



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 18 November 2021**

Time: **10.00 am**

Venue: **This will be held as a virtual Teams Meeting**

Members: **Councillors:**

Jim Glen (Chairman)
Jacqui Wilkinson
Aziz Toki

If you require further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Co-ordinator.

Email: scraddock@westminster.gov.uk Tel: 0779098018
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. TESCO, 55 BAKER STREET, W1U 8EW

(Pages 1 - 34)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Marylebone High Street * None ** None	Tesco 55 Baker Street W1U 8EW	New Premises Licence	21/06914/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

2. 16 CHARLES STREET, W1J 5DR

(Pages 35 - 154)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * None ** None	16 Charles Street W1J 5DR	New Premises Licence	21/05233/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

Stuart Love
Chief Executive
10 November 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 the Licensing Act 2003. The most recent version was published in April 2018.

Core hours When Customers Are Permitted to Be on The Premises

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

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

1. Casinos

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

2. Cinemas, Cultural Venues and Live Sporting Premises

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

3. Hotels

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

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

Sunday: 09:00 hours to 22:30 hours

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

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

4. Off licences

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

Sunday: 09:00 hours to 22:30 hours

5. Outdoor Spaces

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

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

Sunday: 09:00 hours to 22:30 hours

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

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

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

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

Sunday: 09:00 hours to 22:30 hours

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

7. Qualifying Clubs

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

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

Sunday: 09:00 hours to 22:30 hours

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

8. Restaurants

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

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

Sunday: 09:00 hours to 22:30 hours

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

9. Sexual Entertainment Venues and Sex Cinemas

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

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

Sunday: 09:00 hours to 22:30 hours

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



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

18 November 2021

21/06914/LIPN - New Premises Licence

Tesco
55 Baker Street
London
W1U 8EW

Director of Public Protection and Licensing

Marylebone High Street

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

Telephone: 020 7641 6500
Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	12 July 2021		
Applicant:	Tesco Stores Limited		
Premises:	Tesco (Unit 67)		
Premises address:	55 Baker Street London W1U 8EW	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form the premises intend to trade as a retail premises (supermarket) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises.		
Premises licence history:	The premises have had the benefit of a premises licence since June 2008. There is a separate premises licence in respect of the 6 th Floor of the premises. A full history for the premises appears at appendix		
Applicant submissions:	Sales of alcohol for consumption off the premises are made from the supermarket sales floor as shown on the enclosed plan and may also be made through home delivery.		
Applicant amendments:	Following consultation, the applicant has amended the hours for the sale of alcohol from 06:00 to 00:00 Monday to Sunday to 08:00 to 23:00 Monday to Saturday and 09:0 to 22:30 Sunday		

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

Sale by retail of alcohol				On or off sales or both:			Off
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	09:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:00	06:00	06:00	06:0	06:00	06:000	06:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	Bryan Lewis
Received:	3 August 2021 (withdrawn 27 October 2021)
<p>Police object to this application, as we believe it will not promote the licensing objectives contained within the 2003 Licensing Act, namely the prevention of crime and disorder. Police object to this application for the following reasons.</p> <p>This premises is located in a hot spot for football crowds attending matches at Wembley Stadium. The times sought will lead to the sale of alcohol to such persons, leading to an increase in crime and disorder. I will be providing further evidence to highlight the risk. Police request Tesco amend the hours applied for, to core hours as set out in the Westminster Statement of Licensing Policy; Monday to Saturday 8-11pm and Sunday 9-10.30pm. If the applicant fails to follow this Police request, it will be provided as evidence of an unwillingness to work with the Responsible Authorities'.</p> <p>There are also insufficient conditions proposed to support the licensing objectives</p> <p>Following a reduction in hours for the sale of alcohol, and agreement of additional conditions, the Metropolitan Police withdrew their representation on 27 October 2021</p>	
Responsible Authority:	Environmental Health
Representative:	Maxwell Koudah
Received:	26 July 2021 (withdrawn 16 September 2021)
<p>I refer to the application for a new Premises Licence number for the above-mentioned premises. We have considered the information that you have provided within and accompanying this application. We have also considered the application in line with the relevant policies within the Council's Statement of Licensing Policy dated January 2021.</p> <p>The applicant is seeking to:</p> <ol style="list-style-type: none"> 1. Provide late-night refreshment indoors Monday to Sunday 23:00 to midnight (00:00 hours) 2. Supply alcohol for consumption off the premise Monday to Sunday 06:00 to midnight 	

(00:00 hours)

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

1. The hours requested to provide late night refreshment may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area
2. The supply of alcohol and the hours requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

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

As you have applied for the supply of alcohol for consumption off the premises, the relevant Westminster core hours are:

- Monday to Saturday: 08:00 to 23:00 hours
- Sundays: 10:00 to 22:30 hours

The hours requested are outside the council's core hours. In the interest of public nuisance risks, we usually encourage applicants to hem applications within the core hours policy, but we also appreciate that each application is assessed on its unique merits.

Additional conditions, to replace those contained within the operating schedule, have been proposed to support the licensing objectives of Prevention of Public Nuisance and Public Safety. Applicants are advised to study these conditions and discuss same if they are minded.

Following a reduction in hours for the sale of alcohol, and agreement of additional conditions, Environmental Health withdrew their representation on 16 September 2021

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	03 August 2021

THIS REPRESENTATION is made by the Marylebone Association, recognised by Westminster as the Amenity Society for the Marylebone Area south of Marylebone Road and so represents the interests of those who live and work in this area.

We are writing on behalf of the local community OBJECTING to the application by Tesco Stores Ltd: 21/06914/LIPN which is beyond Core Hours and therefore likely to be contrary to policies PN1 and CD1.

Tesco already operate two stores 240 metres away in Baker Street and 230 metres away in George Street. Both close at 11:00pm. The new store is applying for off sales from 6:00am until midnight 7 days a week whereas policy CH1 (Core Hours) for this type of operation are 8:00am to 11:00pm, (9:00am to 10:30pm Sundays). We accept that the company has plenty of experience in operating off-sales efficiently but we believe that there is no requirement for a store selling alcohol for longer hours than Core in this neighbourhood. Later permitted hours may have the effect of drawing customers looking for alcohol down from Baker Street station

creating a public nuisance in an area which is quiet at night now and may increase levels of crime.

We are also concerned about deliveries. It is unclear how the store will be resupplied but it is possible that this will be via Rodmarton Street to the rear of 55 Baker. This is a narrow, heavily residential street and the nuisance caused by delivery trucks needs to be controlled as to their hours.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	28 July 2021

As Chairman of the Dorset Ct flats I am writing to object to both the location and hours of these licensed premises.

Dorset Court west of Baker St is a residential area with multiple homes. And yet no impact on these residents has been considered. The noise, the extra traffic including deliveries, the litter are detrimental to our lives. The extended licence hours only compound the problems, especially as they include after hours. Isn't it likely that post pub closings we are going to have to endure 'one more for the road' and the empty bottles and discarded tins?

We already have the noise from the Chiltern Firehouse with high powered cars and motor bikes revving up in the early hours. This would just encourage more. Not helped by the bike parking in Dorset Stree west of Baker St. which I have already asked to be removed, without success.

Do you not see the dichotomy of spending huge amounts of money to make Baker St more pleasant (wider pavements, flower planters etc) only to downgrade it with easy access to alcohol at much longer hours than Waitrose In Marylebone High St., who might decide to apply for equal licensing hours.

I suggest Tesco rent in the more commercial area further north, where they already have a small store. There are plenty of empty retail premises nearby.

I don't think an "open nearly all hours" access to alcohol is going to improve the area, which was presumably the aim of the Westminster upgrades.

I am also concerned about the personal safety of myself (76) and other many elderly residents of the area, who don't relish coping with people buying alcohol either in the early hours of the morning or late, post pubs closing.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	29 July 2021

I strongly object to the application for the above licence. There are already too many late night licences permitted in the area leading to very loud late night activities which is extremely disturbing to local residents trying to get a good night sleep.

There are many elderly living in my building and they are very worried about being accosted at night. Please consider the peace of mind and well being of the local residents and reject this license application.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	07 August 2021

The newly proposed Tesco is inappropriate for this residential area which already has a wealth of similar shops at its disposal (Sainsbury's, Waitrose and another Tesco 200m away, to name but a few).

The associated nuisance of additional noise, rubbish and delivery (traffic can't stop on Baker Street so deliveries would inevitably impinge on my road and block residential parking which is already very competitive) and extended licensing hours is concerning.

The proposed opening hours should at least be in keeping with Waitrose on Marylebone High Street as precedent, ie 8am to 10pm.

If it goes ahead I am concerned about encouragement of loitering and antisocial behaviour on the grey concrete slabs of seating on Dorset Street which already attract skateboarders and others for an array of purposes other than the original intention.

There are several pubs and shisha cafes nearby which increase late night noise and it is not uncommon to have intoxicated people walking past residences at night. Access to late-night alcohol at Tesco won't help.

I cannot see how this Tesco will improve the quality of the area; indeed it's likely to reduce residential prices.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	29 July 2021

As Leaseholder and permanent resident at [REDACTED], I am writing to object to both the location and hours of these licensed premises.

Dorset Court west of Baker St is a residential area with multiple homes. The downgrading of the area with the opening of a Tesco with extended alcohol licence hours would aggravate the peace and security of Dorset Court's residential area, whilst no impact which is considerably detrimental on the lives of these residents, has been considered.

I am a 72 year old lady and many of Dorset Court's inhabitants are elderly. We are concerned about our safety.

Huge amounts have been spent to make Baker more attractive and pleasant only to be downgraded with easy access to alcohol at much longer hours than Waitrose In Marylebone High St., who might also decide to apply for equal licensing hours.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	09 August 2021

I object to trading of alcohol for consumption off the premises, from this location, by Tesco. Specifically:

1. Part L: Late Night alcohol sales, between 23:00 and 00:00.
2. Part M: Standard alcohol sales from 06:00 to 09:00 and 17:00 to 23:00, within the proposed Standard sales hours of 06:00 to 00:00.

The premises abuts the outside space of 55 Baker Street, facing onto Dorset Street. This area, under management of the Landlord of this proposed licensed premises, is a site of ongoing anti-social behaviour, including marijuana smoking and selling, drinking, and littering of uneaten food, drink and packaging. This has gone on for years. Drug pushing and drinking are especially common from about 9pm, and in the winter months after about 5pm.

This space lacks effective management to prevent such behaviour.

The premises operator - Tesco - has failed to provide adequate details of steps to address three of the four licensing objectives required by the process, detailed in part P:

B). Prevention of crime and disorder

Bi. There is no mention of crime and disorder prevention and CCTV for any area outside the premises, whereas this is clearly required along the side of 55 Baker St on Dorset St.

Bii. There is no mention of a named responsible person on duty at all times that alcohol is sold, instead a fudged answer is provided saying that the Manager will be 'ordinarily' responsible, and otherwise a 'person' will be responsible.

C). Public safety

Ci. There is no answer to this question, only a statement about generic health and safety obligations.

D). Prevention of public nuisance

Di. There is no answer to this question, only a statement about 'good neighbour policy' (not appended). There is no plan to prevent public nuisance.

The Applicant has failed to answer the four objectives, while intending to sell alcohol for consumption off premises in a problem area.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	29 July 2021

I am writing to object to the above application for a Premises Licence, for Late Night Refreshment 23:00 - 00:00 and the sale of alcohol 06:00 - 00:00, on the grounds it will not promote the Licensing Objectives of the Prevention of Crime and Disorder, Prevention of Public Nuisance and Protection of Children from Harm.

This is a highly residential area both in Baker Street and the surrounding streets off Baker

Street, together with a number of hotels where guests are entitled to some quiet enjoyment at night. The hours sought by the applicant will not therefore promote the Licensing Objectives.

The Waitrose in Marylebone High Street operates on a well considered model which seeks to promote the Licensing Objectives. Namely its hours of operation are:

Monday - Saturday 08:00 - 22:00 and Sunday 11:00 - 17:00.

I respectfully request that the Committee consider these hours and at very worst only grant these same hours as Waitrose, for both Late Night Refreshment and the Sale of Alcohol.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	23 July 2021

Dorset Street is a (relatively) quiet residential street adjacent to the proposed Tesco at 55 Baker Street. I would like to object to the proposed licence as it is excessive in its opening hours and is not required by the local community. Tesco has a store within 200 metres on Baker Street and another in George Street 500 metres away.

This proposal will create additional anti-social behaviour, traffic and rubbish to a residential neighbourhood. Tesco does not appear to take its community responsibilities seriously and regularly piles up refuse and stock cages in the street at the nearby stores.

I trust that a responsible council with the interest of residents at heart, Westminster will refuse this unnecessary and problematic application

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	28 July 2021

The suggested opening hours are totally inappropriate for what is a residential area either side of Baker Street.

Selling alcohol until midnight is wholly inappropriate, it will just invite street drinking and alcohol related ASB.

As a reference Waitrose on Marylebone High Street opens at 8am and closes at 22hs, on Sunday 17.00hrs.

I would certainly propose the same closing hours are applied to Tesco and also suggest a later opening hour, say 8am or 7.30am at the earliest.

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. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days

	are expected to be covered by Temporary Event Notices or variation applications.
Policy SHP1 applies	<p>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Late night Refreshment Delivery Service Policy DEL1. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C. <p>C. For the purposes of this policy:</p> <ol style="list-style-type: none"> 1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment. 2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop. 3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.

4. Equality Implications

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

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

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

5.	Appendices
Appendix 1	Premises plans
Appendix 2	Existing Premises Licence
Appendix 3	Applicant supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

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

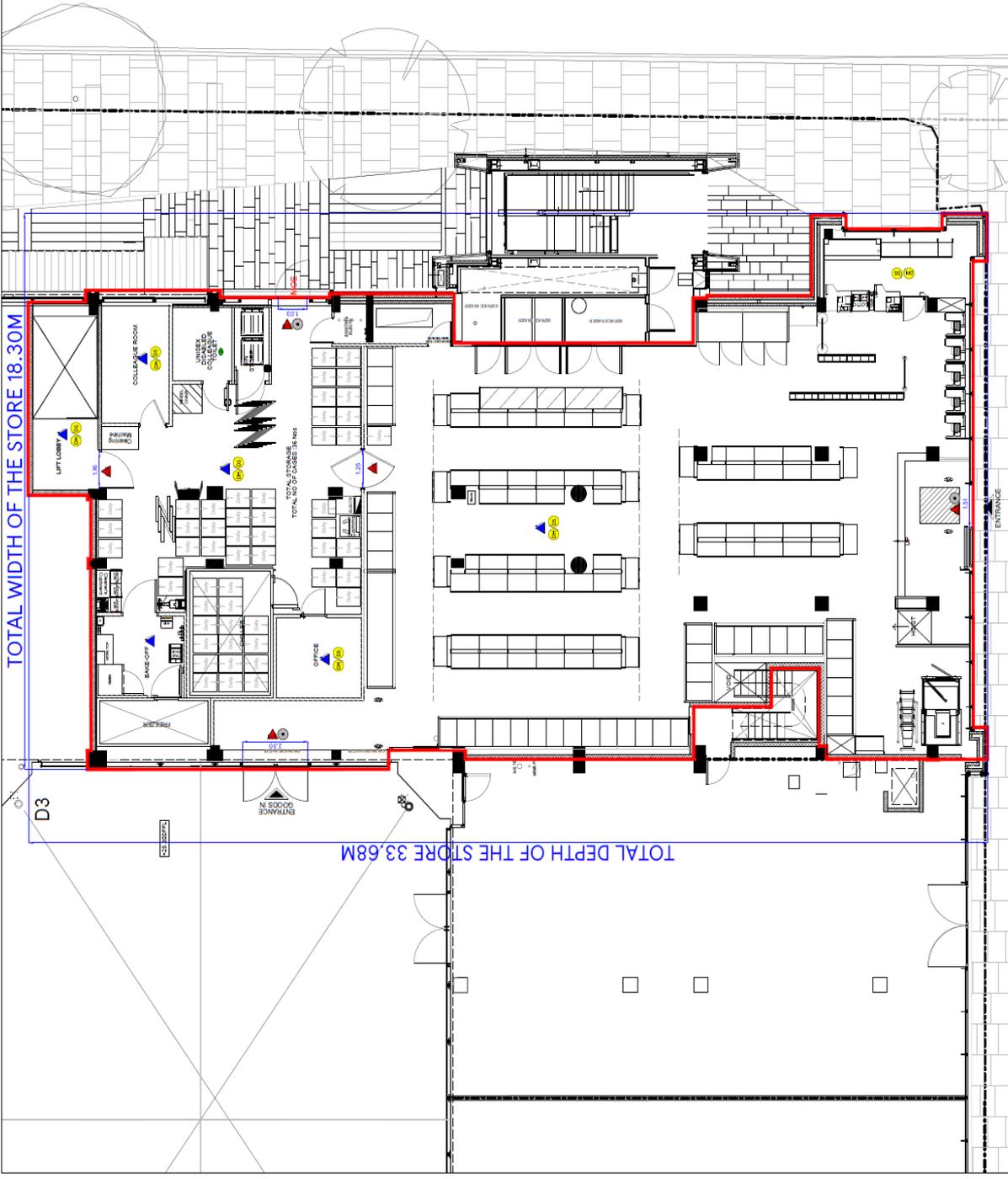
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service	03 August 2021 (withdrawn 27 October 2021)
5	Environmental Health	26 July 2021 (withdrawn 16 September 2021)
6	Interested Party representation (1)	03 August 2021
7	Interested Party representation (2)	28 July 2021
8	Interested Party representation (3)	29 July 2021
9	Interested Party representation (4)	07 August 2021
10	Interested Party representation (5)	29 July 2021
11	Interested Party representation (6)	09 August 2021
12	Interested Party representation (7)	29 July 2021
13	Interested Party representation (8)	23 July 2021
14	Interested Party representation (9)	28 July 2021

REV	DATE	AMENDMENTS
<p>ADDRESS: 88 BAKER STREET, LONDON W1U 6EW</p> <p>FIRE DETECTION LEGEND SOUNDER VISUAL INDICATOR (E8400) 8KG 27A FOAM & 2KG CO2 EXTINGUISHERS AREA COVERED BY SMOKE DETECTIONS BREAK GLASS CALL POINT</p>		
<p>PROJECT: 55 BAKER STREET</p> <p>DESCRIPTION: PROPOSED RETAIL BWS LICENSE LAYOUT</p> <p>DRAWING NO: BAKERSTREET/55/BWS/PLAN</p> <p>DATE: 27.05.2021</p> <p>SCALE: 1:125@A3</p> <p>UK PLANNING: TOM MANAGER: BAYLIS</p>		
<p>TESCO STORES LIMITED LICENSING GROUP WELSH GARDEN, 121, 123, 125, 127 & 129 LONDON, W1D 3HT, UK +44 (0)20 7576 8000 www.tesco.com</p>		

DORSET STREET





City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Marylebone High
Street
UPRN: 010033603316

Premises licence

Regulation 33, 34

Premises licence number:

20/09630/LIPT

Original Reference:

08/03993/LIPN

Part 1 – Premises details

Postal address of premises:

The Natural Kitchen
55 Baker Street
London
W1U 8EW

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30
Friday to Saturday: 23:00 to 00:00
Sundays before Bank Holidays: 23:00 to 00:00
Non-standard Timings: To permit Late Night Refreshment on New Year's Eve from 23:00 to 02:00 on New Year's Day.

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 22:30
Sundays before Bank Holidays: 12:00 to 00:00
Non-standard Timings: To permit the sale of alcohol on New Year's Eve from 10:00 to 02:00 on New Year's Day.

The opening hours of the premises:

Monday to Thursday: 07:00 to 00:00
Friday: 07:00 to 00:30
Saturday: 09:00 to 00:30
Sunday: 09:00 to 23:00
Sundays before Bank Holidays: 09:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

All The Ducks Ltd
26 Canbury Avenue
Kingston Upon Thames
KT2 6JP

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

12949066

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

Name: Justin Green

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

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

Licence Number: LBWands/00280
Licensing Authority: London Borough of Wandsworth

Date: 11 January 2021

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

Annex 1 – Mandatory conditions

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

on request to customers where it is reasonably available.

6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

permitted price.

