:00 - 20:00

19/03209/LIPDPS	Yorkshire Grey Public House	46 Langham Street London W1W 7AX	Public house or pub restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
19/07803/LIPVM	Bellaria Restaurant	Basement And Ground Floor 71 Great Titchfield Street London W1W 6RB	Cafe	Monday; 10:00 - 23:30 Tuesday; 10:00 - 23:30 Wednesday; 10:00 - 23:30 Thursday; 10:00 - 23:30 Friday; 10:00 - 23:30 Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
17/11140/LIPN	Townhouse	Basement And Ground Floor 88 Great Portland Street London W1W 7NT	Hairdresser or beauty salon	Monday to Sunday; 07:00 - 23:00
08/07443/LIPD	Hallam Hotel	12 Hallam Street London W1W 6JF	Hotel, 3 star or under	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30



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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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