



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday 22 June 2023**

Time: **10.00 am**

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

Members: **Councillors:**

Robert Eagleton (Chair)  
Concia Albert  
Louise Hyams

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

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.30am.

If you have a disability and require any special assistance, please contact the Committee Officer (details listed below) in advance of the meeting.

An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

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

**Email: [scraddock@westminster.gov.uk](mailto:scraddock@westminster.gov.uk) Tel: 0779098018**  
**Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. 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. BLOCK SOHO, 2 ST ANNE'S COURT, W1F 0AZ

(Pages 1 - 82)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End  * West End  ** None	Block Soho 2 St Anne's Court W1F 0AZ	New Premises Licence	23/01807/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**2. BURGER AND LOBSTER, 29 CLARGES STREET, W1J 7EF**

**(Pages 83 - 118)**

<b>Ward CIA* SCZ**</b>	<b>Site Name &amp; Address</b>	<b>Application Type</b>	<b>Licensing Reference No.</b>
West End  * None  ** None	Burger and Lobster 29 Clarges Street W1J 7EF	Premises Licence Variation	23/02196/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**3. CARLOTTA, 77 MARYLEBONE HIGH STREET, W1U 5JX**

**(Pages 119 - 148)**

<b>Ward CIA* SCZ**</b>	<b>Site Name &amp; Address</b>	<b>Application Type</b>	<b>Licensing Reference No.</b>
Marylebone  * None  ** None	Carlotta 77 Marylebone High Street W1U 5JX	Premises Licence Variation	23/02328/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love  
Chief Executive  
14 June 2023**

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: 12:00 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

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City of Westminster

## Licensing Sub-Committee Report

Item No:	
Date:	22 June 2023
Licensing Ref No:	23/01807/LIPN - New Premises Licence
Title of Report:	Block Soho 2 St Anne's Court London W1F 0AZ
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: <a href="mailto:kjackaman@westminster.gov.uk">kjackaman@westminster.gov.uk</a>

<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	22 March 2023		
<b>Applicant:</b>	St Annes Location Limited		
<b>Premises:</b>	Block Soho		
<b>Premises address:</b>	2 St Anne's Court London W1F 0AZ	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application form the premises will operate as a restaurant.		
<b>Premises licence history:</b>	There is an existing premises licence in respect of the premises (licence number 22/07992/LIPDPS) a copy of which appears at appendix 2 A full licence history for the premises appears at appendix 5		
<b>Applicant submissions:</b>	Upon satisfactory grant of this application, the premises licence holder will surrender premises licence 21/09143/LIPT (current licence number 22/07992/LIPDPS)		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:00	23:00	00:00	00:00	
<b>Seasonal variations/ Non-standard timings:</b>			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:30	08:30	08:30	08:30	08:30	08:30	08:30
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					
<b>Adult Entertainment:</b>		None					

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Roxsana Haq
<b>Received:</b>	19 April 2023
<p>I write in relation to the application submitted to vary a Premises Licence for the following premises:</p> <p><b>23/01807/LIPN: Block Soho, 2 St Anne's Court, London W1F 0AZ</b></p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> <li>• Protection of Children from harm</li> </ul> <p><b>This application seeks the following:</b></p> <ul style="list-style-type: none"> <li>• <b>Supply of Alcohol (on and off sales)</b> Monday to Thursday 10:00-23:30 hours, Friday and Saturday 10:00-00:00 hours Sunday 12:00-22:30 hours.</li> <li>• <b>Night Refreshment</b> Monday-Thursday 23:00-23:30 hours Friday and Saturday 23:00-00:00 hours.</li> <li>• <b>Non -standard timings:</b> From the end of New Year's Eve to the start of permitted hours on New Year's Day</li> </ul> <p>The premises is located within the West End Cumulative Impact Zone and as such, a number of policy points must be considered namely CIP1, and PB1.</p>	

The licensing Authority note that these premises currently benefit from a premises licence (21/09143/LIPT), which restricts the operation to that of a restaurant only. This new application proposes that with the exception of the bar area as laid out on the plan, the supply of alcohol on the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

With the exception of the bar area as laid out on the plan, the supply of alcohol 'on' the premises shall be by waiter or waitress service only. The application states there will be 50 maximum capacity in the bar area and there will be a minimum of 50 seats in this area.

**Policy CIP1 states:**

- A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:
  - 1. Vary the hours within Core Hours under Policy HRS1, and/or
  - 2. Vary the licence to reduce the overall capacity of the premises.
- C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.
- D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

**Public Houses and Bars Policy PB1**

- B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:
  - 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
  - 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.
- C. The applications referred to in Clause B1 and B2 will generally be granted subject to:
  - 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,
  - 2. 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.
  - 3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.
- D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue

The Licensing Authority raises concerns with the increase in 50 potential drinkers at the venue and how this increase in the number of persons drinking will add to cumulative impact in the West End cumulative impact zone, in accordance with policy CIP1 and PB1. Please answer the following:

- 1. Will the bar area be for 50 seated patrons only or will there be vertical drinking permitted in this space?
- 2. Does the applicant have a Dispersal Policy? If so, please provide a copy and
- 3. What provisions will be in place to mitigate any possible issues regarding noise and nuisance if the application were granted?