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

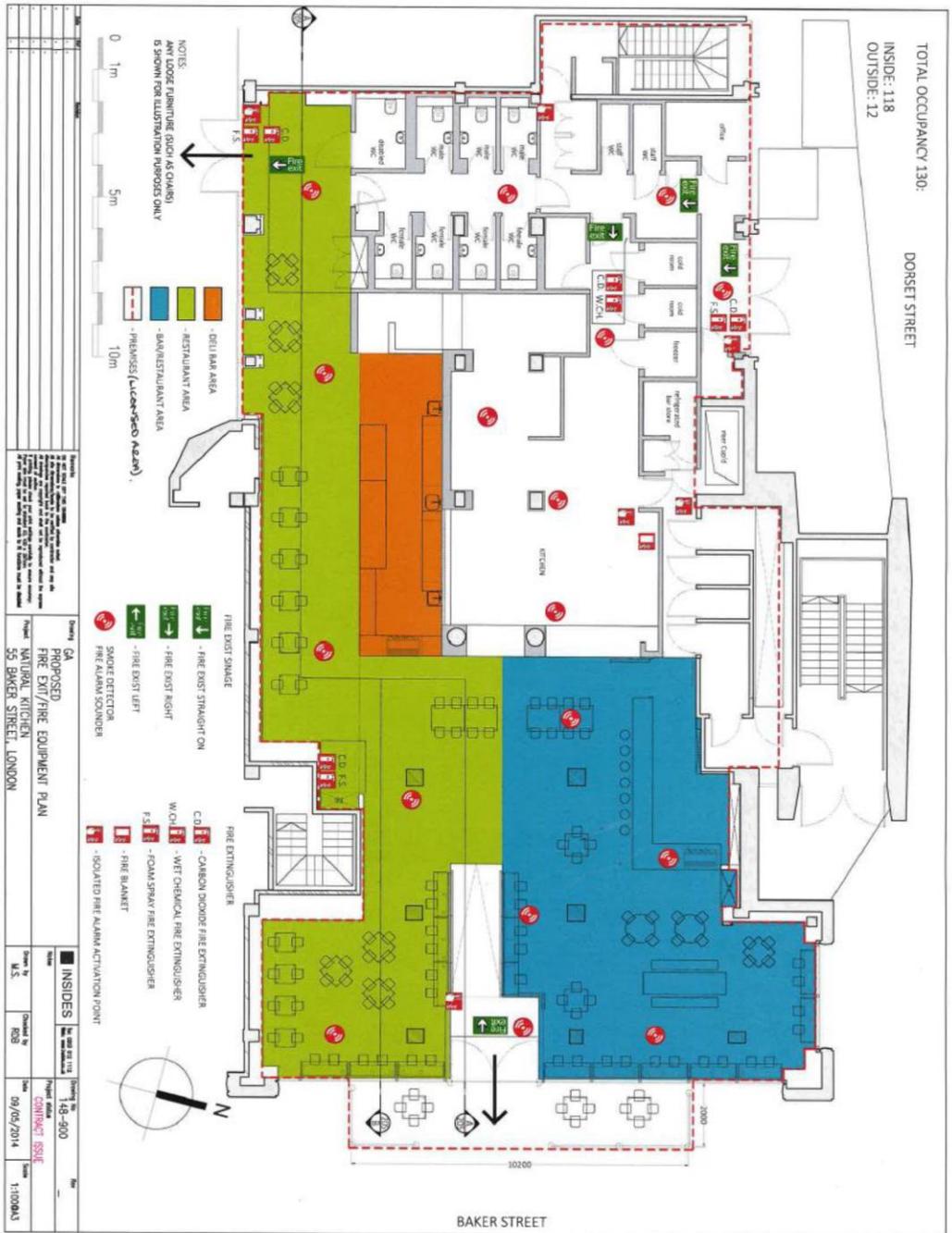
Annex 2 – Conditions consistent with the operating Schedule

9. Save for the bar/restaurant area (shown coloured blue on the plan annexed to this licence (plan No 148-900)) alcohol shall only be served to persons seated at tables and the service of alcohol shall be by way of waitress/waiter service only and ancillary to table meals.

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

10. Sales at the bar area shall be limited to seated customers.
11. The maximum number of persons to be accommodated at any one time in the premises (exclusive of staff) shall be 100 persons with maximums in each area being:-
 - Bar: 30
 - Restaurant: 70
12. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. Patrons temporarily leaving the premises for the purposes of smoking shall not take any drinks with them outside the premises.
14. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.
15. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800hours.
16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
17. Notices to be prominently displayed requesting persons to respect the needs of local residents and to leave the premises and area quietly.
18. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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 venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

Annex 4 – Plans





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

Schedule 12
Part B

WARD: Marylebone High
Street
UPRN: 010033603316

Premises licence
summary

Regulation 33, 34

Premises licence number:

20/09630/LIPT

Part 1 – Premises details

Postal address of premises:

The Natural Kitchen
55 Baker Street
London
W1U 8EW

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30
Friday to Saturday: 23:00 to 00:00
Sundays before Bank Holidays: 23:00 to 00:00

Non-standard Timings: To permit Late Night Refreshment on New Year's Eve from 23:00 to 02:00 on New Year's Day.

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 22:30
Sundays before Bank Holidays: 12:00 to 00:00

Non-standard Timings: To permit the sale of alcohol on New Year's Eve from 10:00 to 02:00 on New Year's Day.

The opening hours of the premises:

Monday to Thursday: 07:00 to 00:00
Friday: 07:00 to 00:30
Saturday: 09:00 to 00:30
Sunday: 09:00 to 23:00
Sundays before Bank Holidays: 09:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

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

All The Ducks Ltd
26 Canbury Avenue
Kingston Upon Thames
KT2 6JP

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

12949066

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

Name: Justin Green

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

Restricted

Date: 11 January 2021

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

None

Licence & Appeal History

Licence Number	Application	Date of Decision	Decision
05/05327/LIPCV	Conversion of Premises Licence	26.06.2008	Granted at Licensing Sub-Committee
08/09449/LIPDPS	Application to Vary the Designed Premises Supervisor	31.10.2008	Granted under Delegated Authority
09/02613/LIPV	Variation – Extension of hours	27.05.2009	Granted under Delegated Authority
09/03613/LIPDPS	Application to Vary the Designed Premises Supervisor	26.05.2009	Granted under Delegated Authority
11/10501/LIPDPS	Application to Vary the Designed Premises Supervisor	07.11.2011	Granted under Delegated Authority
14/02706/LIPT	Transfer of premises licence - Modern British Canteen Limited to TNK (Baker Street) Limited	03.06.2014	Granted under Delegated Authority
14/03874/LIPV	Variation – change of layout	23.06.2014	Granted under Delegated Authority
14/03996/LIPDPS	Application to Vary the Designed Premises Supervisor	03.06.2014	Granted under Delegated Authority
14/07213/LIPDPS	Application to Vary the Designed Premises Supervisor	15.10.2014	Granted under Delegated Authority
15/04252/LIPDPS	Application to Vary the Designed Premises Supervisor	03.06.2015	Granted under Delegated Authority
15/04791/LIPDPS	Application to Vary the Designed Premises Supervisor	25.06.2015	Granted under Delegated Authority
15/08998/LIPDPS	Application to Vary the Designed Premises Supervisor	28.10.2015	Granted under Delegated Authority
20/09630/LIPT	Transfer of premises licence - TNK (Baker Street) Limited to All the Ducks Ltd	06.11.2020	Granted under Delegated Authority

Licence Number	Application	Date of Decision	Decision
18/14158/LIPN	New premises licence (6 th Floor)	11.04.2019	Granted under Delegated Authority

There is no appeal history for the premises

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule

None

Conditions proposed by the Environmental Health

9. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a retail supermarket
10. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
11. A Challenge 21 or 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
12. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours
13. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
14. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff
15. The premises licence holder will ensure that an age verification policy will apply whereby all delivery personnel will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
16. All delivery personnel shall receive training in age restricted sales.
 - a. Induction training must be completed and documented prior to the delivery of alcohol by the rider.
 - b. Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.
 - c. Training records will be available for inspection by a Police Officer or other authorised officer on request. Training records will be electronically stored by the licence holder for a period of 12 months.
17. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the rider will carry out age verification on delivery. The customer will be required to declare that he or she is aged 18 or over. If the rider is not satisfied that the customer is aged 18 or over any alcohol in the order will be withheld.
18. All delivery personnel shall be trained to record refusals of sales of alcohol in a refusal log/register. The log/register will contain:
 - a. details of the time and date the refusal was made.
 - b. the identity of the rider refusing the sale.
 - c. details of the alcohol the person attempted to purchase.
 - d. This log/register will be available for inspection by a Police Officer or other authorised officer on request.

19. Delivery of alcohol shall be to a residential address or place of work No alcohol shall be delivered to a person in a public place (e.g., car park, street, corner, bus stop etc)
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. 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.
22. Deliveries to the premises shall only take place between 07:00 and 23:00 hours
23. Prominent, clear and legible notices must be displayed at all exits requesting staff and couriers to respect the needs of local residents and to leave the premises and the area quietly.
24. 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.
25. 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
26. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority

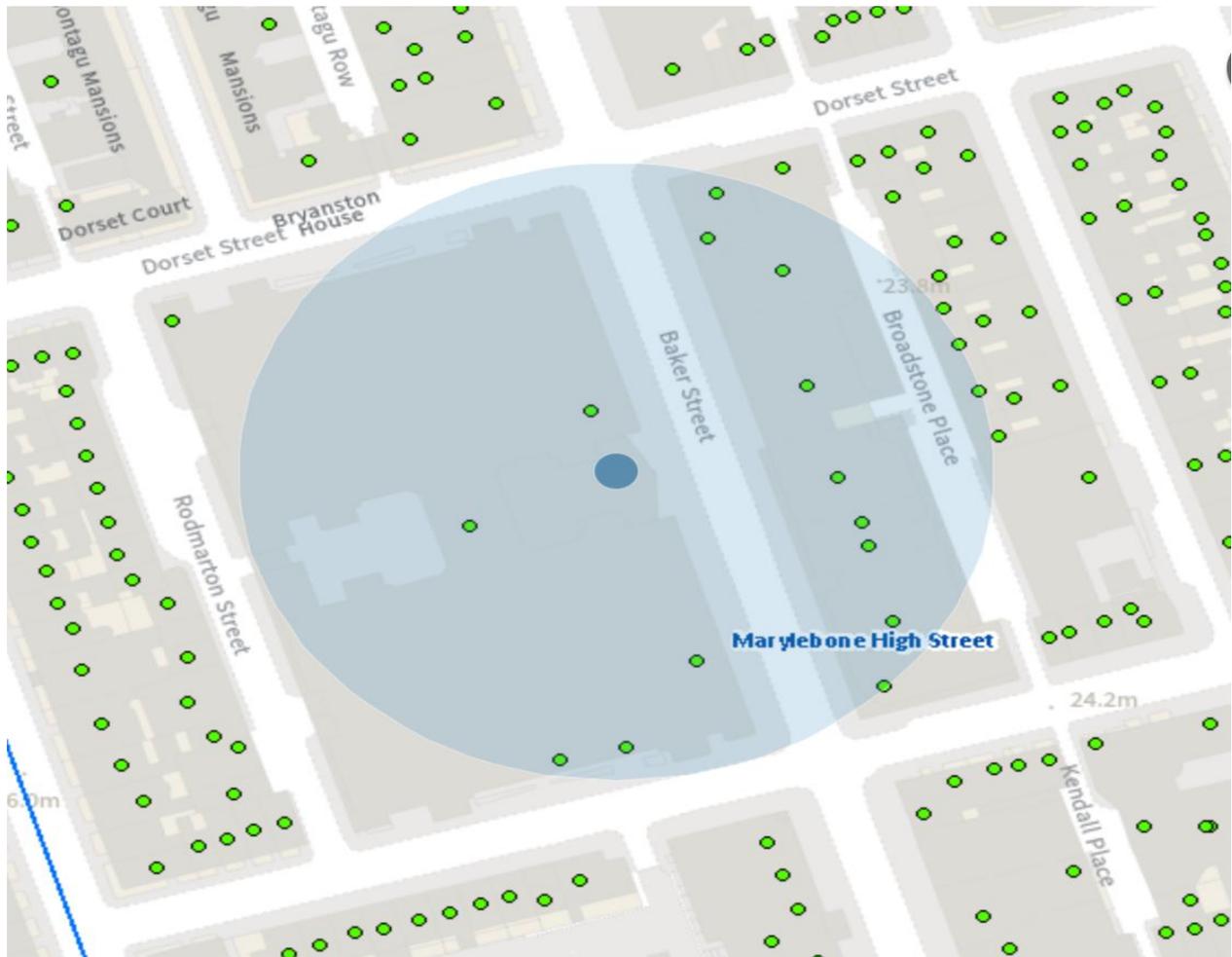
Conditions proposed by the Police

27. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
28. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
29. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
30. All tills in the shop area, shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

31. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
32. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
33. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises shop area, (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
34. No more than (**15**)% of the sales area within the shop, shall be used at any one time for the sale, exposure for sale, or display of alcohol.
35. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
36. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
37. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
38. 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.
39. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
40. There shall always be a minimum of one SIA licensed Security guard on duty. They shall display their licence and wear a yellow high visibility upper garment when on duty.
41. Prior to any "designated sporting event" (as defined in the Sporting Events Control of Alcohol Act 1985) taking place at Wembley Stadium, the premises licence holder shall ensure that:
 - a. Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person for a minimum of four hours before the commencement of the relevant designated sporting event.
 - b. No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated sporting event.
 - c. Alcohol sales cease for a period of four hours immediately before the commencement of the relevant designated sporting event, if requested by police.
 - d. On any day where there is a relevant designated sporting event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the

designated sporting event or in the vicinity of the premises as a result of the designated sporting event.

- e. All members of staff working at the premises are informed of this condition prior to taking up employment.
- f. On the day of the relevant designated sporting event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the police the same day.



Resident count: 59

Licensed premises with 75m of 55 Baker Street, London, W1				
Licence Number	Trading Name	Address	Premises Type	Time Period
17/06562/LIPDPS	Bright Courtyard	43 Baker Street London W1U 8EW	Restaurant	Monday to Sunday; 07:30 - 00:30
18/14158/LIPN	Knight Frank	55 Baker Street London W1U 8EW	Not Recorded	Monday to Friday; 17:00 - 22:00
20/09630/LIPT	The Natural Kitchen	55 Baker Street London W1U 8EW	Restaurant	Friday; 07:00 - 00:30 Saturday; 09:00 - 00:30 Sunday; 09:00 - 23:00 Monday to Thursday; 07:00 - 00:00

				Sundays before Bank Holidays; 09:00 - 00:00
20/07056/LIPN	Za'ta	Unit 63 55 Baker Street London W1U 8EW	Restaurant	Monday to Sunday; 07:00 - 22:30
17/05008/LIPN	Simple Health Kitchen	48 Baker Street London W1U 7BS	Cafe	Monday to Sunday; 07:30 - 22:30
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
19/13892/LIPV	Ooty	66 Baker Street London W1U 7DJ	Restaurant	Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
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



City of Westminster

Licensing Sub-Committee Report

Agenda Item 2.

Item No:	
Date:	18 November 2021
Licensing Ref No:	21/05233/LIPN - New Premises Licence
Title of Report:	16 Charles Street London W1J 5DR
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:	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:	New Premises Licence, Licensing Act 2003		
Application received date:	28 May 2021		
Applicant:	16CS Operations Ltd		
Premises address:	16 Charles Street London W1J 5DR	Ward:	West End
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises intends to operate as a fine dining restaurant.		
Premises licence history:	This is a new premises application and therefore no Premises Licence history exist.		
Applicant submissions:	As part of the application, the applicant as provided a presentation which can be found at Appendix 2 .		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					

Live Music:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					

Recorded Music:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					

Films:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	09:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	00:30
Seasonal variations/ Non-standard timings:		Opening Hours shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	23 June 2021
<p>I refer to the application for a New Premises Licence.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none">1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 01.00 hours and Sunday between 10.00 to 00.00 hours. New Year's Eve to New Year's Day. Additional hour for BST.2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Saturday between 23.00 and 01.00 hours and Sunday between 23.00 to 00.00 hours. New Year's Eve to New Year's Day. Additional hour for BST.3. To provide regulated entertainment 'Indoors' and 'Outdoors' comprising<ul style="list-style-type: none">• Films• Live Music• Recorded MusicMonday to Saturday between 10.00 and 01.00 hours and Sunday between 10.00 to 00.00 hours. New Year's Eve to New Year's Day. Additional hour for BST <p>I wish to make the following representation</p> <ol style="list-style-type: none">1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area. <p>The applicant has provided additional information with the application which is being addressed.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	
Responsible Authority:	Metropolitan Police Service (<i>Withdrawn 18 August 2021</i>)
Representative:	PC Cheryl Boon
Received:	23 June 2021
<p>With reference to the above application, 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 Mayfair Special Consideration</p>	

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.

Following our site visit and after discussions I would first like to replace your proposed CCTV conditions (numbered 14 and 15 on your proposals) with the following:

- 1. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.*
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.*
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.*
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.*
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.*
- 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 or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.*

I would then like to propose the following conditions to be added to any future operating schedule:

- 3. Within the areas shaded orange on deposited plans the supply of alcohol shall be to customers seated and by waiter or waitress service only.*
- 4. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.*
- 5. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.*
- 6. A minimum of 2 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.*

Please let me know whether you are willing to agree to the above conditions, if you wish to discuss the application further then please feel free to contact me.

Following agreement of conditions with the applicant, The Metropolitan Police Service Withdrew their representation on 18 August 2021.

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	22 June 2021		
<p>We object to the above application and request refusal.</p> <p>The proposed restaurant is very large and not in line with the policies adopted (Westminster Local Plan and Noise Strategy, Mayfair Neighbourhood Plan) to maintain Charles St as residential and protect the broader amenity value of Mayfair. Operating a large and noisy restaurant in a listed building with all the comings and goings to/from the proposed restaurant cannot avoid causing significant issues impacting on [REDACTED] residents.</p> <p>We vehemently object to the proposed projection of films, live and recorded music, provision of light night refreshments all operating between the hours of 10.00 and 01.00. This cannot in any way be acceptable in a residential street.</p> <p>The applicants have laid down "Proposed Conditions of Use" as a restaurant in a vague and undefined manner that we cannot interpret. And to find that the applicant has still to consider the impact of noise on neighbours (see letter from RBA Acoustics dated 8 June 2021 after submission of this licensing application) is not acceptable. Acceptance of the application on this will lead to us as residents becoming local reporters of breaches of the peace which cannot be a satisfactory state of affairs.</p> <p>We very strongly object to the use of the Patio and Courtyard area. Assuming use of this area is not permitted; conservatory doors and windows to or overlooking the patio windows need to remain closed to stop noise and light emission impacting on neighbours and flats [REDACTED]. The buildings surrounding the outside area create an amplifier affect increasing any noise made or emitted to these outside spaces.</p> <p>In summary, we object to the application as it will have an adverse impact on what is primarily a residential street and the amenity value of the area.</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	11 June 2021		
<p>[REDACTED] for nearly thirty years and now retired, have enjoyed the peace and tranquility of our apartment. This will be severely disrupted if the proposed restaurant is approved. [REDACTED], particularly now with the Covid-19 outbreak and [REDACTED]. Any outdoor service noise from a restaurant, including the patio, plus food odours, smoking and pollution would certainly affect our health, environment and quality of life. Also, the logistics of delivery of goods to the front entrance of #16 is a nightmare as the doorway faces a traffic island and of course, resident parking bays. Charles Street and Hays Mews is nestled in a residential area, a small Mayfair Village. we strongly object to a restaurant being installed in this property.</p>			

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support of opposed:	Opposed
Received:	25 June 2021		
<p>We have owned [REDACTED] for over 30 year; + love london. We are now over 90 years of age + the noise of a club [REDACTED] would be a problem as [REDACTED] [REDACTED] the proposed club. We also have grandchildren who visit us + would be disturbed, especially after 9-10pm + on Sunday. Please save our lovely neighbourhood.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Support
Received:	25 June 2021		
<p>In the past years, I have been active and vocal about protecting the residential nature of Mayfair. Despite my best efforts, the council has approved a number of restaurants that are completely incompatible with this residential nature. So if anything, one could think of me as someone who is a critical follower of the council's decisions.</p> <p>On this occasion, and for the first time, I am supporting a restaurant, simply because the current applicant has a vision that embraces the historical nature of Mayfair. The entire concept of this proposal is about bringing an historical building back to life. In other words, the proposed restaurant tells the story of a building. I met with the team behind this restaurant and I am impressed with their responsiveness and willingness to listen.</p> <p>I discussed all my concerns with the team regarding the opening hours, the bar, the terrace/courtyard, the delivery, the arrivals and departures of customers, the smoking customers, and many other potential issues.</p> <p>I emphasized that Charles Street is a residential street and we have to make sure the residents are not negatively affected by this new restaurant. The team promised to address all of my concerns. In fact, they changed the opening hours upon my request and wrote a detailed preliminary operational management plan. For example, they agreed to close the terrace/courtyard by 10 pm and to change the restaurant opening hours to 12noon till 12:30 from Mondays till Saturdays and to 12noon to 11:30 pm on Sundays. They also agreed to create a designated area for smokers, where the no of smokers will be restricted to 5 persons. They did also agree on a lot of conditions that I discussed with them regarding the bar, the delivery, and the arrivals and departures of customers.....</p> <p>I emphasized that Charles Street is a residential street and we have to make sure the residents are not negatively affected by this new restaurant. The team promised to address all of my concerns. In fact, they changed the opening hours upon my request and wrote a detailed preliminary operational management plan. For example, they agreed to close the terrace/courtyard by 10 pm and to change the restaurant opening hours to 12noon till 12:30 from Mondays till Saturdays and to 12noon to 11:30 pm on Sundays. They also agreed to create a designated area for smokers, where the no of smokers will be restricted to 5 persons. They did also agree on a lot of conditions that I discussed with them regarding the bar, the delivery, and the arrivals and departures of customers. After the discussion, the team provided</p>			

me with a summary of our discussions and their promises in writing-thus underpinning our gentlemen's agreement with documentary evidence. In fact, they agreed to commit to these plans once the council approves them and agreed to commit to not change these plans in the future. They won't apply to change these conditions via licensing or planning.

As a consequence of the applicant's willingness to engage with the valid concerns of the neighborhood, and their constructive attitude in our joint meetings, in particular, I can now fully support this restaurant! Loulou Groupe has a strong reputation in France. For assurance, as it is too early to judge how Loulou Groupe will implement their plans in London at this point, the licensing team may wish to impose a review period.

If the council is keen to approve licenses for restaurants in Mayfair in the future in, then I think they might find some support for this policy among the residents of this area if they continue to pick applicants such as the Marchesi group earlier and now the Loulou Groupe.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	22 June 2021		

A licence to enable 16 Charles St to be used as a restaurant should be refused on grounds of Nuisance and Safety.

Since at least 1987 no16 has been an office, so not used after 6pm or at weekends, whereas the restaurant is to function from 10am to 1am and 7 days a week, meaning there will be a total change in the environment for the 35 homes which surround it. Such a radical change to a residential area requires refusal, not Conditions.

Nuisance - No matter how considerate the operators of the restaurant seek to be, it will create noise & vibration from kitchen equipment, noise from serving meals, noise from customers (indoors and in the courtyard), noise from deliveries and waste removal, noise & vibration from ventilation equipment, odour from all those sources, light pollution from illuminating the rooms and courtyard at night, and smoke (from customers moving outside for a cigarette/cigar). All in a residential area which has not had that sort of disturbance previously.

Safety - The related planning certificate application (21/02997) states the restaurant will have 441 covers so with staff there will be 500 or more people in the building at times. In addition to the main door there are only two exits; a basement door leading to a narrow, steep staircase to Charles St; a corridor through the basement kitchen area to a rear light well which has access to 14 Hays Mews but only through a small security door. Neither has the capacity to enable 500 people to leave without risking a catastrophic crush.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	22 June 2021		

I object for the following reasons:

1. Charles Street is a largely residential area as recognised by the Mayfair Neighbourhood Plan and the use of the property, number 16 Charles Street, as a restaurant will impact on the broader amenity of all the nearby properties. Furthermore there is no evidence to support the opening of another 'top end' restaurant in the area there already being sufficient supply within a very short walk of Charles Street.

2. The proposed application to have a restaurant of 300 covers between 10.00am and the early hours of the morning will generate a significant increase in traffic both by customers, employees, services vehicles etc at what is the only entrance to number 16 Charles street immediately opposite a single road lane leading to the inevitable parking, stopping, loading and unloading in front of adjacent buildings.

3. The operation of the proposed facility between the proposed hours in terms of the noise generated it totally unacceptable. The use of the Patio/Courtyard area in particular, which is effectively an amplifier in terms of sound, is completely unacceptable. This area is overlooked by [REDACTED] which is a non air conditioned building and the levels of noise generated will be not only be a problem for residents but for the environmental authorities who will be regularly called out response to complaints of noise.

4. The above will be exacerbated by the operation of a large restaurant with live music, recorded music and possibly films all in a listed building without creating significant noise, vibration, odours etc and is impossible to achieve without substantially changing the environmental footprint in a largely residential street, exactly the opposite of what purports to be both the national and local policy objectives, in support of fighting climate change.

5. This application should be rejected!!

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support of opposed:	Opposed
Received:	24 June 2021		

1. Outright objection to the use of the Patio / Courtyard.

2. The difficulty of operating a large restaurant with live and recorded music in a listed building without creating significant noise, vibration, odours, refuse disposal, etc. and therefore destroying what is a residential neighbourhood

3. The disturbance created by the many comings and goings of people to/from the Premises directly linked to the activities of the Restaurant in a quiet residential area.

4. The rowdiness of people after drinking potentially leading to fights after hours in a very quiet residential neighbourhoods where families and young children live.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	11 June 2021		

I represent [REDACTED]

[REDACTED] 16 Charles Street.

We object to the use of the patio/courtyard and the operation of a potentially large and noisy restaurant in a listed building and the impact this will have on the neighbouring properties. This is a relatively quiet residential area which will be negatively impacted by the general disturbance of a restaurant and a restaurant is not in keeping with the area.

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

We are residents of [REDACTED] 16 Charles Street. We object to the application as it fails to comply with many aspects of Westminster's own Licensing policy in relation to the control of nuisance, blocking of pavements, maintaining a healthy environment, reducing waste collections, reduction of traffic as a result of business use and other matters.

There is no operating schedule submitted and no reports detailing how noise will be controlled. The proposed use of the courtyard for eating drinking and smoking is again contrary to a policy that seeks to limit outdoor eating and smoking and limiting noise from an open air site.

All the [REDACTED] [REDACTED] 16 Charles Street. The majority of bedroom windows are open at night - even in the winter months. The licensing policy requires that noise levels do not impact on the ability of people in the vicinity (when at home both when relaxing and sleeping).

The restaurant will provide food and drink for nearly 500 covers as well as for the staff canteen. Deliveries and waste collection and the arrival and departure of staff and customers will hugely increase the traffic in what is designated a residential street.

The location of the entrance is such that all vehicles arriving at the premises cannot park outside and this will impact on pedestrians use of the pavement as waste deliveries or customer/staff arrivals and departure will block their passageway and self evidently reduce street cleanliness.

Hugely increased traffic 7 days a week, increased noise, outdoor smoking and drinking all will combine to create both a nuisance as well as being detrimental to a healthy environment. We ask that you reject this application.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Support
Received:	24 June 2021		

I strongly support this application to endorse 16 Charles Street. Please feel free to reach out to me with any questions. I presently am the owner of [REDACTED]

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support of opposed:	Opposed
Received:	22 June 2021		

Granting a Licence will create a Nuisance.
 This company employs the porter of [REDACTED]. The Control of Noise at Work Regulations require employers to eliminate noise which affects employees. The porter is required to reside on site; he is provided with a studio flat (his sole home) on the ground floor of [REDACTED] [REDACTED] with no16, on the other side of part of which is to be the main restaurant. Also the window of that restaurant is close; it is old so its sound absorbing qualities are minimal. The flat's sole form of ventilation is a window which is 98cm from a wall on the other side of which will be courtyard restaurant tables & a cover over part of the kitchen which will probably allow noise transmission. The porter's working hours start at 8am so he retires to sleep several hours before the licence will end.

All this is in contrast to the situation for the past 30 years where office occupancy of no16 ceased at about 6pm each evening and not at weekends.

No licence should be granted as refusal is the only way to avoid breach of the Control of Noise at Work Regulations. Inevitably restaurant operations, no matter how well controlled, will mean noise throughout the working day and late into the evening, and sleep disturbance from light pollution caused by illuminating the courtyard, the kitchens and the restaurant rooms. Food odours from the restaurant and kitchen will reach the flat. Users of the courtyard will smoke, probably including an after-dinner cigar releasing considerable smoke which will enter the porter's home. All these factors will harm the health of our employee, and will totally change his working and living environment.

All these harms are outside our control as employer, other than to draw them to the attention of the Licencing Committee, and to urge them to decide 16Charles St is not suitable site for licensed premises.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	22 June 2021		

Public nuisance - general operation

Public nuisance will be caused by the arrival and departure of patrons, it is difficult to see how the residents of [REDACTED] particularly those [REDACTED] Charles Street can be anything other than disturbed by the general comings and goings of patrons arriving and leaving the premises.

The applicant is coy about precisely the number of patrons that will be allowed leaving it to be determined at a later date. It is submitted that as part of this application the applicant should have been in the position to advise on the capacity of the premises. The best indication we can have is that the total number of covers appear to amount to around 250 on the assumption that everybody will be required to be seated. On the basis that there will be at least two services per table, per day that is likely to lead to a minimum of 500 people accessing or leaving the premises.

The general sound of chatter, laughter, greeting, the toing and froing of taxis etc ... will undoubtedly have an adverse impact on the quality of life of those living to the front of Rosebery Court well into the evening giving the timings proposed.

Originally the mews to the rear of 16 Charles Street would have been the area in which deliveries, collections, drop offs etc ... would have been made. That mews has now been converted however. As such all deliveries, collections, drop offs and parking have to take place in Charles Street. The sheer volume of traffic movements that are likely to result particularly late at night will have an adverse impact on the lives of those living particularly to the front of 15 Charles Street.

These activities can of course be directly related to the licensing activities being carried on from 16 Charles Street.

We would seek to remind you that in its nature and character, Charles Street is predominately residential. ...

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	22 June 2021		

I object for the following reasons:

1. Charles Street is a principally residential area and the use of 16 Charles Street as a restaurant will have a huge detrimental impact on the quality of life of all nearby buildings. There also seems to be little evidence for the requirement of another restaurant in this area.
2. The significant increase in traffic generated by customers, employees and services vehicles outside the only entrance to 16 Charles Street which is immediately opposite a single road lane will inevitably lead to issues related to parking, stopping, loading and unloading in front of adjacent buildings.
3. The operation of the proposed facility between the proposed hours in terms of the noise generated is totally unacceptable. The use of the Patio/Courtyard area in particular, which is effectively an amplifier in terms of sound, is completely unacceptable. This area is overlooked by [REDACTED] and the levels of noise generated will not only be a problem for residents and in particular quality of sleep, but also for the environmental authorities.
4. The above will all be exacerbated by the operation of a large restaurant with live and pre-recorded music in a listed building without creating significant noise, vibration and undesirable smells and is impossible to achieve without substantially changing the environmental footprint in a largely residential street, exactly the opposite of what purports to be both the national and local policy objectives, in support of fighting climate change.

I whole-heartedly reject to this licensing application.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	25 June 2021		

Objection to the proposed license is made on the following grounds:-

The scale of the proposed Loulou Group restaurant 'fine-dining' activity indicates from plans provided scope for 250 covers which may be replicated in any single day of business more than once. This would entail a very high volume of traffic to and from the site on a daily basis which

the proposal license does not adequately consider, specifically in terms of:

1. Residential Character of Charles Street: this is a predominantly residential street and the non-residential activities such as the English Speaking Union and Chesterfield Hotel do not adversely affect that character whereas the Loulou Group's proposal would significantly diminish that residential amenity;
2. Opening Hours: the daily 8.00 - 1.30am (Sundays 9 - 12.30am) provide a very late night for normal restaurant activity and would compound the diminution to the residential character of the street, at times of day when neighbours would reasonably expect to enjoy relative quiet;
3. Traffic: both vehicle traffic from cars delivering customers and from goods traffic would be dramatically increased including at weekends to the detriment of the residential character, compounded by the obvious limitations provided by current street layout to allow for safe stopping of taxis and parking constraints.
4. Noise: both the opening hours and traffic volumes would be significantly amplified by the scale of this activity, as well as the additional mechanical and ventilation equipment required for such luxury dining accommodation. The scope for external areas is also a matter of concern.

Accordingly, this application does not adequately address these issues and should not therefore be granted consent.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support of opposed:	Support
Received:	24 June 2021		

By coincidence I got to meet the people running this project and after couple long discussions with them I decided to support it.

[REDACTED] I was initially very skeptical and worried about what might be coming to our street. The saga from the casino application is still fresh in my mind, therefore I took great interest in what might be coming next.

After spending some time discussing the project and researching the group behind it I was impressed by their professionalism and the way they handled all my questions and concerns. Even though it's not a members club I was assured that it's very selective clientele and I did ask friends in Paris about how selective they are with their clients and they all confirmed.

16 Charles street is one of the nicest buildings in Mayfair and will be a shame not to revive it. To me it feels that this is the right group of people to revive it.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Support
Received:	25 June 2021		

I hereby support the application of [REDACTED] for the licence pertaining to the opening of his French restaurant at 16 Charles Street.

With the quality of his existing dining venues in France, this will most certainly represent a qualitative and complimentary destination for Charles Street and its neighbourhood.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	25 June 2021		
Please see the full representation at Appendix 3.			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	13 June 2021		
This business is located in a residential area and the hours should be restricted to core hours. With the hours sought there is serious scope for nuisance.			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	24 June 2021		
<p>We [REDACTED], [REDACTED] on the 30th June 2021.</p> <p>This property is 7,500 sq ft of contemporary office spaces in a Grade II Listed building targeting professional occupiers with permitted use late into the evening and at night.</p> <p>The proposed licensed premises at 16 Charles Street, London W1J 5DR [REDACTED] As a Grade II Listed building, [REDACTED] is naturally ventilated, and therefore windows will be open most times.</p> <p>We have considered the Premises Licence application for 16 Charles Street along with the supporting documents and plans. We object to this application Ref 21/05233/LIPN for 16 Charles Street, London as we have serious concerns about the adverse effects this operation will have on the immediate vicinity, our offices, and on public nuisance generally.</p> <p>The information contained in the application and supporting documents read to date is limited and does not allow us to make an informed view of the operation.</p> <p>Part 3 of the application describes the premises as a 'Fine Dining Restaurant.' The guidance note 1 on New Premises Licence application forms, states that the applicant should '<i>Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives.</i>'</p>			

The limited information causes concerns as, the application seeks live and recorded music to be permitted until 01.00 Mondays to Saturdays and until 00.00 on Sundays. This is not in keeping with a Fine Dining Restaurant'.

It should be noted that the whole of the building is within the ambit of the red line on the supporting plans. This includes toilets, kitchens, stair wells etc. The supporting plans also state, in red writing, that *"Licensable activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only."* This provides the operators with the option of removing tables and chairs in the orange areas.

We note that there has been some consideration in relation to applying restaurant style conditions to all areas except the areas coloured orange. Removing the restaurant conditions from these areas, will provide the opportunity to those areas operating as a vertical drinking, high energy bar with the sale of alcohol, live and recorded music.

Public nuisance will be caused by the arrival and departure of patrons and by patrons using the outside courtyard area. The sound of customers using the outside area, noise and odours from smokers, dispersal of customers to and from the premises will inevitably cause a public nuisance not only to office workers working late into the night but also to residents living in the area. We strenuously object to the use of the Courtyard area as there are no real controls offered by the applicant to prevent or restrict customer noise, smoking fumes, operational noises eg clatter of plates etc, music noise from live and recorded music late in the evening when the ambient noise is at its lowest.

The proposed use of the courtyard and music until the late hours will be the key area of nuisance from the operation of this premises affecting [REDACTED]

We note that no consideration has been given to parking in this residential area. Customers arriving at a restaurant and the additional parking required, will of course, be the source of potential conflict.

Finally, the applicant has failed to consider Westminster City Council's Core Hours Policy, Section C para 8 and the reasoning behind this Policy. The proposed location of this venue operating until 01.30 Mondays to Saturdays and until 00.30 on Sundays with late live and recorded music, a potential large capacity and associated operation noises, parking problems, use of outside courtyard area is totally inappropriate in this predominantly residential area. We therefore object to the grant of this premises licence for the reasons set out above.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	21 June 2021		

[REDACTED]

We object to the application by 16 CSOperations Ltd, W1J 5DR to open a restaurant at the above address.

Our objections are as follows:

1. This is primarily a residential area as recognized by the Mayfair Neighbourhood Plan etc, and the use of the property as a restaurant will interfere with our quality of life and impact the broader amenity value of Mayfair.

2. The plan is to have in excess of 300 covers, and the increased traffic by both staff and patrons will block our entrance since there is only a single lane access to the property and any overflow of cars, taxis etc. will block our entrance, create a traffic nuisance and a parking nightmare.

3. The amount of trash generated from such an establishment will overrun the sidewalk and create health hazards and an unsafe environment, let alone create loud noise as trash and recyclables are collected. Since the restaurant will not have access to Hays Mews, all deliveries as well will have to be via the front of the building at the Charles Street entrance, [REDACTED]

4. Noise will impact our lives as patrons come and go, and the patio and courtyard traffic will impact us directly [REDACTED]

[REDACTED] To date LouLou has not even conducted an acoustic study of the impact the noise will create, which will be amplified by the buildings surrounding the courtyard.

5. Smoking in the courtyard and at the entrance to the restaurant will pollute our air quality and be detrimental to our health. Since the entrance to 16 Charles will be congested with staff and patrons, the overflow of smokers will likely move to the front of our building, especially during inclement weather as we have an overhang.

6. Odors are inevitable from the two kitchens proposed and as food is served on the patio and in the courtyard.

7. Entertainment in the form of films, live and recorded music, let alone the lighting and noise generated by patrons between 10:00 PM and 1:00 AM is clearly not conducive to the policies intended to maintain Charles Street as a residential street and have an enormous impact on our quality of life.

We strongly oppose this licence proposal and the change of use of 16 Charles Street to a large restaurant.

Further submission submitted by the interested party on 04 November 2021:

[REDACTED] for over 30 years. We are also in the unique position of being the [REDACTED] to 16 Charles Street. This means that we will be significantly impacted by all of the public nuisance issues being raised today by concerned neighbors in our community.

All deliveries, trash and recycle removals, staff arrivals and departures, and patron attendance will occur [REDACTED]. We are deeply concerned about people congregating in our protected entry during inclement weather whilst waiting for taxis since 16 Charles Street has no such protection.

Additionally, we are concerned about potential anti-social behaviors [REDACTED] by pre drinkers arriving to the restaurant, and inebriated patrons leaving, e.g. ringing our doorbells, smoking and performing other bodily functions. Until now this has been infrequent, but a 365 day a year restaurant [REDACTED] will change our exposure.

The health hazard introduced by smokers (especially staff) congregating in the courtyard or on the sidewalk is significant. Especially for asthma sufferers like me. This has been a significant issue outside of Annabels.

We believe there will be serious issues resulting from deliveries (such as food, flowers, linens, liquor and wines); noise pollution through common walls (from kitchen operations, glass crushers, ventilation systems, loud music playing by a disc jockey and even loud conversation); and smells (from multiple kitchens, cigars and cigarettes drifting into [REDACTED]).

We do not understand how even 100 (let alone 400) or so covers will not create a public nuisance from enormous traffic issues. There are at best only 4 car lengths in front of 16 Charles for patrons to arrive and depart from. Not to mention the accident risk to pedestrians as drivers from Curzon, Chesterfield Hill, Queen and Charles become impatient at this very busy intersection which would inevitably be blocked much of the time.

The lack of access to a mews, (which other restaurants such as The Chesterfield and Mark's Club have) will result in all comings and going's occurring on Charles Street near our doorstep. And let us be mindful that 'operating hours' does not include early arrivals for set up or late departures for cleanup. Or deliveries and pick ups by lorries, perhaps even beyond these hours.

In addition, and perhaps most importantly, we will suffer a significant security risk from members of the public and staff, who access this location and can then simply go over our common wall to gain access to our building. We regulate traffic via keypad access for residents only and the presence of a residential porter to vet visitors and maintain security.

For all of these reasons we do not feel a license should be granted for a restaurant in a listed building originally built as a personal home. We live in a residential building, which has not been exposed, daily, to any of these nuisances in past, and we would like to continue to live without these impositions on our community and way of life.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Support
Received:	24 June 2021		
I write in my capacity as Chairman of [REDACTED] [REDACTED] to articulate that we support the application for a restaurant at the premises 16 Charles Street.			

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	25 June 2021		
<p>[REDACTED]. We wish to object to the grant of a license to the above premises We have the following concerns:</p> <p>This is a quiet residential area. The proposed licence is for a large restaurant with capacity for some 250+ dining chairs.</p> <p>We note the proposed opening hours are past 11:00pm at night when most of us wish to be asleep.</p> <p>We see that not only are dining tables proposed, but also areas primarily designed to encourage drinking. These include areas for the showing of films and the playing of music - both inside & outside the building. Of special concern is the outdoor courtyard area where noise is magnified due to being surrounded by hard brick walls.</p> <p>It is not unreasonable to assume that 250 spaces for dining with 2 sittings a night and one sitting at lunch amounts to a total of 750 mouths to be fed, plus even more to have their thirsts slaked. It is obvious the most noise would be made when nearby residents would wish to relax in peace and quiet. Weekends would be torture for residents.</p> <p>Those customers who come to enjoy only the drinking facilities are likely to become louder every hour as they cheer the films and sing along to the music. It is difficult to imagine such facilities being used to play quiet Chopin preludes and projecting serious documentary films.</p> <p>Such a volume of enthusiastic customers will necessitate the delivery of many goods and the collection of much waste. As there is only one entrance (on Charles Street) it will be impractical for collections and deliveries to occur during opening hours. The customers certainly would not appreciate facing such hazards. That means they must happen when residents wish for peace and tranquility. Something many regard as a "right".</p> <p>All of the above would produce noise and smells when the premises are closed as well as when they are open.</p> <p>It is difficult to see any benefit accruing to residents of this area. Those who would gain will live far away.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support of opposed:	Support
Received:	23 June 2021		
<p>[REDACTED] I am also French by birth and cannot think of a greater addition to the area than a beautiful French restaurant, inside a spectacular, old building g.</p>			

I am in full support of this application and wish the operators the very best of luck.			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Support
Received:	23 June 2021		
<p>[REDACTED] I believe this will be a great addition to this area of Mayfair. It is imperative beautiful buildings such as this are well maintained and not left to waste. It is fitting that it will be turned into a fine dining French restaurant, creating employment and bringing life to this wonderful street.</p> <p>I am in full support of this application and wish the operators the very best of luck.</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	24 June 2021		
<p>[REDACTED] [REDACTED] [REDACTED]</p> <p>This property is 7,500 sq ft of contemporary office spaces in a Grade II Listed building targeting professional occupiers with permitted use late into the evening and at night.</p> <p>The proposed licensed premises at 16 Charles Street, London W1J 5DR [REDACTED] [REDACTED] As a Grade II Listed building, [REDACTED] is naturally ventilated, and therefore windows will be open most times.</p> <p>We have considered the Premises Licence application for 16 Charles Street along with the supporting documents and plans. We object to this application Ref 21/05233/LIPN for 16 Charles Street, London as we have serious concerns about the adverse effects this operation will have on the immediate vicinity, our offices, and on public nuisance generally.</p> <p>The information contained in the application and supporting documents read to date is limited and does not allow us to make an informed view of the operation.</p> <p>Part 3 of the application describes the premises as a 'Fine Dining Restaurant.' The guidance note 1 on New Premises Licence application forms, states that the applicant should '<i>Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives.</i>'</p> <p>The limited information causes concerns as, the application seeks live and recorded music to be permitted until 01.00 Mondays to Saturdays and until 00.00 on Sundays. This is not in keeping with a Fine Dining Restaurant'.</p> <p>It should be noted that the whole of the building is within the ambit of the red line on the supporting plans. This includes toilets, kitchens, stair wells etc. The supporting plans also state, in red writing, that '<i>Licensable activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only.</i>' This provides the operators with the option of removing tables and chairs in the orange areas.</p>			

We note that there has been some consideration in relation to applying restaurant style conditions to all areas except the areas coloured orange. Removing the restaurant conditions from these areas, will provide the opportunity to those areas operating as a vertical drinking, high energy bar with the sale of alcohol, live and recorded music.