The Licensing Authority encourages the applicant to provide further submissions based on the



above.

Paragraph 2.4.5 states, The Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the cumulative impact area, as per policy CIP1.

The applicant will need to satisfy the concerns of the Licensing Authority by demonstrating that the application will not add to cumulative impact if granted. It will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact area and the proposed style of operation.

Further discussions will be held with the applicant prior to any scheduled hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation and I look forward to hearing from you soon.

<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Sally Fabbriatore
<b>Received:</b>	17 April 2023

I refer to the application for a new Premises Licence for the above premises. The premises does benefit from the following premises licence 21/09143/LIPT.

**The premises is situated in the West End Cumulative Impact Zone.**

This representation is based on the Operating Schedule and the submitted plans for the ground floor, titled with the address and dated Sep 2018.

The applicant is seeking the following on the **ground floor**:

1. To allow the Supply of Alcohol 'on' and 'off' the premises Monday to Thursday 10:00-23:30 hours, Friday and Saturday 10:00-00:00 hours and Sunday 12:00-22:30 hours.
2. To allow the provision of Late Night Refreshment Monday-Thursday 23:00-23:30 hours and Friday and Saturday 23:00-00:00 hours.
3. To allow the seasonal variation from the end of New Year's Eve to the the start pf permitted hours on New Year's Day.

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

1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the Cumulative Impact Zone and may impact on Public Safety.
2. The provision of Late Night Refreshment may cause an increase in Public Nuisance in the Cumulative Impact Zone and may impact on Public Safety.
3. The seasonal variations may cause an increase in Public Nuisance in the Cumulative Impact Zone and may impact on Public Safety.

Further information and proposed conditions have been provided, which are being considered, but further conditions may be proposed by Environmental Health in order to protect the Licensing Objectives.

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

<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	Dave Morgan
<b>Received:</b>	18 April 2023

With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are **objecting** to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder.

The applicant is seeking:

**Late Night Refreshment**

- Monday to Thursday: 23:00 to 23:30
- Friday to Saturday: 23:00 to 00:00

**Sale by Retail of Alcohol (On and Off Sales)**

- Monday to Thursday: 10:00 to 23:30
- Friday to Saturday: 10:00 to 00:00
- Sunday: 12:00 to 22:30

**Opening Hours**

- Monday to Thursday: 08:30 to 23:30
- Friday to Saturday: 08:30 to 00:00
- Sunday: 08:30 to 22:30

Although the hours for alcohol sales fall within the Westminster Council's Core Hours policy for Restaurants, it is noted that a substantial area of the plan has been laid out to permit customers to consume alcohol without being ancillary to consuming a meal.

This essentially allows part of the venue to operate as a bar with vertical drinking and as such, the Police have concerns that this may lead to an increase in crime and disorder and anti-social behaviour in an already very demanding area.

I would therefore encourage that the applicant considers including a further condition to ensure that all alcohol consumption in this area is ancillary to consuming a meal.

Also, can you please provide information on whether there have been any thoughts on employing door security (SIA). If not, can you please provide information on how the staff will control who enters to the venue and how they will implement the dispersal policy and monitor the external areas etc.

I look forward to hearing from you soon.

The Metropolitan Police have provided further submission which appear at appendix 3



<b>2-B Other Persons</b>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	18 April 2023
<p>[REDACTED] Clarion House (above Block Soho) consists of 22 households which include families with young children, the elderly, those less able, and young professionals. We are a tight-knit community with a residents association created to advocate for those with concerns which also includes those whose first language isn't English and who may not be able to actively speak up or write their objections.</p> <p>I am writing to express my objection to the Block Soho bar licence for day drinking &amp; late night extensions as well as alcohol off sales so their customers can carry their drinks outside into the narrow alleyway, and the morning serving breakfast at 8:30 Mon-Sat, Midday Sun.</p> <p>[REDACTED] away from St Anne's Court. I typically have little to no noise issues, unlike my neighbours whose flats face St Anne's Court and the entrance to Block Soho. However on numerous occasions I have been disturbed by the music noise from Block Soho during Nov, Dec last year Jan/Feb this year. The vibrations from the music and the noise outside from their customers could be heard in my flat which is towards Richmond Buildings. I can only imagine the nuisance this is for my neighbours directly above Block Soho.</p> <p>I feel that Block Soho have been inconsiderate of their neighbours since moving in, and they had a hidden agenda all along. There's been a history of inconsideration of neighbours from occupants of 2 St Anne's Court.</p> <p>Soho residents have a basic right to a good quality of life which shouldn't have to be compromised by the branding of Soho being a nightlife district. Block Soho should be forced to stick to the terms of their current licence, not be given another which would increase the already serious anti-social behaviour that they have bred since moving in.</p> <p>Kindly consider this letter of objection.</p>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	16 April 2023
<p>I object to the licence being sought by 'Block Soho' (the restaurant at 2 St. Anne's Court). I am a resident in Clarion House. The application by Block Soho is virtually identical to an application made by a previous vendor 'The Vodka Revolution Bar'. in 2013 which was refused by the licensing committee .</p> <p>I live above the restaurant/bar and thus far Block Soho has not shown any sense of complying with statutory laws already in place. Their live music nights, and loud music generally plus the gathering of customers who congregate outside the restaurant to smoke all combined creates a very loud noisy environment which makes life very difficult and stressful for the tenants of Clarion House.</p>	