Public nuisance will be caused by the arrival and departure of patrons and by patrons using the outside courtyard area. The sound of customers using the outside area, noise and odours from smokers, dispersal of customers to and from the premises will inevitably cause a public nuisance not only to office workers working late into the night but also to residents living in the area.

We strenuously object to the use of the Courtyard area as there are no real controls offered by the applicant to prevent or restrict customer noise, smoking fumes, operational noises eg clatter of plates etc, music noise from live and recorded music late in the evening when the ambient noise is at its lowest.

The proposed use of the courtyard and music until the late hours will be the key area of nuisance from the operation of this premises affecting [REDACTED].

We note that no consideration has been given to parking in this residential area. Customers arriving at a restaurant and the additional parking required, will of course, be the source of potential conflict.

Finally, the applicant has failed to consider Westminster City Council's Core Hours Policy, Section C para 8 and the reasoning behind this Policy. The proposed location of this venue operating until 01.30 Mondays to Saturdays and until 00.30 on Sundays with late live and recorded music, a potential large capacity and associated operation noises, parking problems, use of outside courtyard area is totally inappropriate in this predominantly residential area.

We therefore object to the grant of this premises licence for the reasons set out above.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	23 June 2021		

Please see the full representation at **Appendix 4.**

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Support
Received:	23 June 2021		

As part of the expansion of the Loulou group at 16 Charles Street, I would like to communicate the good relations we have at Avenue Henri Martin, [REDACTED] and where they have been operating Le Flandrin for many years.

For a very long time, Flandrin has been the epicenter of the 16th arrondissement, thanks to the quality of its location, its clientele and its staff.

[REDACTED] of the establishment, I have never had to complain of any noise disturbance, even at peak times on weekend and evenings.

The surrounding roads are always perfectly maintained and waste management is neatly achieved.

Being almost exclusively residential, our neighbourhood is a tightly knit community that upholds a standard, and we have been delighted with the management of Flandrin for many years.

I am therefore delighted that the Loulou group is exporting to a street as prestigious as Charles Street and I can't wait to be able to stop by on my next London getaway.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Support
Received:	23 June 2021		

As part of the expansion of the Loulou group at 16 Charles Street, I would like to communicate the good relations we have at Avenue Henri Martin, [REDACTED] and where they have been operating Le Flandrin for many years.

For a very long time, Flandrin has been the epicenter of the 16th arrondissement, thanks to the quality of its location, its clientele and its staff.

[REDACTED] of the establishment, I have never had to complain of any noise disturbance, even at peak times on weekend and evenings.

The surrounding roads are always perfectly maintained and waste management is neatly achieved.

Being almost exclusively residential, our neighbourhood is a tightly knit community that upholds a standard, and we have been delighted with the management of Flandrin for many years.

I am therefore delighted that the Loulou group is exporting to a street as prestigious as Charles Street and I can't wait to be able to stop by on my next London getaway.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	25 June 2021		

An objection is written [REDACTED]
[REDACTED]
[REDACTED] 16 Charles Street, which is the subject of the New Premises Licensing Application.

The property will be significantly affected in a deleterious manner should the application be approved and therefore [REDACTED] submits a formal objection in the strongest of terms for the Planning Committee when considering the Licence Application.

The main objections can be summarised as:

The application is for a change of use from current office use to a restaurant. This will have a serious detrimental impact on the residential character of the street and surrounding

neighbourhood. Acoustic issues will also arise, which will adversely affect the relatively quiet ambiance of the residential neighbourhood. A restaurant would create much greater intrusive noise to the surrounding buildings.

The Courtyard of No 16 Charles Street is envisaged to be an open plan dining area for the restaurant. This will allow an obtrusive noise level to easily travel within the surrounding residential area, with a negative impact on the terraced properties on Charles Street.

No consideration has been given to the impact of the working of a restaurant with deliveries, waste disposal and restaurant customers -all of which will create further noise levels throughout the day.

I would ask the Planning Committee to reject the application.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	25 June 2021		

[REDACTED]

We have several objections to the application to open a large restaurant at 16 Charles Street:-

1. It would not be appropriate to allow a large scale restaurant to operate on this part of Charles Street. A restaurant of 250 covers would mean that a significant nuisance would be created by the comings and goings of hundreds of customers and a large staff. This would have a very significant impact on all those who live near the restaurant and in particular the tenants of the large residential block that constitutes 15 Charles Street.
2. Charles Street is primarily a residential street. The small number of commercial properties there are serviced by delivery entrances either on Hay's Mews or Clarges Mews. The inconvenience and nuisance at [REDACTED] would be exacerbated with the current application, as all deliveries and customer arrivals would be through the main Charles Street entrance i.e. there is no back entrance in Hay's Mews
3. Delivery traffic, taxis and people being dropped off by car would cause significant traffic problems.
4. It would be impossible to operate a large restaurant in a listed building without creating significant noise, vibration and odours and this would destroy the peaceful enjoyment of those living nearby, in what is at heart a residential neighbourhood.
5. The patio courtyard is effectively an echo chamber. Any permitted use of this courtyard would ruin the peace and quiet of the residential properties surrounding it, including [REDACTED] [REDACTED] which adjoins the courtyard for the planned restaurant. Even if a restaurant was allowed without use of the courtyard, it would be impossible to police the opening them the windows and French doors onto the courtyard, which would create almost as much noise as if dining was allowed in the courtyard. The noise from the restaurant would lead to a significant decrease to the quality of life to the surrounding properties and flats.
6. The number of diners envisaged and the large staff numbers would lead to increased smoking on the street (and possibly the courtyard) which added to the extra traffic, would significantly increase pollution in the street.

7. Given that the street is essentially residential, it would seem inappropriate to allow a former Guards Club (more recently offices) to be turned into a large scale commercial restaurant with over 250 covers.

A combination of the extra traffic, increased pollution, large numbers of diners and staff, together with the noise that would be bound to be generated by such a large and busy restaurant would lead to a significant deterioration of quality of life for all [REDACTED]

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support of opposed:	Opposed
Received:	24 June 2021		

Please see the full representation at **Appendix 5.**

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Support
Received:	23 June 2021		

Having learned about Groupe Loulou's expansion project, I write this letter to express my confidence in the management of Flandrin, which I have been a neighbour to for many years.

Le Flandrin is a Parisian institution bringing both life and prestige to the 16th arrondissement.

It hosts the most high standing clientele, in total harmony with our neighbourhood.

The good management of the Loulou group facilitated the avoidance of any potential issues, successfully avoiding all possible complaints.

Whether in terms of the music or the cleanliness of the shared areas, the Loulou group has always known how to maintain the peaceful order that is so dear to our neighbourhood.

Indeed, our local residents are almost exclusively owners who have lived there for many years, tranquillity is prerequisite to our harmony.

I am not surprised by the expansion of the Loulou group on English soil, as their seriousness need no longer be proved in Paris.

Please accept the expression of my highest regards.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	22 June 2021		
<p>We would like to object to the proposed plans for application 21/05233/LIPN , concerning 16 Charles Street , to be turned into a restaurant and bar.</p> <p>[REDACTED] Charles Street and would be directly affected by a restaurant at that location, especially if it were to be given an outside licence.</p> <p>[REDACTED] and summer evenings would mean windows would have to stay shut.</p> <p>This being a listed building, we can't double glaze our windows, so noise easily permeates despite being closed. Terraces could not be enjoyed with the constant noise of chatter and laughing . Even without the applicant using the outside space, the constant buzz of air-conditioning units will be highly disruptive.</p> <p>Furthermore I believe Charles Street would suffer greatly with deliveries, rubbish removal and taxis disrupting the flow of traffic. Patrons would be parking in the nearby areas, including our street. All of these points will be detrimental to our quality of life and quiet enjoyment of our home.</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	24 June 2021		
<p>Reasons:-</p> <ol style="list-style-type: none"> 1. Outright objection to the use of the Patio / Courtyard. 2. The difficulty of operating a large restaurant with live and recorded music in a listed building without creating significant noise, vibration, odours, refuse disposal, etc. and therefore destroying what is a residential neighbourhood 3. The disturbance created by the many comings and goings of people to/from the Premises directly linked to the activities of the Restaurant in a quiet residential area. 4. The rowdiness of people after drinking potentially leading to fights after hours in a very quiet residential neighbourhoods where families and young children live. 			

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	
Status:	Valid	In support of opposed:	Support
Received:	24 June 2021		
<p>I understand you will be reviewing the application for licence to sell alcohol for the Restaurant Loulou that is looking to open its doors at 16 Charles Street in Westminster in 2023.</p> <p>As Managing Director of a long-established London entity, [REDACTED] representing some 400 Franco-British businesses, I wanted to share with you the support I have for the LouLou project insofar of the economic, social and even cultural benefits I believe this Restaurant can bring to the local area, and London more broadly.</p> <p>Loulou Groupe is a high-end and well-respected, and respectful, restaurant group. It has a proven and strong track record in creating calm, understated and high-quality dining experiences: they currently operate 4 restaurants of which 3 under the brand 'Loulou', and one called 'Le Flandrin' – 2 of which are in dense areas of Paris not dissimilar to Westminster. Experienced restaurateurs, with an expertise in heritage and listed buildings and in residential neighbourhoods, they have a strong evidence-base for the success of their outfits in a setting such as 16 Charles Street, which they have been investing and working hard to restore and bring to public use.</p> <p>Beyond the sizeable investment of some £10m in regenerating a Grade II listed building, I understand they will be creating 150-200 local jobs, as well as adding a sustainable quality gem to the area's hospitality, gastronomic, cultural and dining offering – all the more needed to ensure Westminster, and London, remain beacons of attractivity and local interest.</p> <p>I wanted to express my deep support for this project and any associated licensing required, as I truly believe it will contribute to future jobs, growth, prosperity and attractivity in both the immediate locality and on a pan-London level too.</p> <p>If you would like to hear any more from me, please do not hesitate to contact me.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	
Status:	Valid	In support or opposed:	Support
Received:	23 June 2021		
<p>[REDACTED] I have studied this license application in detail and indeed met with some of the team involved in the creation of the intended restaurant. I believe this will be a wonderful addition to this area of Mayfair, transforming a beautiful building into a civilised, high-end, fine dining restaurant, creating employment opportunities and bringing life to Charles Street.</p> <p>I am in full support of this application and wish the operators the very best of luck.</p>			

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. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period

of time before customers are required to leave the premises.

13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.

14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

1. Casinos

Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

2. Cinemas, Cultural Venues and Live Sporting Premises

Monday to Sunday: 9am to Midnight.

3. Delivery Centres

Monday to Saturday: 8am to 11pm.

Sunday: 9am to 10.30pm.

4. Hotels

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

For the sale of alcohol to guests for consumption in

hotel/guest rooms only: Anytime up to 24 hours.

5. Outdoor Spaces

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

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

Monday to Thursday: 10am to 11.30pm.

Friday and Saturday: 10am to Midnight.

Sunday: Midday to 10.30pm.

Sundays immediately prior to a bank holiday: Midday to Midnight.

7. Qualifying Clubs

Monday to Thursday 9am to 11.30pm

Friday and Saturday 9am to Midnight

Sunday: 9am to 10.30pm

Sunday immediately prior to a bank holiday: 9am to Midnight.

	<p>8. Restaurants Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>9. Sexual Entertainment Venues and Sex Cinemas Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p>Policy RNT1 (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 operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. 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 operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to 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, except if provided via an ancillary delivery service to customers at their residential or workplace address. 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.

5. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Cameron Ragan Ltd representation
Appendix 4	Peter Clark representation
Appendix 5	Rosebery Mayfair residents Association representation
Appendix 6	Premises history
Appendix 7	Proposed conditions
Appendix 8	Residential map and list of premises in the vicinity

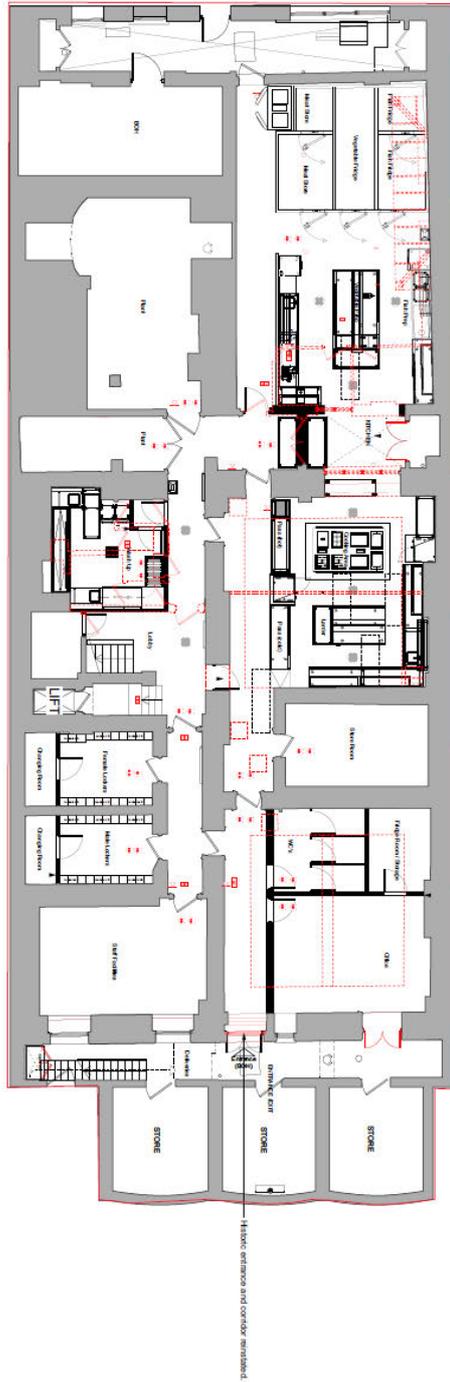
Report author:	Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

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	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	23 June 2021
5	Metropolitan Police Service (<i>Withdrawn 18 August 2021</i>)	23 June 2021
6	Interested Party 1	22 June 2021
7	Interested Party 2	11 June 2021
8	Interested Party 3	25 June 2021
9	Interested Party 4	25 June 2021
10	Interested Party 5	22 June 2021
11	Interested Party 6	22 June 2021
12	Interested Party 7	24 June 2021
13	Interested Party 8	11 June 2021
14	Interested Party 9	20 June 2021
15	Interested Party 10	24 June 2021
16	Interested Party 11	22 June 2021
17	Interested Party 12	22 June 2021
18	Interested Party 13	22 June 2021
19	Interested Party 14	25 June 2021
20	Interested Party 15	24 June 2021
21	Interested Party 16	25 June 2021
22	Interested Party 17	25 June 2021
23	Interested Party 18	13 June 2021
24	Interested Party 19	24 June 2021
25	Interested Party 20	21 June 2021
26	Interested Party 21	24 June 2021
27	Interested Party 22	25 June 2021
28	Interested Party 23	23 June 2021
29	Interested Party 24	23 June 2021
30	Interested Party 25	24 June 2021
31	Interested Party 26	23 June 2021
32	Interested Party 27	23 June 2021
33	Interested Party 28	23 June 2021
34	Interested Party 29	25 June 2021
35	Interested Party 30	25 June 2021
36	Interested Party 31	24 June 2021
37	Interested Party 32	23 June 2021
38	Interested Party 33	22 June 2021
39	Interested Party 34	24 June 2021
40	Interested Party 35	24 June 2021
41	Interested Party 36	23 June 2021

1 A4-011 - Proposed Basement Floor Plan
Scale: 1:75



DISCLAIMER: This plan and any other drawings or documents prepared by or on behalf of the architect are for the use of the client only. They are not to be used for any other purpose without the written consent of the architect. The architect does not accept any liability for any loss or damage, whether direct or indirect, arising from the use of these drawings or documents.

LEGEND

- Red line work
- Existing walls
- Demolition walls
- Proposed walls

Symbol	Description
	Red line work
	Existing walls
	Demolition walls
	Proposed walls

Date	By	Description
02/21	DP	For information
11/21	DP	For information
02/21	DP	For information

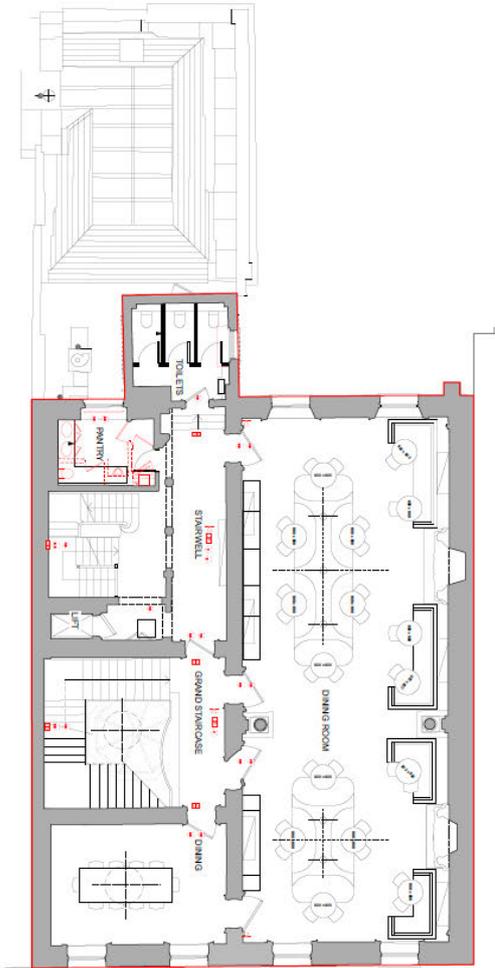
STANESBY
 info@stanesbyinteriors.co.uk
 www.stanesbyinteriors.co.uk
 nr 01917 246 905

16 Charles Street

Proposed Basement Plan

Mar 2021	DP	GS
1:75@A1		B
1:150@A3		
2011-A4-011		

1 A4-031 - Proposed First Floor Plan
Scale 1:75



NOTES: All notes are subject to the conditions of sale.
 1. This plan is for the proposed first floor and is not to be used for any other purpose.
 2. The client is responsible for ensuring that the plan is accurate and up to date.
 3. Any changes to the plan must be agreed with the architect in writing.

LEGEND

- Red line work
- Existing walls etc.
- Demolish walls etc.
- Proposed walls

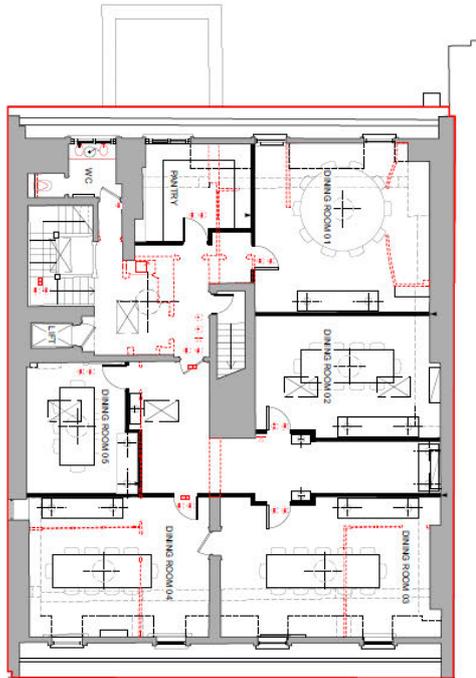
Item	Code	Description
1	101	Red line work
2	102	Existing walls etc.
3	103	Demolish walls etc.
4	104	Proposed walls

FOR INFORMATION

Item	Code	Description
1	101	Red line work
2	102	Existing walls etc.
3	103	Demolish walls etc.
4	104	Proposed walls

STANESBY
 ARCHITECTS
 16 Charles Street
 info@stanesbyarchitects.co.uk
 www.stanesbyarchitects.co.uk
 m: 07917 248303

Proposed First Floor Plan	
Mar 2024	DP
1:75 @ A1	GS
1:150 @ A3	B
2011-AA-031	



DISCLAIMER: This drawing has been prepared by the Architect on the basis of information supplied to him by the Client. The Architect does not accept any liability for any errors or omissions in this drawing, or for any consequences arising therefrom, whether or not such errors or omissions are caused in whole or in part by the negligence of the Architect.



DISCLAIMER: This drawing has been prepared by the Architect on the basis of information supplied to him by the Client. The Architect does not accept any liability for any errors or omissions in this drawing, or for any consequences arising therefrom, whether or not such errors or omissions are caused in whole or in part by the negligence of the Architect.

LEGEND

- Solid Line Structure
- Existing Structure
- Charitable Status
- Proposed Walls

Symbol	Description
	Proposed Structure
	Existing Structure
	Charitable Status
	Proposed Walls

FOR INFORMATION

Rev.	Date	By	Description
A	1/2/2011	DP	For Information
B	1/2/2011	DP	For Information

STANESBY
Architects
16 Charles Street
London, W1D 7BS
Tel: 020 7917 2400
Fax: 020 7917 2405

16 Charles Street

Proposed Fourth Floor Plan

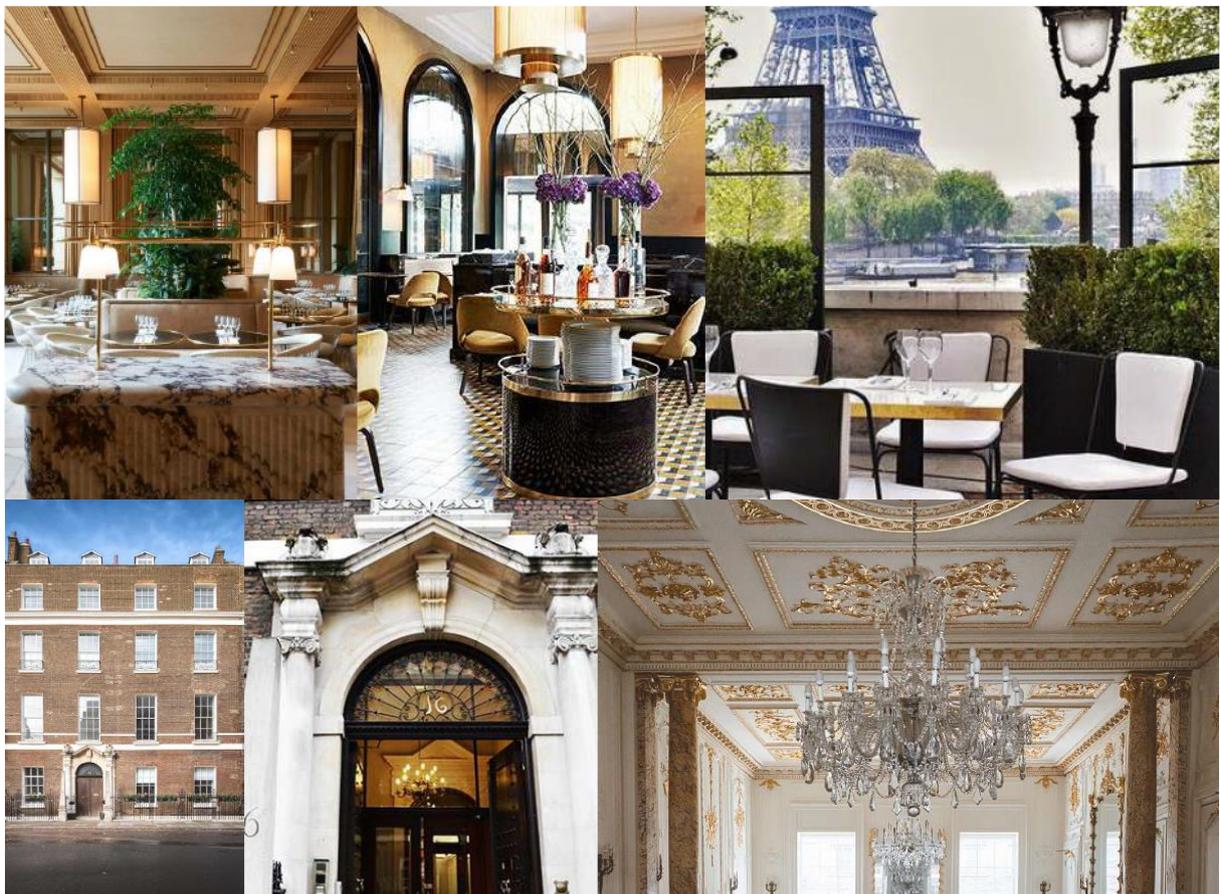
Drawn	DP	Checked	GS
Date	1/2/2011	Date	B
Scale	1:75 @ A1	Scale	B
Project	1150 @ A3	Project	B
Client	2011-AA-061	Client	B

Page left blank

16 CHARLES STREET

RESTAURANT

NEW PREMISES LICENCE APPLICATION



PRESENTATION TO
WESTMINSTER CITY COUNCIL

INTRODUCTION

Loulou Groupe is an established fine dining restaurant group, which has a world-renowned reputation. They have a successful collection of restaurants across France. The owners are seeking to invest in restoring a grade II* Listed building that is in need of improvement at 16 Charles Street and transforming it into a fine dining restaurant.

Loulou Groupe's mission is to create outstanding spaces by enhancing the beauty of locations and historic buildings with timeless décor in a sustainable manner whilst supporting the local communities they have their restaurants.

The proposal for 16 Charles Street is to create a discreet fine-dining experience committed to exceptional quality and the highest standards of service.

This presentation is aimed to provide a summary as to the nature and quality of the applicant and their operations.

If upon considering this presentation you require further clarification or assistance, then please do contact Andrew Wong of Keystone Law by telephone on 0203 319 3770 or write to him at "Keystone Law, 48 Chancery Lane, London, WC2A 1JF" or email andrew.wong@keystonelaw.co.uk.

THE PEOPLE BEHIND LOU LOU GROUPE

The people behind Loulou Groupe are highly experienced and professional operators who will ensure that the four licensing objectives can be promoted.

	<p>Gilles Malafosse, President</p> <p>Gilles has over 2 decades of experience in the Restaurant Industry and in 2004 founded his first restaurant in Paris, Petrus. In 2008, he founded the Groupe Malafosse, a collection of the most exclusive restaurants in Paris, including Monsieur Bleu, Perruche and Girafe. At Loulou Groupe, Gilles creates the concept for each restaurant, managing and overseeing all operations.</p>
	<p>Alexandre Rossoz, Director General</p> <p>Alexandre is an investor and entrepreneur in the hotel and catering industry. Previously, he worked as Managing Director of the Exsel Group, a leading hospitality group with nine hotels and 10 restaurants. Alexandre is leading the project at 16 Charles Street, bringing his specialist knowledge and experience to London.</p>
	<p>Benoit Dargère, Executive Chef</p> <p>Benoît joined the group in 2006 when Gilles was running Petrus. He then opened his restaurant, Clos Saint-Basile, in the South of France in collaboration with the group. At Loulou Groupe, Benoît is the group’s executive chef and is in charge for supervising all the group’s kitchens</p>
	<p>Claire Malafosse, Artistic Director</p> <p>Claire started her career as a lawyer in France and then in Canada. She joined the family business when she came back to France in 2016.</p> <p>She creates places, inspires projects and gives birth to new restaurants through her artistic vision. Claire is the artistic director of the group and also takes part in the strategic development of Loulou.</p>

LOULOU GROUPE RESTAURANTS

Loulou Group has significant experience and a proven track record in operating within and preserving through use listed and historic buildings. They are dedicated to creating long-term relationships with the communities where they are located, which can be seen across the portfolio. Set out on the next few pages are examples of the quality of their restaurants.



LE FLANDRIN

Le Flandrin is located in a former railway station in the heart of the chic 16th district in Paris. It was created more than a century ago by Gilles' great grandfather. The renovation of Le Flandrin was realised by Joseph Dirand. The building was converted from a former railway station that is located next to a very residential area. It was converted from a run down building and converted into a beautiful brasserie, Le Flandrin's history is one of Parisian classics combined with the comforting charm of international style. Art Deco architecture and a menu highlighting high-end products makes Le Flandrin a temple of Parisian taste.



GIRAFE

Girafe is a restaurant located in the Cité de l'Architecture et du Patrimoine. It is an important centre for architecture inside the Palais de Chaillot - one of the buildings created for the Universal Exhibition of 1937. The impressive terrace faces the Trocadero gardens, the River Seine and the Eiffel Tower. Lou Lou Groupe have also been entrusted to open a new rooftop restaurant and bar on top of the Palais de Chaillot.



MONSIEUR BLEU

Monsieur Bleu is located in the Palais de Tokyo, alongside the River Seine, and facing the Eiffel Tower. The Palais de Tokyo was built for the 1937 Universal Exhibition and is now one of the biggest museums dedicated to contemporary art. It was elected the most beautiful restaurant in the world by many magazines, Monsieur Bleu has been a success story since opening six years ago.



LOULOU PARIS

Loulou is located in the Museum of Decorative Arts of Paris, which is part of the Louvre Museum. The terrace is in the heart of the Jardin des Tuileries, facing the entire Louvre Museum and its iconic pyramid.

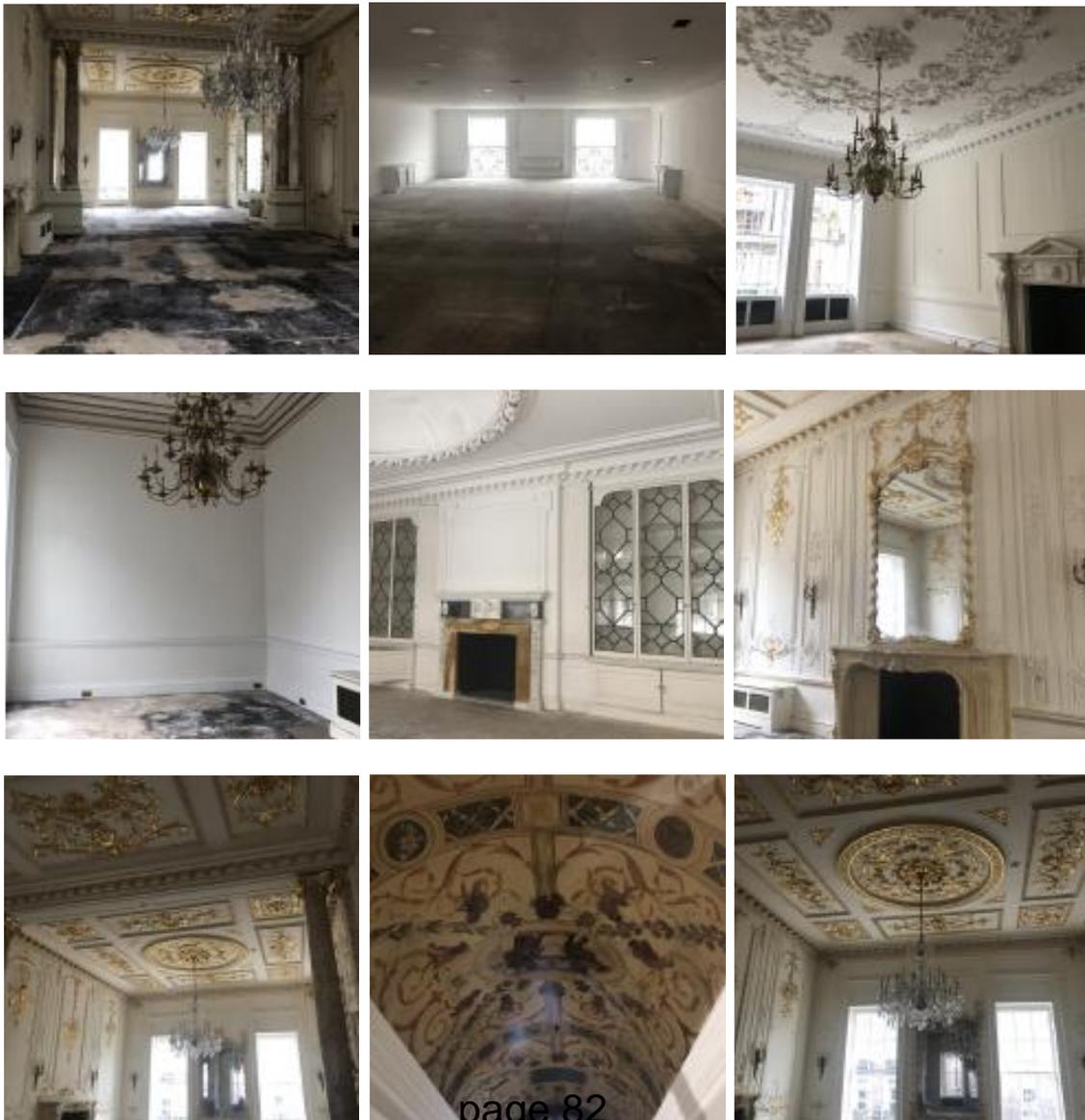


16 CHARLES STREET

16 Charles Street is located in the heart of Mayfair, on the north side of Charles Street, opposite the junction with Queen Square.

Charles Street has character and history, which we are keen to preserve and enhance. The building at 16 Charles Street is a Grade II* listed Georgian property, which dates back to 1753. The building has played a significant role in the social history of London and was the former home of the high society hostess Dame Margaret Greville. Here Dame Greville hosted society soirees where she entertained politicians, royalty and celebrities.

The building was later redesigned by the prestigious architectural partnership of Mewès and Davis, best known for designing the Ritz Hotel on Piccadilly. Together, they invested in the house to make it suitable for entertaining. Over the past years, the building has been in use as office space and entertaining spaces, however, it is currently vacant. It was the home of Debretts, the World's leading etiquette authority. Below shows some imagery of the building and rooms at present which are in need of significant investment to restore the building back to its grandeur.



THE PROPOSAL

Over the last year, Loulou Group has been developing its plans to acquire and restore 16 Charles Street to its former glory and bring it into public use for everyone to enjoy. They are engaging with the local community and will continue to do so.

They are proposing a new restaurant that will be a discreet fine-dining experience committed to exceptional quality and the highest standards of service. They are keen to enhance and conserve the character of the building while celebrating its heritage and ensuring the four licensing objectives will be promoted.

The Restaurant

The main restaurant will occupy the ground and first floor of the building. The style will be sophisticated and of fine dining quality. They aspire to create harmony between the building, the service and the food, creating a unique experience perfect for relaxation and complementing the local area.

Dining Areas

Across the upper floors, there will be a variety of spaces for dining and private dining experiences. On the second floor, you will find the Lounge dining area. The Chef's table and private dining will be on the third floor with private dining rooms also situated on the fourth floor.

The Courtyard

Towards the back of the building, we will create a charming courtyard. Shaded by trees, parasols and greenery, it will be an intimate place to enjoy a quiet lunch or dinner and will be carefully controlled and restricted to ensure that local residents are not disturbed.

Operation

Loulou Group are experienced and considerate operators. They will be working to a strict Operational Management Plan and Servicing Management Plan, which will encompass a wide range of measures to protect the local community.

Their highly trained team will manage the day-to-day operations of the restaurant and spaces, promoting the highest standards throughout.

Loulou Group value sustainability through all aspects of our restaurants in order to minimise their impact on the environment. Loulou Group will work closely with chosen suppliers to preserve the sustainability of the supply chains and have a strict 'no one use plastic policy'.

EXAMPLE OF SOME OF THE DISHES





PRESS



SAMPLE MENUS

Les Spritz

15€ - 17€

APEROL SPRITZ DOLCE

Aperol, Perrier, Prosecco quaranté d'orange, cerise au marasquin

ROSIE SPRITZ

Vin rosé réfrigéré au « Bouton Rose », jus de pamplemousse pressé, Prosecco, limonade, pamplemousse déshydraté

BLOODY SPRITZ

Campari, jus d'orange sanguine pressé, Prosecco quaranté d'orange, orange déshydratée

SPRITACCHIO

Framboise fraîche, sirop de pistache, Martini rosé, Prosecco, Perrier

Les Cocktails à base d'Alc

NEGRONI 20cl - 35 / 50cl - 50

Gin & Wine, Campari, Vermouth La Quinta

GREENMARTINI 20cl - 30 / 50cl - 45

Gin & Wine, Cordial elderflower, Liqueur de safran, Mir, concombre basilic, Jus de citron bio

RUSSIAN RIVIERA 20cl - 30 / 50cl - 45

Malta, Sirop de thym, Jus de citron bio

Les Classiques

15€ - 17€

OLD FASHIONED BELLINI

MOSCOW MULE

Cicchetti

Bresaola de Tauro, roquette, parmesan 18
Bresaola de Tauro, arugula, parmesan

Jambon blanc à la truffe 25
Truffle White ham

Jambon de Parme DOP 24 mois, Bedogni 25
Prosciutto di Parma, DOP 24 months, Bedogni

Antipasti

Aubergines alla parmigiana 18
Eggplant, mozzarella, tomato, basil, parmesan

Vitello tonnato 22
Thin Sliced veal from Piedmont, capers and sun dried tomatoes, creamy tuna sauce

Calamari fritti – Fried calamaries 23

Tomates, figues, mozzarella di Bufala, jambon de parme 25
Tomato, Figs, mozzarella di bufala, prosciutto

Burrata entière des Pouilles (300 grs) à partager, tomates de Provence 36
Whole burrata from Puglia (300 grs) to share, tomato from Provence

Salades / Salads

Salade de concombre, avocat, fêta, graines de lin, sucrose, agrumes 17
Cucumber, avocado, cilantro, lettuce, citrus, feta and flaxseeds salad

Salade de pastèque, melon, fêta, menthe, amandes fraîches 17
Watermelon, honeydew, feta cheese, mint, fresh almond

Salade de haricots verts, pistaches de Sicile, Pecorino fumé 18
Green bean salad, Sicilian pistachio, smoked Pecorino

Artichauts violets à cru, vieux parmesan, huile d'olive vierge 21
Raw purple artichoke, aged parmesan, virgin olive oil

Polpo, salade de poulpe, tomates, ail, persil 23
Polpo, Octopus, tomato, garlic, parsley salad

Crudos

Tartare de thon, avocat, menthe, piment, roquette 28
Tuna tartare, avocado, mint, pepper, arugula

Carpaccio de bar, straciatella, framboises, huile de basilic 23
Sea bass carpaccio, straciatella, raspberries, basil oil

Carpaccio de sériole, cédrat-sésame, huile d'olive vierge 25
Yellowtail carpaccio, citron - sesame, olive oil

Veggy

Tian de légumes Riviera 19
Riviera Vegetable Tian

Viandes / Meats

Carpaccio de boeuf Bio Black Angus, champignons de Paris, artichauts, roquette 27
Organic beef Black Angus carpaccio, mushrooms, artichoke, arugula

Ficcata de veau du Piémont al limone, sauge 28
Veal piccata al limone, sage from Piedmont

Côtelettes d'agneau delait du Pays Basque, citron-romarin 31
Baby lamb chops with fresh thyme crust from the basque country, lemon, thyme

Côte de veau du Piémont alla milanese 37
Veal chop alla milanese from Piedmont

Tagliata d'entrecôte de boeuf bio Black Angus (à partager) 85
Organic Black Angus sirloin tagliata

Poissons / Fishes

Poulpe à la braise, aïoli 34
Grilled octopus, pesto aioli

Thon mi-cuit Riviera, pesto, artichauts, tomates confites, asperges vertes 34
Seared tuna riviera, pesto, artichoke, tomato confit, green asparagus

Filet de loup grillé aux artichauts 36
Grilled sea bass, artichoke

Langouste à la braise, citronnelle, gingembre 55
Grilled spiny Lobster, lemongrass, ginger

Poisson entier de pêche du jour PM
Whole fish of the days

Desserts

Café gourmand 13
Café gourmand

Tarte aux fruits de saison 14
Seasonal fruit tart

Millefeuille à la vanille fraîche 14
Fresh vanilla napoleon

Chouquettes fourrées à la crème vanillée, à tremper dans du chocolat 14
Stuffed puffs with whipped cream, chocolate sauce

Panna cotta 0% vanille fraîche, fruits rouges au balsamique 14
0% fresh vanilla panna cotta, balsamic fresh berries

Pavlova aux fruits rouges 17
Fresh berries pavlova

Crèmes glacées et sorbets artisanaux 17
(chocolat Giandua, noisette, pistache, café, framboise, citron)
Artisanal iced cream and sorbet (Giandua, hazelnut, pistachio, coffee lemon, raspberry)

Riz au lait, caramel au beurre salé,
noisettes du Piémont et pistaches de Sicile (à partager) 28
Rice pudding, salted butter caramel, Piedmont hazelnut and Sicilian pistachio (to share)

Tiramisù (à partager) 28
Tiramisù to share

Belle assiette de fruits de saison à partager 38
Seasonal fruit plate to share

Page left blank

[REDACTED]

Licensing Team
Public Protection & Licensing
Westminster City Council

By email only: licence-reps@westminster.gov.uk
Our Ref: 21-000001/BVI

25 June 2021

Dear Sir/Madam

21/05233/LIPN: Notification of a New Premises Licence Application Under the Licensing Act 2003 relating to 16 Charles Street, London, W1J 5DR - in connection with

21/02997/CLOPUD (Granted): Use of the Building as a Restaurant (Class E) relating to 16 Charles Street, London, W1J 5DR

We act on behalf of [REDACTED]

The purpose of this letter is to formally **OBJECT** to the above Licence application on a number of legal, technical and practical grounds. In summary, the grounds include (but not exclusively), relate to:

- 1) Display of the Blue Notice
- 2) Loss of Residential Amenity and Quiet Enjoyment
- 3) Public Nuisance
- 4) Listed Buildings
- 5) Planning History of 16 Charles Street
- 6) The Pandemic (Change of Context)

The above grounds are described in fuller detail in the following attachments:

- Appendix A: Contextual Statements and Documentation. These provide supporting information on [REDACTED]; the relevant planning/licence applications under discussion; what we view as relevant Planning and Development policy in relation to the foregoing.
- Appendix B: Fuller information on the Reasons for Objection as listed above.

We trust that the enclosed is clear and look forward to receiving your response.

Yours faithfully

[REDACTED]

Encs

APPENDIX A CONTEXTUAL STATEMENTS AND DOCUMENTATION

A) [REDACTED]: The building, Use type and current freeholder

i) A Grade II Listed building, the Listing description states:

Terrace house, c1753. Brown brick, slate roof, 5 storeys and basement, the top attic storey added early C19. 3 windows wide. Stone architrave doorway to left with cornice on consoles and c.1900 glazed canopy on wrought iron supports. Revealed sash windows, no glazing bars, under gauged flat arches. Main bracketed cornice over 2nd floor and plat bands to 1st and 4th floors, parapet with coping. 1st floor early C19 cast iron balcony. Cast-iron railings, interior has had alterations but retains stone staircase with square section outward curving wrought iron balusters, ramped rail, panelled dado, top lit; and ground and 1st floor front-rooms have mid to late C18 plasterwork ceilings, that on 1st floor to rococo manner, that on ground floor in more neo classical taste.

The Listing entry no. is 1066291; the building was first listed on 9 January 1970.

ii) The current freeholders have owned their property since 1999 i.e for 22 years. [REDACTED] is their principal place of residence, used as a single dwelling house (C3) for up to twelve members of the family, including children.

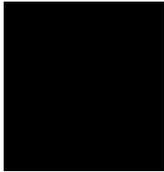
B) Relevant Planning Applications: 16 Charles Street

- i) Application No. 21/02997/CLOPUD, Use of the Building As a Restaurant (Use Class E) relating to 16 Charles Street, London, W1J 5DR, Westminster City Council dated 17 June 2021 (certified 06/05/21).
- ii) Application No. 21/05233/LIPN, Notification of a New Premises Licence Application Under The Licensing Act 2003 relating to 16 Charles Street, London, W1J 5DR, Westminster City Council, dated 2 June 2021.

C) Relevant Planning and Development Policy

- i) The London Plan (March 2021) and the City Plan 2019 – 2040 (April 2021) both inform the wider Westminster Development Plan.
- ii) The City Plan 2019 – 2040 is the key document used in determining planning applications in Westminster.
- iii) **Statements within the City Plan 2019 – 2040 that we believe are material to this matter are as follows:**
 - *Ours is a densely populated city, with 118 people per hectare, almost double the London average of 57. This means that space is at a premium, so we must ensure its most effective use. (page 10)*

- *Population is 261,000 including 51,500 children. The population increases to 1.1 million workers with the influx of workers, shoppers and tourists in the day time. (page 14)*
- *Key data in relation to the historic environment and heritage assets are stated as follows: 11,000 listed buildings and structures including Westminster World Heritage Site; 56 conservation areas covering 78% of the city's footprint; 23 Registered Historic Parks including 5 Royal Parks, 85 London Squares, 3 scheduled monuments. (page 15)*
- *Air quality is not the only pollution issue Westminster faces. We have a responsibility to address all forms of pollution. Westminster receives the highest number of noise complaints in London. (page 20)*
- *City Plan 2019 – 2040 is a plan for people. (page 21)*
- *The success of the Plan will be monitored against these objectives: 7) Improve air quality, minimise noise and other polluting impacts, and reduce carbon and water demands by minimising detrimental impacts from development. (page 24)*
- *The Central Activities Zone (CAZ), 1.9/ The future growth and intensification of the CAZ in a manner that balances its many competing functions is supported. This includes the protection and intensification of office clusters, and a growth in diversification in retail and leisure activity that respects residential amenity. (page 32)*
- *16. Food, drink and entertainment: A. Proposals for food and drink and entertainment uses will be of a type and size appropriate to their location. The over concentration of those uses will be further prevented where this could harm residential amenity, the vitality and character of the local area or the diversity that defines the role and function of the town centre. Applications for entertainment uses will need to demonstrate wider benefits for the local community, where appropriate. (page 86)*
- *16.12/ The use of premises and outdoor areas for shisha smoking is a sui generis use, meaning that where an applicant seeks to change the use of premises or outdoor areas for shisha smoking, planning permission will be required. (page 89)*
- *21. Mayfair and St James's Special Policy Areas, A. Developments in the Mayfair and St James's Special Policy Areas (SPAs) that enhance the character and function of both areas as centres for the art trade and luxury retail, through the provision of additional floorspace for use as art galleries, antique trading or luxury retail, is encouraged. (page 97)*
- *33.4/ Noise and Vibration...However, not all noise and vibration can be attributed to city living and if uncontrolled, can be of nuisance and severely impact on health and quality of life. Defra's Noise Action Plan and our noise data show that ambient noise levels in Westminster are higher than national and regional averages. We therefore not only seek to avoid adverse noise impacts, but also reduce noise in the city. (page 129)*
- *33.5/ Noise and Vibration/ Developments should ensure that any noise and vibration impacts are mitigated. They should be constructed and operated to achieve appropriate noise levels and ensure that any cumulative effects of new noise sources (for example*



additional plant machinery or music does not contribute to the existing background noise level. Careful consideration must be given to the design and location of schemes that could impact or be impacted by noise from development that includes: plant machinery, internal activities, amplified noise, transport (including servicing and deliveries) and other noise generating activities. (page 129)

- *Our Noise Strategy (2010 – 2015) sets out our overarching framework for controlling noise in the city. Our Noise Technical Guidance Note sets out the Noise Thresholds developments are expected to meet and shows where existing tranquil spaces exist. (page 129)*
- *Odour 33.7/ Some uses and activities in Westminster will create odour, smells or fumes which can be sources of nuisance. It is important that activities that create odour do not impact on the amenity of surrounding buildings or the adjoining highway. Where appropriate, we will require odour assessments to make sure potential impacts are appropriately mitigated. Permitted development rights mean that some developments can accommodate a wide range of uses without the need for planning permission to change between them. Proposals for uses, such as hot food premises, will require mitigation measures to be incorporated to prevent unacceptable odour issues arising in the future. (page 130)*
- *37. Waste management, B. All new developments (including extension and change of use) must provide appropriate facilities for the storage of separate waste streams which are safe and convenient to access for deposit and collection, with sufficient capacity for current and projected future use. (page 141)*
- *People Centred Design, C. All development will place people at the heart of design, creating inclusive and accessible spaces and places, introducing measures that reduce the opportunity for crime and anti-social behaviour, promoting health, well-being and active lifestyles through design and ensuring a good standard of amenity for new and existing occupiers. (page 146)*

iv) Statements within the WCC document ‘Westminster’s Conservation Areas - Character Overview’ in reference to **Mayfair Conservation Area**, include:

- *The area has become increasingly commercial and is known as the home of specialist shops, galleries and tailors. However, it has retained its domestic scale as large-scale commercial development has been kept to the perimeters.*

APPENDIX B REASONS FOR OBJECTION

A) DISPLAY OF THE BLUE NOTICE

The Notice for a new premises licence relating to application 21/05/05233/LIPN is dated 2 June 2021. It is unclear on what date the same Notice was posted upon the subject premises however the earliest date currently reported is 4 June 2021.

Please could Westminster City Council confirm the date and time of posting to ensure compliance with the requirements of The Licensing Act 2003.

B) LOSS OF RESIDENTIAL AMENITY AND QUIET ENJOYMENT

As set out in our contextual statement, [REDACTED] as a single dwelling house for a period of over two decades. Up to twelve members of the family are in residence at any one time, including children.

The house is an [REDACTED] terraced property, arranged over five storeys with basement. It shares party walls with [REDACTED]. The house has a number of bedrooms and living spaces located to the front and rear of the property, [REDACTED].

In 2018 an application, no. 18/07770/LBC relating to a change of use of no. 16 Charles Street to a casino (sui generis), was made by the then freeholder of no. 16. Following consultation, the application was Withdrawn.

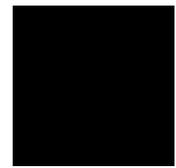
In many ways, the current application for a new premises licence and the associated grant of CLOPUD no. (21/02997/CLOPUD) on 6 May 2021 share similarities with this historic application. It will come as no surprise therefore, that many of my client's concerns raised in their correspondence with Westminster City Council in their letter of 11 October 2018, are not dissimilar to those in respect of this new licence application. I attach a copy of the letter for your reference and records.

[REDACTED] is located in a predominantly residential pocket within the Mayfair Conservation Area. Properties located on the same piece of land facing the remainder of Charles Street, Hay's Mews, Chesterfield Hill are similarly residential in nature being either apartments, maisonettes or full townhouses (of which [REDACTED] is an example). In our opinion, there is a clear conflict with commercial use including restaurant use operating under a drinks licence, in this specific location.

The City Plan 2019 – 2040 is very clear with regard to the importance of respecting the amenity of existing residential occupiers.

C) PUBLIC NUISANCE (NOISE, ODOUR, TRAFFIC CREATION, WASTE MANAGEMENT)

- There are a number of well-established commercial restaurants and private clubs in the locality such as Dartmouth House, Chesterfield Hotel, Bourdon House. These have access to the rear to allow for deliveries/back-of-house operations. Unfortunately, 16 Charles Street does not have this advantage with the effect that the public highway on Charles Street becomes essentially a service



yard to enable any operation as a licensed restaurant and drinking establishment. Such operation includes not only deliveries but also waste management activities, at unknown hours.

- It is not clear whether the licence will extend to allow guests to drink within the rear courtyard of no. 16 and if so the hours that would apply. My client has concerns with regard to the noise creation of drinking, talking, plant noise and general odours to the rear of no. 16. Without any substantial information from the applicant, my client has strong objection to this particular aspect of the licence and therefore the grant of CLOPUD that the Licence application flows from.
- We have not had sight of any acoustic reports from the applicant in connection with either the CLOPUD or the licence. It is therefore not possible to make any reasonable judgement with regard to the consequences of both the licence and founding grant of CLOPUD on generating and increasing the volume of air and impact borne sound levels when the restaurant is operating at full tilt.
- We attach to this letter a copy of a report by [REDACTED] dated 22 June 2021. The report is made in reference to the licence application 21/05233/LIPN, specifically noise, vibration and acoustic issues. Westminster City Council may already be aware of the contents of this report. The key points from my client's perspective are:
 - ...there are 35 family homes (a mix of houses and flats) facing this area [i.e. the rear courtyard of 16 Charles Street]
 - Many of the noise sources associated with the operation of the restaurant are likely to be loud instantaneous noise events, described as 'spikes' of noise. In the event of the Licence being granted, residents overlooking the rear of no. 16 will experience a type of noise that they have never before heard in their homes.
 - WCC should not grant the requested licence unless and until full details have been provided on how the required noise level limits can be achieved
 - In the event that the licence is granted, Conditions should be imposed to ensure compliance is actually achieved at all times.

The City Plan 2019 – 2040 is very clear with regard to the importance of: respecting the amenity of existing residential occupiers. This includes issues such as noise, odour, other pollution controls and waste management matters.

Please could the applicant provide the relevant reports from their acoustic consultant.

D) LISTED BUILDINGS

[REDACTED] is a Grade II listed building; No. 16 is listed Grade II*. Both are set within the Mayfair Conservation Area. Listed buildings present a number of inherent challenges in terms of their adaptability for 21C lifestyle expectations, changes in Use type and compliance with prevailing Building Regulations.



It is not currently clear how any future proposed works to no. 16 will be able to satisfy Part E of the Building Regulations (internally and externally) without also causing further detriment to neighbouring occupiers or their property.

Please could the applicant provide further comprehensive information on this point.

E) PLANNING HISTORY OF 16 CHARLES STREET

A review of the planning history for 16 Charles Street is instructive. It shows that since my client took the freehold of [REDACTED] in 1999, the freeholder or leaseholder of no. 16 Charles Street have made 25no. separate applications for the premises. These vary between matters of change of use, building works, installation of illuminated signage, temporary installation of advertising boards. This roughly equates to 1.1 applications per annum.

The overall picture is of continuous attempts to convert and cajole no. 16 for commercial use, whether in the guise of offices, casino or restaurant.

From a neighbourly perspective, the number of applications can only be described as vexatious.

F) THE PANDEMIC (CHANGE OF CONTEXT)

The pandemic has magnified and accelerated many aspects of everyday life, not least how residential occupiers enjoy and use their property. Residential occupiers are now spending a higher percentage of their time (day and night), located at home due to the restrictions wrought by the pandemic. Since the start of the pandemic, the place that we call 'Home' has developed an increasing significance and sense of amenity for many residential occupiers (whether freeholder or leaseholder).

In high density, urban locations such as Charles Street, the conflict of use between residential and commercial Use types has become magnified. What may have been deemed acceptable under Planning and Development guidance in 2019 (pre-pandemic) in terms of conflict of use, may no longer be applicable and requires review in order to reflect the ongoing change in circumstances.

[REDACTED]

[REDACTED]

22nd June 2021

Westminster City Council
Licensing Service
15th Floor
64 Victoria Street
LONDON
SW1E 6QP

For the attention of: ????

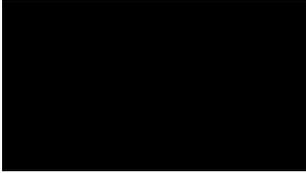
Dear ????

Re: 21/05233/LPN – 16 Charles Street, London W1J 5DR
Subject: Noise, Vibration and Acoustic Issues

I am a member of [REDACTED]
[REDACTED] and hold a PhD in Acoustics and
Vibration Engineering, and have been in practice for some 25 Years as a noise,
vibration and acoustics engineer. My full CV is available on request. I have been
retained by [REDACTED]
[REDACTED] 16 Charles St to advise them on the noise
implications of the proposal to use that building and its courtyard as a
restaurant.

I have not been able to see any acoustic report prepared in relation to the
current application for a License for the building. There are no reports on the
web site for that application, and nor is there a Statement on the extent to which
the location complies with a number of criteria. Paragraph 5, Appendix 11 of
WCC's Licensing Policy Document issued in January 2021 states applicants
"must provide" such a Statement. One of the criteria is whether there are noise
sensitive properties close to that for which the application is being made.

The north side (rear) of 16 Charles St faces an area surrounded by the high
buildings. My clients have provided me with the attached plan. The red line on
the east side between 12 Charles St and 12 Hay's Mews is a wall in the region
of 75 feet high which provides a solid barrier. To the west of that is an area
bounded by parts of Charles St, Chesterfield Hill and Hay's Mews. All of those
are terraces of properties all of considerable height meaning the area marked
with diagonal lines forms an enclosed area. At ground level there are dividing



walls in that area, but above those it is, in effect, an open greater courtyard. Whilst most noise from outside that area, for example traffic, is prevented from penetrating to it by those high buildings, noise within it is contained and reflected between all buildings. I am advised there are 35 family homes (a mix of houses and flats) facing this area. In many cases the interior layout of those homes has been designed so that the bedrooms have their windows facing the area marked with the diagonal lines in the plan.

The application documents contain Conditions with which the applicant indicates it will comply. These include a commitment that there is to be no noise “which gives rise to a nuisance”. No explanation is given on how nuisance will be assessed. Westminster City Council (WCC) have a number of noise policies, the most relevant in this application are ENV6 and ENV7. ENV6 “Noise Pollution” requires “... applicants to demonstrate that as far as is reasonably practicable developments will be designed and operated to prevent transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties”. Furthermore, the WCC UDP also refers to maximum internal noise levels such that average day-time ($L_{Aeq,16hour}$) should be a maximum of 35 dB and average night-time ($L_{Aeq,8hour}$) a maximum of 30 dB (with maximum (L_{Amax}) noise levels not exceeding 45 dB). These Policies were developed for planning purposes, but as Public Nuisance is one of the factors that Licensing Committees are required to consider it seems likely the same Policies will be taken into account. It is important to appreciate how the average noise levels set out in the Policies are determined and that compliance with them may not eliminate Nuisance.

Many of the residential properties  16 Charles Street are well shielded from environmental noise and as a result, existing background noise levels are significantly lower than the maximum levels referred to above. Many of the noise sources associated with the operation of the restaurant are likely to be loud instantaneous noise events. The measurement of noise as 15-minute averages means that these spikes of noise will be counterbalanced by quiet periods when determining the average. It therefore follows that even if the average noise level limits are adhered to, noise from the proposed restaurant will still be audible in adjoining properties i.e. in contravention of ENV6.  have become used to a low level of background noise from air conditioning equipment and similar sources which are constant. It is inevitable that they will notice the spikes of noise associated with restaurant operations and find them a nuisance even if average noise measurements are low. In assessing whether it is proper to allow a restaurant

[REDACTED]

to be created in an area where there has been no comparable activity in recent decades careful consideration needs to be given to whether average measurements are appropriate. I am told [REDACTED] were constructed in the mid-1980s and that 16 Charles St has been used as offices throughout the subsequent period. [REDACTED]

[REDACTED] No16, will, if a License is granted, experience a type of noise they have never before heard in their homes.

The plans in the License application show that the courtyard is also to be used for restaurant activity. Noise from such activities in an open area will be great, causing much higher levels of noise to pass to neighbouring properties than the averages referred to in the Policies. I envisage the only way in which such activities can avoid creating a noise nuisance would be to enclose the whole courtyard. Screens will not be sufficient. A Condition not to allow the courtyard to be used by customers in any way will not fully resolve this issue as there are also rooms on the west side of the courtyard. I am advised they were not normally used by the former office occupier (and when built originally were not rooms but a corridor), so it seems likely that this area is not connected to the main building's air conditioning and/or ventilation systems. If these areas are used for serving refreshments and their windows are opened for ventilation, noise will reach the neighboring homes.

There is also a lightwell immediately to the rear of the main building. The plans in the application show that the kitchen in the basement will extend from the main house below the courtyard. The intention must therefore be to cover this lightwell in some way. No details of the structure planned to achieve this is given. However, if it is anything other than a solid well insulated structure, for example if it were to be glass, the noise from the kitchen is likely to pass into the courtyard and from there to neighbours. Commercial kitchens are inherently noisy places, with machinery and large numbers of staff.

ENV7 "Controlling Noise from Plant, Machinery and Internal Activity" is principally concerned with noise from mechanical plant such that, in the majority of areas in London where existing ambient noise levels are above WHO guidelines, noise from new mechanical plant should be at least 10 dBA below existing background noise levels (i.e essentially inaudible). Many of the flats in [REDACTED] itself overlook a central lightwell which is much quieter than the outward facing facades. It is therefore important that any environmental noise surveys that are undertaken to determine existing



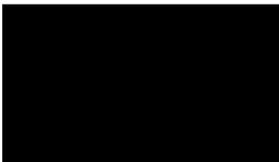
background noise levels are carried out in locations representative of all relevant neighbouring windows.

At present there are no acoustic reports relating to the current application. It is important that any reports that are prepared also assess (quantitatively or otherwise) noise issues associated with patrons and staff arriving and departing, and noise from deliveries of food, drink etc and waste collections. All of these activities will necessarily take place at the front of the building with patrons arriving/departing and waste collections occurring during early morning periods. This will undoubtedly cause disturbance and a noise nuisance.

16 Charles Street is understood to be a Grade II* listed building. Any additional acoustic insulation (secondary or double glazing, additional acoustic treatment to the party walls etc) that may be required to achieve noise limits will inherently be difficult (or even impossible) to install. Notwithstanding this, WCC should not grant the requested licenses unless and until full details have been provided on how the required noise level limits can be achieved. Conditions should be imposed to ensure compliance is actually achieved at all times.

The Licence Notices issued by WCC to neighbours stated that Representations received after 25 June 2021 would not be considered. Neighbours have not yet been provided with proper information on which to judge the noise issues; that should be provided so neighbours can assess the noise nuisance and they should be given adequate time to make further Representations for consideration by the Licencing Committee.

Yours sincerely




Director





Our Ref: RS/CE/4890
Your Ref: 18/07770/LBC

11th October 2018

By post, online & to
planning@westminster.gov.uk

Development Planning
Westminster City Council
P O Box 732
Redhill
RH1 9FL

Development Planning
Westminster City Council
Portland House
Bressenden Place
London SW1E 5RS

For the attention of

For the attention of

Dear Sirs

Re: 16 Charles Street, London W1J 5BR – Planning Application Reference 18/07770/LBC registered on the 13th September 2018 – Use of a building as casino (sui generis), to include an ancillary restaurant/bar and terraces at rear, ground and basement levels of glazed screening, new lift to front basement well, new kitchen extract duct terminating at roof level, other external alterations and internal alterations at all floor levels. (Linked to 18/07769/4).



to oppose the above planning application for change of use. Our clients have lived in the established residential dwelling that the proposed casino for 19 years. They occupy the property as a single family dwelling house where up to 12 members of the family, including teenage children, reside.

OUR CLIENT OBJECTS to the proposed change of use as described in the planning applications, to alter the existing office use to a casino, for the reasons given below.

Charles Street is a residential area

The site lies in Westminster's Central Activity Zone (CAZ) where it is accepted there are mixed use classes. The site is opposite the Chesterfield Hotel, however 16 Charles Street is surrounded by established residential buildings, including 12, 14, 15, 17, 18 and 18a Charles Street, along with further residential houses in Chesterfield Hill and mews houses in Hays Mews behind the site.

It is accepted that the current or last use of 16 Charles Street was as office premises, but that use class differs substantially from a proposed casino which is to operate 24 hours a day, 7 days a week, all days of the year, with the exception of Christmas Day, as listed in the applicant's Draft Operational Management Plan (clause 4.1). It is noted that in total the casino would have a capacity to provide for 140 members gaming at any one time, with a maximum capacity in the casino capped at 240 members, spread out during each 24 hour period (per clauses 3.2 and 3.3). This differs dramatically from the last use of the building which is as offices.

It is considered that the casino use is totally inappropriate in a residential setting and the applicant's Design Statement confirms that 16 Charles Street was built as a house and generally occupied as a house until recent years when office use was permitted.



The applicant's Draft Operational Management Plan and architect's drawings show external terraces for eating, drinking and smoking, with music proposed from 10.00am to 10.00pm (clause 9.6). In addition, at first floor level will be a restaurant which seems to have 72 covers, along with a staff canteen at fourth floor level, [REDACTED]

The proposal to run the casino 24/7 will mean constant vehicle movements for visitors who are likely to arrive by taxi or limousine, with intrusion to local residents from vehicular noise, fumes, music, smoking and light nuisance coming from the premises. In addition, there will be a commercial kitchen with fumes, extract plant noise on the roof, adjacent to established bedrooms at upper levels of adjacent houses and apartments. In addition there will be refuse collections, including empty bottles, taking place between 6.30am and 8.30am daily, as described in paragraph 8.4 of the applicant's Draft Operational Management Plan.

It is noted that there will be between 3 and 8 deliveries per day, between 7.00am and 12.00pm Monday to Saturday, requiring members of staff to be on the pavement and numerous vehicle movements, far and above the existing arrangements for 16 Charles Street.

Furthermore, the amenity of residents will be impeded by the proposed use of external terraces between 10.00am and midnight for customers wishing to sit, drink or smoke – up to 20 at a time (clause 9.3 of the Draft Operational Management Plan).

The above is not in keeping with an established residential area and will provide a nuisance to existing residents, far above that of the last office use of the premises. The proposed change of use is therefore wholly inappropriate for a residential street.

Westminster City Plan notes the challenges for a mixed use area, but states under paragraph 2.22 *"Provision of housing within these areas is also intrinsic to its uniqueness and success..... this residential element plays a major role in defining the character of different parts of the CA Zone. The mix of uses must be carefully managed to ensure that the residential use is part of the overall mix of uses, supporting the strategic function of the CAZ as a place to work and visit whilst ensuring that new housing in commercial areas co-exists alongside the business activity and an appropriate balance of use is maintained"*.

[REDACTED] have chimney stacks that abut each other. [REDACTED] Charles Street has a number of open fireplaces immediately adjacent to 16 Charles Street. It is known that noise from adjacent buildings can be heard through chimney flues. Currently the occupiers of [REDACTED] hear the office cleaners in 16 Charles Street at 5.00am. Therefore any change of use to a 24/7, 364 days a year commercial use will cause them far greater, constant and ongoing noise nuisance, so the proposed casino use is inappropriate.

The proposed rear garden terrace at [REDACTED] and those that exist at [REDACTED] are for residential use and enjoyment that a casino use will prejudice greatly.

Westminster's City Plan continues to state residential accommodation should be protected. Under paragraph 5.33 - *"Noise can lead to annoyance and have a negative impact on sleep, learning and communication, and health and wellbeing more generally..... this is exacerbated by the 24 hour nature of activities in some parts of the city. Because of this, reducing average noise levels in the city continues to be an important objective"*.

Paragraph 8.76 of the City of Westminster Plan states "The City Council's view is that a balance has to be struck between protecting and encouraging residential uses in the city centre, its importance as a location for business uses and the role that parts of Westminster perform as places of late night entertainment".

The Council is concerned that, if the balance within Westminster swings away from being a place where people wish to live and work because of noise, rubbish in the street, fear of crime and a general reduction in quality of life, it will not be possible for communities to become more sustainable".

Recent Planning Consents have been received for ongoing improvements to [REDACTED]. They include removal of the glass lantern roof to the rear extension and reinstatement of an external roof terrace and green roof for the family to enjoy external, open, space. These consents were granted in 2016, reference 17/00283/LBC and 16/04101. Our client proposes improvements and alterations to their listed house to continue to enjoy residential accommodation they have occupied for the last 19 years.

This follows on recent renovation works to substantial houses in Chesterfield Hill, where other roof terraces are located at [REDACTED]. They also face onto the proposed terraces at 16 Charles Street, where customers will eat, smoke and drink 7 days a week, up until midnight, with further noise nuisance from music generated externally until 10.00pm. All dwelling houses will be adversely affected by the proposed casino.

It is considered that a more appropriate location for a casino would be in Berkeley Square where there are precedents for such premises. That location being more mixed use with a greater concentration of commercial buildings than Charles Street has.

Listed buildings and their settings

It is noted that 16 Charles Street is grade II* listed and is a substantial terraced house, dating from 1753, built as a single family dwelling until after the second world war when it was converted to offices. It contains a vast ballroom and extensive alterations from 1913 to 1914. The recent office use has maintained most of these fittings and finishes. It is considered that a more appropriate use for this building would be to continue as office use or to change to a single family dwelling house, which was the original use since the 18th century.

[REDACTED] is grade II listed and dates from the same era, circa 1753 and continues to be used as a single family dwelling house which has been refurbished and maintained by the current family owners who continue to look after and enjoy living in their house.

The Planning (Listed Buildings & Conservation Areas) Act 1990 states under Paragraph 66 – (1) "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regards to the desirability of preserving the building or its setting or any features or special architectural, historic, interest which it possesses". It is suggested that the proposed change of use is not appropriate and will change the setting of these two listed buildings and others adjacent. As shown on Appendix 1 to this letter, much of the accommodation in this area is residential and would be adversely affected by the introduction of a casino, opening 24/7.

Furthermore, the applicant's Draft Operational Management Plan states under paragraph 8.5 – *"There are 25 parking bays along Charles Street"*. But they are none outside 16 or [REDACTED]. There are single and double yellow lines immediately outside 16 and [REDACTED] and residents' bays outside [REDACTED]. This means any 24/7, 364 days a year casino use will generate congestion, double parking, fumes and considerable nuisance to established residential occupiers in houses, apartments and bedrooms in the Chesterfield Hotel opposite 16 Charles Street.

Mayfair Conservation Area No. 11

Both properties lie in the Mayfair Conservation Area No. 11. The planning document stated - *"To keep the character and life of Mayfair as a residential quarter, it is essential that many people should continue to make their homes there"*. It is considered that the introduction of a casino would adversely impact upon the residents who may, in turn, have to consider change of use of their houses. This would lead to deterioration and have a knock-on effect of this important conservation area. For this reason the application should be resisted and refused.

The Planning (Listed Buildings & Conservation Areas) Act 1990 states under Part 2 for Conservation Areas, Clause 72 – (1) - *"In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in Sub-section (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"*.

It is considered that a change of use from office (and former dwelling house) to casino would not preserve or enhance the character or appearance of the Mayfair Conservation Area No. 11. So on these grounds alone, the proposed change of use should be refused.

Planning policy not to lose office space

Westminster City Plan has a policy to retain office use, which should relate to the current development site. Paragraph 4.22 states - *"Offices are supported as a strategic use in Westminster. Westminster's office stock is the largest in the UK (9 million square metres, compared to 7.54 million square metres in the City of London).... A sustained period of office losses began in the 2010/11 monitoring period, this resulted in the loss of a significant amount of office floor space with the loss of 167,000 square metres in the four years 2010/11 – 2013/14. If continued unchecked, this would have irrevocably damaged UK's economic core.... We are working and will continue to work with partners to significantly increase office floor space from a position of annual nett loss....."* It is therefore considered that the most recent use of the building – including 2018 – should remain as office use.

The Mayfair Conservation Area policy included section - *"Temporary office policy area, many buildings in Mayfair were converted into offices during and after the second world war, where much of the city of London was bombed and new building restricted. Large numbers of permissions were given for residential buildings to be used as offices, but only for a limited time (usually until 1990) so that the opportunity should be taken to turn as many houses as possible back to residential use. As the temporary permissions have expired, the council has required, where it is reasonable to do so, that the buildings be returned to office use"*.

Sustainability & Air quality

The Westminster City Plan states under Clause 6.1- *"The National Planning Policy Framework includes a presumption that favours sustainable development which is the 'golden thread' running through both plan making and decision taking..... where there are no policies relevant to the application or relevant policies are out of date, at the time of making a decision then the council will grant permission unless material considerations indicate, otherwise - taking into account whether. Any adverse impact of granted permission will significantly demonstrably outweigh the benefits, when assessed against the policies and the national policy framework taken as a whole; or Specific policies in that Framework indicate that development should be restricted"*.

As mentioned above, the proposed use of the casino operating 24/7 and catering for up to 240 people, with a staff canteen and a commercial kitchen, restaurant and bars, will require substantial numbers of vehicle movements, over and above that currently or formerly in place for the use of 16 Charles Street. As an office, most occupiers would have travelled to Charles Street by public transport. Deliveries would have been minimal but the casino use will include for substantial numbers of visitors generally arriving by taxi or limousine, many deliveries and far more waste collections. In addition, by operating 24/7 most staff would have to arrive by taxi and this will generate increased traffic, vehicle movements, double-parking, nuisance and exhaust fumes generated by the vehicles. This is not seen as a more sustainable use of the building than the last two use classes.

Westminster City Plan states under Paragraph 5.68 – *"Sustainable transport options are particularly relevant for Westminster. Some streets within the borough have some of the poorest air quality in the country, impacting on health and wellbeing. It is also imperative that Westminster supports, encourages, and provides people with real opportunities for behavioural changes to reduce carbon emissions because of the high levels of moving in and out of the borough, increasing the use of more sustainable transport options within Westminster have a significant impact"*.

Entertainment Use Policies

Westminster City Plan states under Policy S24 Entertainment Uses – *"New entertainment uses will need to demonstrate that they are appropriate in terms of the type and size of use, scale of activity, relationship to any existing concentrations of entertainment uses and any accumulative impact and that they do not adversely impact on residential amenity, health or safety, local environmental quality and the character and function of the area. New largescale late night entertainment uses of over 500m2 floor space will not generally be appropriate within Westminster..... New entertainment uses which operate late at night and generate the largest attendance have potential to create a disproportionate impact on the surrounding areas"*.

The Planning Application shows the building size is 1939m2 with a small extension, making the casino 1943 m2. This is substantially higher than the proposed limit of 500m2 to be acceptable for a new late night entertainment use. Moreover, the proposed casino will adversely impact on established residential amenity, character and function of the area.

The Westminster City Plan continues to state under Paragraph 5.72 - *"The high concentration of commercial activity in a residential development, and particular characteristics of Westminster's dense, historic urban fabric, create particular challenges in relation to servicing and deliveries"*.

Summary of objections

- The proposed change of use from office to casino to operate 24/7 with customers to dine, drink, smoke and party on external terraces until midnight, with loud music until 10.00pm, would have a detrimental effect on the established adjoining residential premises.
- The proposed change of use does not enhance or preserve the Listed Buildings and/or the Mayfair Conservation Area.
- The change of use will lead to a loss of 1,939 m2 of office space which is against Westminster's planning policies to retain B1 use.
- The proposed use of a casino will have an adverse effect on traffic movements and promote the use of taxis and limousines as opposed to public transport, leading to double-parking, congestion, fumes and general nuisance in this residential street. This is not a sustainable or environmentally friendly development.
- The proposed casino is almost 4 times the 500 m2 size limit which Westminster Council considers to be the maximum size for any new late night entertainment space.
- There are established casinos in Mayfair, generally in the more commercial areas of Westminster, where late night entertainment uses cause less nuisance, there being fewer residents, such as Berkeley Square

For the reasons given in this letter it is requested that the application is refused.

Yours faithfully



Encs: Appendix 1 Site plan showing existing residential accommodation surrounding 16 Charles Street.
Appendix 2 Proposed plan showing a new rear roof terrace for [REDACTED]
Appendix 3 Photo schedule

Do not scale this drawing. Consult us to confirm all dimensions on site. Notify architect immediately of any discrepancies.

Revises:
 00 BH 03.07.16 For information
 01 BH 10.08.16 For information
 02 BH 04.09.16 For information
 03 BH 04.09.16 For Planning

Proposed casino

Residential properties

Hotel bedrooms

Key
 Site Boundary
 Key Plan

Wincanton House, 1-3 St James Street, London, Greater London, UK
 T: 020 7751 0781 W: format@formatheight.co.uk

Project
 16 Charles Street
 London
 W1J 5BH

Client
 Continuity Capital Ltd

Drawing Title
 Site Plan



Drawn by
 BH KVM/S
 Scale
 1:500 @ A3

Status
For Planning

Job number: **D1001** Revision: **03**

01 Site Plan
 D1001 SCALE 1:500



SCHEDULE OF PHOTOGRAPHS
16 CHARLES STREET, LONDON W1X
JOB REF. 4890

OCTOBER 2018



1. Front of 17 & 16 Charles Street; scaffolding being erected to No. 16 on the RHS



2. Rear of 17 Charles Street. Glass lantern light roof will be removed and a garden will be created in its place in 2019.

SCHEDULE OF PHOTOGRAPHS
16 CHARLES STREET, LONDON W1X
JOB REF. 4890

OCTOBER 2018



3. Existing rear gardens to 2, 3 & 4 Chesterfield Hill, facing the rear of 17 & 16 Charles Street



4. Grand staircase under a glass lantern light to [redacted] Charles Street



SCHEDULE OF PHOTOGRAPHS
16 CHARLES STREET, LONDON W1X
JOB REF. 4890

OCTOBER 2018



5. Open fireplace to party wall [REDACTED] Charles Street, in a 2nd floor bedroom (to be [REDACTED] to a 72 covers restaurant and gaming room).

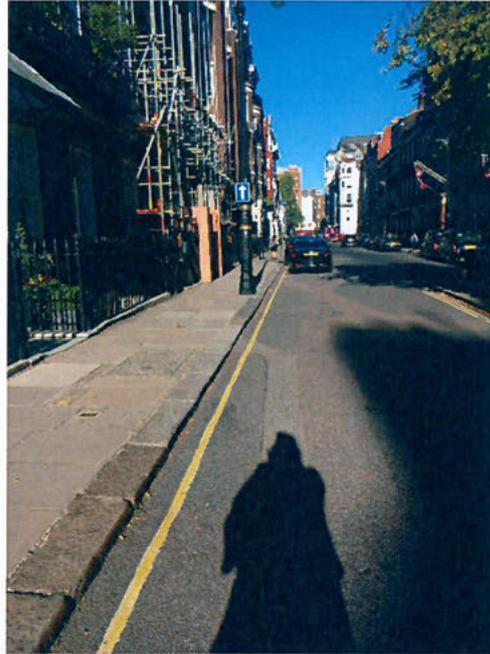


6. Open fireplace to principal lounge on piano nobile, directly adjacent 72 covers restaurant



SCHEDULE OF PHOTOGRAPHS
16 CHARLES STREET, LONDON W1X
JOB REF. 4890

OCTOBER 2018



7. No parking bays outside 16 & 17 Charles Street



8. Restricted residents' parking at 15 Charles Street



SCHEDULE OF PHOTOGRAPHS
16 CHARLES STREET, LONDON W1X
JOB REF. 4890

OCTOBER 2018



9. Houses in Chesterfield Hill



10. Mews houses, Hays Mews

Page left blank

[REDACTED]

[REDACTED]

23rd June 2021

Westminster City Council
Licensing Service
15th Floor
64 Victoria Street
LONDON
SW1E 6QP

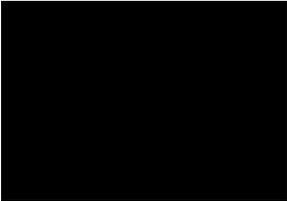
Dear Sir/Madam

Re: 21/05233/LPN – 16 Charles Street, London W1J 5DR
Subject: Noise, Vibration and Acoustic Issues

I am a member of the [REDACTED]
[REDACTED] and hold a PhD in Acoustics and
Vibration Engineering, and have been in practice for some 25 Years as a noise,
vibration and acoustics engineer. My full CV is available on request. I have been
retained by [REDACTED]
[REDACTED] 16 Charles St to advise them on the noise
implications of the proposal to use that building and its courtyard as a
restaurant.

I have not been able to see any acoustic report prepared in relation to the
current application for a License for the building. There are no reports on the
web site for that application, and nor is there a Statement on the extent to which
the location complies with a number of criteria. Paragraph 5, Appendix 11 of
WCC's Licensing Policy Document issued in January 2021 states applicants
"must provide" such a Statement. One of the criteria is whether there are noise
sensitive properties close to that for which the application is being made.

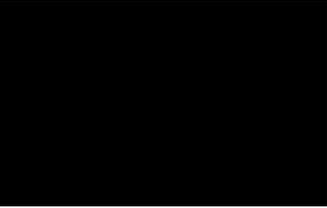
The north side (rear) of 16 Charles St faces an area surrounded by the high
buildings. My clients have provided me with the attached plan. The red line on
the east side between 12 Charles St and 12 Hay's Mews is a wall in the region
of 75 feet high which provides a solid barrier. To the west of that is an area
bounded by parts of Charles St, Chesterfield Hill and Hay's Mews. All of those
are terraces of properties all of considerable height meaning the area marked
with diagonal lines forms an enclosed area. At ground level there are dividing
walls in that area, but above those it is, in effect, an open greater courtyard.
Whilst most noise from outside that area, for example traffic, is prevented from



penetrating to it by those high buildings, noise within it is contained and reflected between all buildings. I am advised there are 35 family homes (a mix of houses and flats) facing this area. In many cases the interior layout of those homes has been designed so that the bedrooms have their windows facing the area marked with the diagonal lines in the plan.

The application documents contain Conditions with which the applicant indicates it will comply. These include a commitment that there is to be no noise “which gives rise to a nuisance”. No explanation is given on how nuisance will be assessed. Westminster City Council (WCC) have a number of noise policies, the most relevant in this application are ENV6 and ENV7. ENV6 “Noise Pollution” requires “... applicants to demonstrate that as far as is reasonably practicable developments will be designed and operated to prevent transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties”. Furthermore, the WCC UDP also refers to maximum internal noise levels such that average day-time ($L_{Aeq,16hour}$) should be a maximum of 35 dB and average night-time ($L_{Aeq,8hour}$) a maximum of 30 dB (with maximum (L_{Amax}) noise levels not exceeding 45 dB). These Policies were developed for planning purposes, but as Public Nuisance is one of the factors that Licensing Committees are required to consider it seems likely the same Policies will be taken into account. It is important to appreciate how the average noise levels set out in the Policies are determined and that compliance with them may not eliminate Nuisance.

Many of the residential properties  16 Charles Street are well shielded from environmental noise and as a result, existing background noise levels are significantly lower than the maximum levels referred to above. Many of the noise sources associated with the operation of the restaurant are likely to be loud instantaneous noise events. The measurement of noise as 15-minute averages means that these spikes of noise will be counterbalanced by quiet periods when determining the average. It therefore follows that even if the average noise level limits are adhered to, noise from the proposed restaurant will still be audible in adjoining properties i.e. in contravention of ENV6.  have become used to a low level of background noise from air conditioning equipment and similar sources which are constant. It is inevitable that they will notice the spikes of noise associated with restaurant operations and find them a nuisance even if average noise measurements are low. In assessing whether it is proper to allow a restaurant to be created in an area where there has been no comparable activity in recent decades careful consideration needs to be given to whether average



measurements are appropriate. I am told [REDACTED] were constructed in the mid-1980s and that 16 Charles St has been used as offices throughout the subsequent period. [REDACTED]

[REDACTED] No16, will, if a License is granted, experience a type of noise they have never before heard in their homes.

The plans in the License application show that the courtyard is also to be used for restaurant activity. Noise from such activities in an open area will be great, causing much higher levels of noise to pass to neighbouring properties than the averages referred to in the Policies. I envisage the only way in which such activities can avoid creating a noise nuisance would be to enclose the whole courtyard. Screens will not be sufficient. A Condition not to allow the courtyard to be used by customers in any way will not fully resolve this issue as there are also rooms on the west side of the courtyard. I am advised they were not normally used by the former office occupier (and when built originally were not rooms but a corridor), so it seems likely that this area is not connected to the main building's air conditioning and/or ventilation systems. If these areas are used for serving refreshments and their windows are opened for ventilation, noise will reach the neighboring homes.

There is also a lightwell immediately to the rear of the main building. The plans in the application show that the kitchen in the basement will extend from the main house below the courtyard. The intention must therefore be to cover this lightwell in some way. No details of the structure planned to achieve this is given. However, if it is anything other than a solid well insulated structure, for example if it were to be glass, the noise from the kitchen is likely to pass into the courtyard and from there to neighbours. Commercial kitchens are inherently noisy places, with machinery and large numbers of staff.

ENV7 "Controlling Noise from Plant, Machinery and Internal Activity" is principally concerned with noise from mechanical plant such that, in the majority of areas in London where existing ambient noise levels are above WHO guidelines, noise from new mechanical plant should be at least 10 dBA below existing background noise levels (i.e essentially inaudible). Many of the flats in [REDACTED] itself overlook a central lightwell which is much quieter than the outward facing facades. It is therefore important that any environmental noise surveys that are undertaken to determine existing background noise levels are carried out in locations representative of all relevant neighbouring windows.



At present there are no acoustic reports relating to the current application. It is important that any reports that are prepared also assess (quantitatively or otherwise) noise issues associated with patrons and staff arriving and departing, and noise from deliveries of food, drink etc and waste collections. All of these activities will necessarily take place at the front of the building with patrons arriving/departing and waste collections occurring during early morning periods. This will undoubtedly cause disturbance and a noise nuisance.

16 Charles Street is understood to be a Grade II* listed building. Any additional acoustic insulation (secondary or double glazing, additional acoustic treatment to the party walls etc) that may be required to achieve noise limits will inherently be difficult (or even impossible) to install. Notwithstanding this, WCC should not grant the requested licenses unless and until full details have been provided on how the required noise level limits can be achieved. Conditions should be imposed to ensure compliance is actually achieved at all times.

The Licence Notices issued by WCC to neighbours stated that Representations received after 25 June 2021 would not be considered. Neighbours have not yet been provided with proper information on which to judge the noise issues; that should be provided so neighbours can assess the noise nuisance and they should be given adequate time to make further Representations for consideration by the Licencing Committee.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Clark', written in a cursive style.

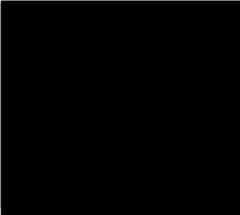
Peter Clark BEng MSc. PhD CEng MIMechE MIOA ACGI
Director



Page left blank

Our Ref: AX/RMR

Email: [REDACTED]



Licensing Team
Public Protection
Westminster City Council
By email only licence-reps@westminster.gov.uk



24 June 2021

Dear Sirs

Application for a new Premises Licence 16 Charles Street, London W1J 5DR
Applicant 16 CS Operations Limited
Reference number 21/05233/LIPN
Representation due date 25 June 2021

This representation is made [REDACTED], company number [REDACTED]. [REDACTED] is the management company for apartments situated [REDACTED]. A better description of [REDACTED] is given below.

Accordingly, this representation is made by [REDACTED] as an "other person".

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]



[REDACTED]

[REDACTED]

“The sale and consumption of alcohol in the areas coloured orange on the plan must be to and by persons who are seated and must be ancillary to the taking of a meal on the premises.”

Public nuisance – general operation

Public nuisance will be caused by the arrival and departure of patrons, it is difficult to see how the residents of [REDACTED] particularly those [REDACTED] Charles Street can be anything other than disturbed by the general comings and goings of patrons arriving and leaving the premises.

The applicant is coy about precisely the number of patrons that will be allowed leaving it to be determined at a later date. It is submitted that as part of this application the applicant should have been in the position to advise on the capacity of the premises.

The best indication we can have is that the total number of covers appear to amount to around 250 on the assumption that everybody will be required to be seated. On the basis that there will be at least two services per table, per day that is likely to lead to a minimum of 500 people accessing or leaving the premises.

The general sound of chatter, laughter, greeting, the toing and froing of taxis etc ... will undoubtedly have an adverse impact on the quality of life of those living [REDACTED] well into the evening/night given the timings proposed. Odours and noises from people smoking are a concern.

Originally the mews to the rear of 16 Charles Street would have been the area in which deliveries, collections, drop offs etc ... would have been made. That mews has now been converted however. As such all deliveries, collections, drop offs and parking have to take place in Charles Street. The sheer volume of traffic movements that are likely to result particularly late at night will have an adverse impact on the lives of those living particularly to the front [REDACTED]. The photographs show a clear pinch point (photograph 8) caused by a traffic island with the blocking of the road on occasions inevitable.

A report by [REDACTED] setting out noise vibration and acoustic issues to be faced by residents is attached at appendix 2.

These activities can of course be directly related to the licensable activities being carried on from 16 Charles Street.

We would seek to remind you that in its nature and character, Charles Street is predominately residential.

16 Charles Street is a grade II* listed building

The listing clearly presents significant challenges to anybody wishing to carry out major alterations to the premises. Of particular concern to [REDACTED] [REDACTED] 16 Charles Street is the extent to which it will be possible

within the framework of listing building consent to carry out the necessary noise attenuation works to prevent the transmission of noise be it from patrons or equipment through the walls.

It was with some considerable surprise therefore to find that only on the 8 June were attempts made by a firm called [REDACTED] to contact the relevant occupants of [REDACTED] to carry out acoustic testing. A copy of that letter is attached appendix 2. It is noted that application is made for regulated entertainment. The windows in 16 Charles Street are believed to be single glazed and likely to be difficult to change given the buildings listed status.

[REDACTED] take the view that such testing should have been carried out prior to the submission of any licensing application and results of that testing should have been made available to the licensing committee.

That failure reflects a broader failure to comply with policy requirements contained within appendix 11 of Westminster City Council's Statement of Licensing Policy.

The impact of 16 Charles Street listed status is however likely to be much broader than simply issues affecting [REDACTED]. There are of course issues to be considered such as how appropriate noise attenuation can be applied to plant and equipment which of course in themselves can be a source of huge nuisance and disturbance to residents.

Courtyard to the rear

Contained in appendix 1 are photographs showing the courtyard area to the rear of 16 Charles Street which it is proposed be included within the licensed area.

Other than reference contained with the proposed conditions that this courtyard area is to be closed for licensable activities at 23.00 and some very vague assurances about management given in the supporting information provided with the application the position of [REDACTED] is one of disappointment that what they would consider to be a clear and obvious source of (and we do not use these words lightly) catastrophic disturbance to all of the residents [REDACTED] has been so woefully dealt with.

It is fair to say that the courtyard area to the rear [REDACTED] 16 Charles Street act as an echo chamber. A rudimentary experiment carried out showed that the clinking of a glass with a pen in the courtyard to the rear of [REDACTED] Charles Street was clearly audible on the [REDACTED] with windows open.

It is the view of [REDACTED] that there is no practicable measure than can be put in place that would prevent noise nuisance from the operation of the courtyard severely impacting on the daily lives of all residents. The only possible and practical measure would be the complete enclosure of that courtyard which we suspect would defeat the purpose intended.

Application for a new Premises Licence 16 Charles Street, London W1J 5DR
Applicant 16 CS Operations Limited
Reference number 21/05233/LIPN
Representation due date 25 June 2021

Appendix 1

1. Courtyard to the rear of 16 Charles St
2. As above
3. Courtyard to the rear of 16 Charles Street and apartments to the rear of [REDACTED]
(the rear part of [REDACTED])
4. As above
5. The rear of [REDACTED] and 16 Charles St
6. The rear of [REDACTED] 16, [REDACTED] Charles St and houses facing Chesterfield Hill.
7. Rear of 16, [REDACTED] Charles St and houses facing Chesterfield Hill.
8. Charles Street facing east showing Traffic Island.
9. Front of 16 Charles St
10. Front of [REDACTED] and 16 Charles St showing flats at number [REDACTED]
11. As above.



















10





[REDACTED]

22nd June 2021

Westminster City Council
Licensing Service
15th Floor
64 Victoria Street
LONDON
SW1E 6QP

For the attention of: ????

Dear ????

Re: 21/05233/LPN – 16 Charles Street, London W1J 5DR
Subject: Noise, Vibration and Acoustic Issues

I am a member of [REDACTED]
[REDACTED] hold a PhD in Acoustics and
Vibration Engineering, and have been in practice for some 25 Years as a noise,
vibration and acoustics engineer. My full CV is available on request. I have been
retained [REDACTED]
[REDACTED] 16 Charles St to advise them on the noise
implications of the proposal to use that building and its courtyard as a
restaurant.

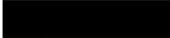
I have not been able to see any acoustic report prepared in relation to the
current application for a License for the building. There are no reports on the
web site for that application, and nor is there a Statement on the extent to which
the location complies with a number of criteria. Paragraph 5, Appendix 11 of
WCC's Licensing Policy Document issued in January 2021 states applicants
"must provide" such a Statement. One of the criteria is whether there are noise
sensitive properties close to that for which the application is being made.

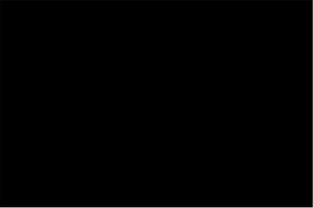
The north side (rear) of 16 Charles St faces an area surrounded by the high
buildings. My clients have provided me with the attached plan. The red line on
the east side between 12 Charles St and 12 Hay's Mews is a wall in the region
of 75 feet high which provides a solid barrier. To the west of that is an area
bounded by parts of Charles St, Chesterfield Hill and Hay's Mews. All of those
are terraces of properties all of considerable height meaning the area marked
with diagonal lines forms an enclosed area. At ground level there are dividing



walls in that area, but above those it is, in effect, an open greater courtyard. Whilst most noise from outside that area, for example traffic, is prevented from penetrating to it by those high buildings, noise within it is contained and reflected between all buildings. I am advised there are 35 family homes (a mix of houses and flats) facing this area. In many cases the interior layout of those homes has been designed so that the bedrooms have their windows facing the area marked with the diagonal lines in the plan.

The application documents contain Conditions with which the applicant indicates it will comply. These include a commitment that there is to be no noise "which gives rise to a nuisance". No explanation is given on how nuisance will be assessed. Westminster City Council (WCC) have a number of noise policies, the most relevant in this application are ENV6 and ENV7. ENV6 "Noise Pollution" requires "... applicants to demonstrate that as far as is reasonably practicable developments will be designed and operated to prevent transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties". Furthermore, the WCC UDP also refers to maximum internal noise levels such that average day-time ($L_{Aeq,16hour}$) should be a maximum of 35 dB and average night-time ($L_{Aeq,8hour}$) a maximum of 30 dB (with maximum (L_{Amax}) noise levels not exceeding 45 dB). These Policies were developed for planning purposes, but as Public Nuisance is one of the factors that Licensing Committees are required to consider it seems likely the same Policies will be taken into account. It is important to appreciate how the average noise levels set out in the Policies are determined and that compliance with them may not eliminate Nuisance.

Many of the residential properties  16 Charles Street are well shielded from environmental noise and as a result, existing background noise levels are significantly lower than the maximum levels referred to above. Many of the noise sources associated with the operation of the restaurant are likely to be loud instantaneous noise events. The measurement of noise as 15-minute averages means that these spikes of noise will be counterbalanced by quiet periods when determining the average. It therefore follows that even if the average noise level limits are adhered to, noise from the proposed restaurant will still be audible in adjoining properties i.e. in contravention of ENV6.  have become used to a low level of background noise from air conditioning equipment and similar sources which are constant. It is inevitable that they will notice the spikes of noise associated with restaurant operations and find them a nuisance even if average noise measurements are low. In assessing whether it is proper to allow a restaurant



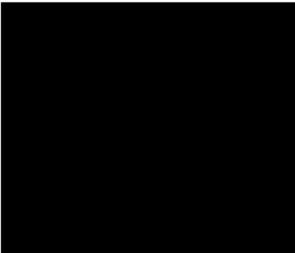
to be created in an area where there has been no comparable activity in recent decades careful consideration needs to be given to whether average measurements are appropriate. I am told [REDACTED] were constructed in the mid-1980s and that 16 Charles St has been used as offices throughout the subsequent period. [REDACTED]

[REDACTED] No16, will, if a License is granted, experience a type of noise they have never before heard in their homes.

The plans in the License application show that the courtyard is also to be used for restaurant activity. Noise from such activities in an open area will be great, causing much higher levels of noise to pass to neighbouring properties than the averages referred to in the Policies. I envisage the only way in which such activities can avoid creating a noise nuisance would be to enclose the whole courtyard. Screens will not be sufficient. A Condition not to allow the courtyard to be used by customers in any way will not fully resolve this issue as there are also rooms on the west side of the courtyard. I am advised they were not normally used by the former office occupier (and when built originally were not rooms but a corridor), so it seems likely that this area is not connected to the main building's air conditioning and/or ventilation systems. If these areas are used for serving refreshments and their windows are opened for ventilation, noise will reach the neighboring homes.

There is also a lightwell immediately to the rear of the main building. The plans in the application show that the kitchen in the basement will extend from the main house below the courtyard. The intention must therefore be to cover this lightwell in some way. No details of the structure planned to achieve this is given. However, if it is anything other than a solid well insulated structure, for example if it were to be glass, the noise from the kitchen is likely to pass into the courtyard and from there to neighbours. Commercial kitchens are inherently noisy places, with machinery and large numbers of staff.

ENV7 "Controlling Noise from Plant, Machinery and Internal Activity" is principally concerned with noise from mechanical plant such that, in the majority of areas in London where existing ambient noise levels are above WHO guidelines, noise from new mechanical plant should be at least 10 dBA below existing background noise levels (i.e essentially inaudible). Many of the flats in [REDACTED] itself overlook a central lightwell which is much quieter than the outward facing facades. It is therefore important that any environmental noise surveys that are undertaken to determine existing



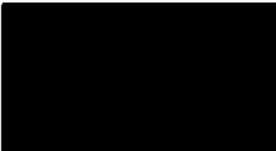
background noise levels are carried out in locations representative of all relevant neighbouring windows.

At present there are no acoustic reports relating to the current application. It is important that any reports that are prepared also assess (quantitatively or otherwise) noise issues associated with patrons and staff arriving and departing, and noise from deliveries of food, drink etc and waste collections. All of these activities will necessarily take place at the front of the building with patrons arriving/departing and waste collections occurring during early morning periods. This will undoubtedly cause disturbance and a noise nuisance.

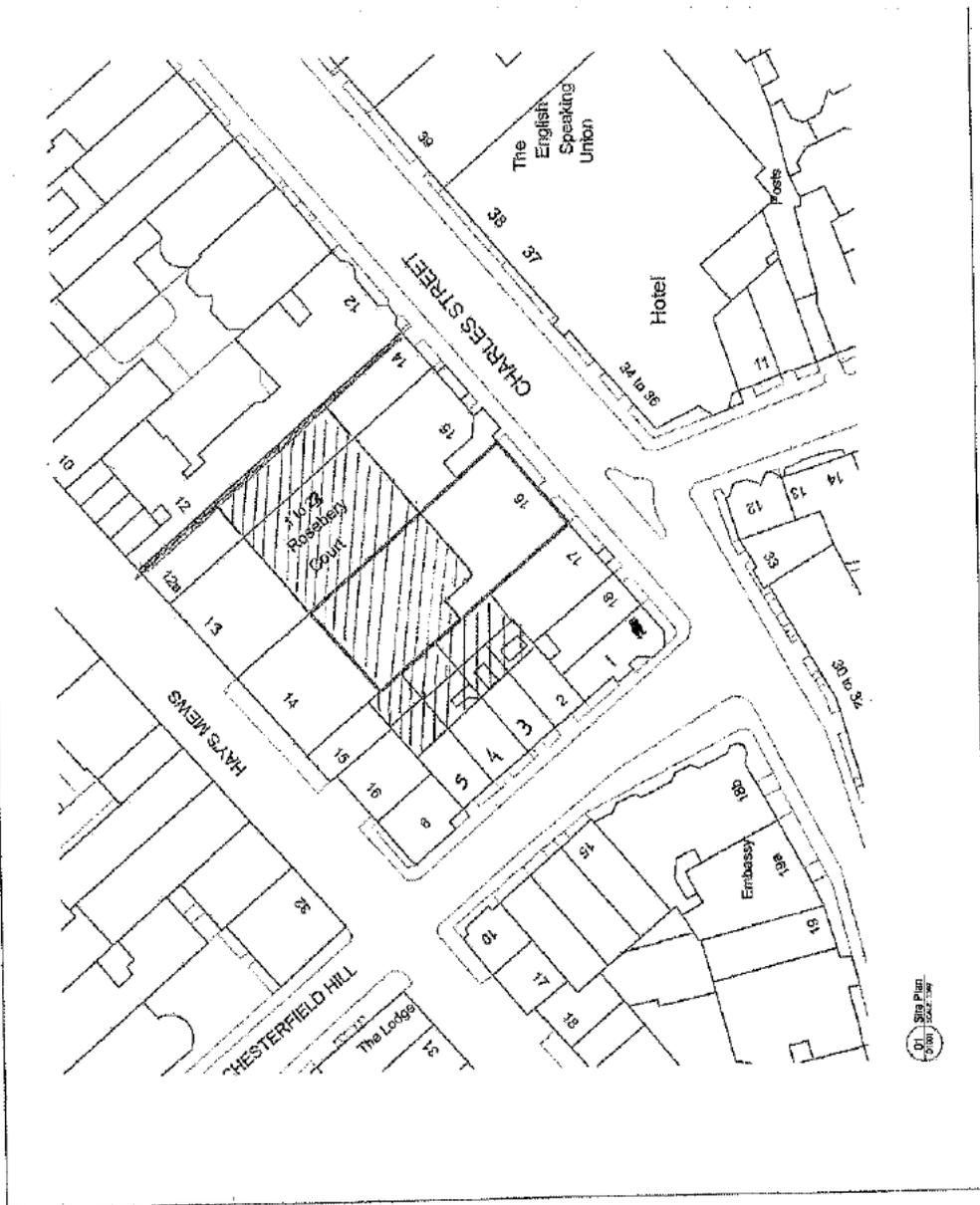
16 Charles Street is understood to be a Grade II* listed building. Any additional acoustic insulation (secondary or double glazing, additional acoustic treatment to the party walls etc) that may be required to achieve noise limits will inherently be difficult (or even impossible) to install. Notwithstanding this, WCC should not grant the requested licenses unless and until full details have been provided on how the required noise level limits can be achieved. Conditions should be imposed to ensure compliance is actually achieved at all times.

The Licence Notices issued by WCC to neighbours stated that Representations received after 25 June 2021 would not be considered. Neighbours have not yet been provided with proper information on which to judge the noise issues; that should be provided so neighbours can assess the noise nuisance and they should be given adequate time to make further Representations for consideration by the Licencing Committee.

Yours sincerely




Director



Our Ref: 11015.LE01.0

8 June 2021

Dear Sir/Madam

RE: Acoustic survey for 16 Charles Street - Requested access to [REDACTED]

I am writing on behalf of [REDACTED] in relation to 16 Charles Street, Mayfair, London. We have been appointed to undertake acoustic surveys to measure the sound insulation across the wall from 16 Charles Street into the neighbouring properties. Please note that this testing is only necessary to properties that share a separating wall with 16 Charles Street.

As you may be aware, the project team has been developing its plans to restore 16 Charles Street to its former glory and bring it into public use for everyone to enjoy. The team are preparing plans to create a new fine-dining restaurant committed to exceptional quality and the highest standards of service

To assist in the design, we are seeking to undertake acoustic surveys and testing to determine the risk of any sound transfer from the future restaurant and any mitigation measures that can be explored at this stage.

As a key neighbouring property, we are writing to request access to your property to undertake the survey and test. The test will involve a noise being made in 16 Charles Street to measure the resultant level within your property. There will be no need to physically open up or move anything within the property.

I would very much appreciate if you could contact me on the details below to discuss in more detail and arrange for the testing to be undertaken, at a time that would best suit you. We are looking to undertake the test as soon as possible to ensure that we can consider any mitigation measures during this stage of the design process.

[REDACTED]
Director
[REDACTED]

The testing will be undertaken by one of our qualified engineers. The precise contact details for the engineer will be dependent upon the date of the testing and we can confirm this in advance with you. RBA Acoustics and all engineers take social distancing extremely seriously and are closely following Government guidelines as well as Public Health England advice surrounding COVID-19. Our engineer will wear a full-face mask covering at all times within the property and sanitise hands before entry. We will also check for any symptoms of COVID-19 in advance of the testing visit and if any are displayed, an alternative engineer will visit.

We very much thank you for your cooperation assisting with the necessary surveys and look forward to discussing with you in more detail.

With best wishes
[REDACTED]



There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule

9. Except for the areas shaded orange on deposited plans, the premises shall only operate as a restaurant:-
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.Notwithstanding this condition customers are permitted to take from the premises part consumed, and resealed bottles of wine supplied ancillary to their meal.
10. No licensable activities shall take place in the Courtyard after 11pm.
11. During the hours of operation, 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.
12. 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.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.
15. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
16. 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.
17. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
18. A direct telephone number for the manager at the premises shall be publically available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
19. 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.
20. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or

password to the satisfaction of officers from the Environmental health Services and access shall only be by persons authorised by the Premises Licence Holder. The limiter shall not be altered without prior agreement with the Environmental health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

21. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
22. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a) All crimes reported to the venue;
 - b) All ejections of patrons;
 - c) Any complaints received concerning crime and disorder;
 - d) Any incidents of disorder;
 - e) All seizures of drugs or offensive weapons;
 - f) Any refusal of sale of alcohol.
23. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.
24. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards such as a driving licence, passport or proof of age card with the PASS hologram.
25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
27. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
28. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
31. No licensable activities shall take place at the premises until the Environmental Health Consultation Team has determined the capacity of the premises and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined.
32. Before the premises open to the public, the plans as deposited will be checked by the Environmental health Consultation Team to ensure they are an accurate reflection of the

premises constructed. Where there are minor changes to the premises layout during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

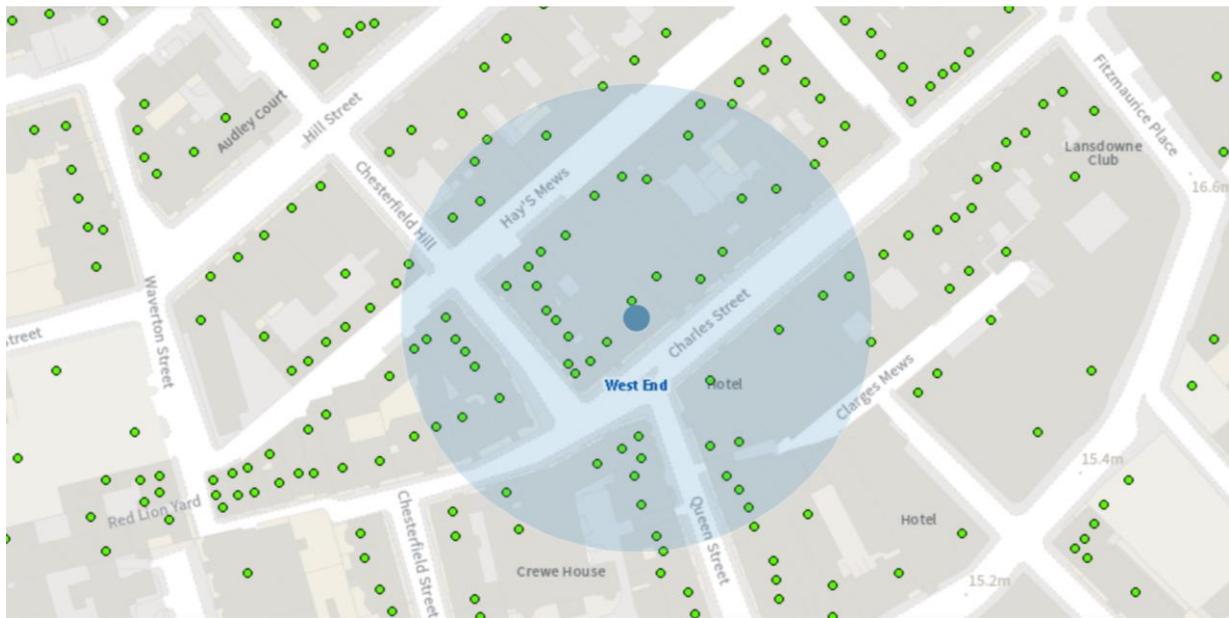
33. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority

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

34. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
35. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
36. Within the areas shaded orange on deposited plans the supply of alcohol shall be to customers seated and by waiter or waitress service only.
37. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
38. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.
39. A minimum of 2 SIA licensed door supervisors shall be on duty at the premises from 21:00 hours and they must correctly display their SIA licence(s) when on duty so as to be visible.

Conditions proposed by the Environmental Health

None



Resident count: 92

Licensed premises within 75 metres of 16 Charles Street, London, W1J 5DR				
Licence Number	Trading Name	Address	Premises Type	Time Period
16/00527/LIPDPS	Chesterfield Hotel	34-36 Charles Street London W1J 5EB	Hotel, 4+ star or major chain	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
07/01375/WCCMAP	English Speaking Union	Dartmouth House 37 Charles Street London W1J 5ED	Club or institution	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:00
19/16561/LIPN	Not Recorded	Basement And Ground Floor 17 Queen Street London W1J 5PH	Not Recorded	Sunday; 10:00 - 23:00 Monday to Saturday; 07:30 - 23:30

This page is intentionally left blank