In addition there are also other issues which need to be considered such as flouting the current licence. Breaking local noise agreements, all of which has been submitted to you by the tenant at 5 Clarion House.

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]

**Received:**

16 April 2023

I am writing to you regarding block soho permanent bar licence which will bring more noise and inconvenience to me and rest of the residents.

I'm disabled and recently had a kidney transplant and I live right above the bar, [REDACTED] and suffer much noise already, granting this licence will bring more drunks shouting outside going for smokes and delivery drivers coming in and out the road. On weekend the noise is unbearable even with having double glazing windows.

Please consider the residents need, the bar located under residential block.

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]

**Received:**

11 April 2023

I am amazed and appalled that this issue has even come up again.

Block Soho moved in and knew that it was only for use as a restaurant and would not be allowed to run a bar there let alone use it as a permanent 'venue' for parties. Why are they even applying?

They have already proven to be bad neighbours with no regard for the twenty two apartments above. We have elderly, disabled and small children here who already suffer from external mayhem. From the beginning they wrote bar above the door, which already has been established as an emergency door, BAR and had a menu of 320 bourbons at the door. Clearly this wasn't a go to drink for substantial meals.

After our horrific history with previous tenants we thought we had finally put this problem to bed at the last hearing?

You will also remember these parties come with their own drug pushers. We have had a huge problem with this again. I can clearly see from my window this organised drug dealing starting from the outset of their special events.

They never from the beginning actually tried with the restaurant as clearly they just were waiting for the underhand change of use on the license.

I oppose this fiasco very strongly and we have support of our Housing Association, Soho Society and councillor to name a few. Please reject this application as we have suffered enough.



<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	17 April 2023
<p>[REDACTED] BLOCK, and have been a resident here since the Clarion House was built in the 1980's.</p> <p>From previous experience of residing above what used to be Vodka Revolution, the noise generated from intoxicated patrons is unbearable. Living on a narrow walkway such as St. Anne's Court, where the noise reverberates and bounces off of the hard surfaces and directly to the flats above, makes it very undesirable to think that they will have license to increase the antisocial behaviour of those visiting BLOCK.</p> <p>We have already had incidents where BLOCK have flouted the the limitations of their current license, so to grant them a new license allowing it, would be hell for those of us having to live with it on a daily basis.</p> <p>St. Anne's Court is a residential area, and for BLOCK to have no regard for those living directly above and near their premises is incredibly disappointing. Out of the 22 flat directly above block, there are numerous families with young children, the elderly and also those who are disabled.</p> <p>Due to the poor soundproofing, it means that we can hear the cleaners moving chairs and hoovering, so just try to imagine the noise disturbance when the venue is full of patrons, music pumping 'to create atmosphere' and then this spills out onto St. Anne's Court even later than usual if their opening hours are extended. People then being outside to smoke makes it impossible to have windows open, not only due to the noise, but also the toxic pollution their cigarette smoke brings into our homes.</p> <p>To then allow them to open even earlier from 08:30 in the morning is just absurd, and is set to prolong our misery even more.</p> <p>I therefore strongly oppose these licence and hour extensions, and hope that Westminster Council will see that allowing it would clearly encourage more antisocial behaviour, loud music and upset for the residents of Clarion House.</p>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	12 April 2023
<p>We are neighbours of the Block Soho's Bar and we are already having lots of issues with noise in St. Anne's (not only in the weekends) because of people standing outside the restaurant, therefore unless there is an extremely good sound isolation and guests of the restaurant will not be allowed to stand right outside, we can only object to this application.</p>	

<b>Name:</b>	████████████████████
<b>Address and/or Residents Association:</b>	████████████████████
<b>Received:</b>	20 April 2023

Dear Councillors and Officers at Licensing.

I am writing to licensing committee support the Clarion House Residents and others objecting to the license and who are desperately concerned that granting this license will make life unbearable for the residents above Bloc Soho, 2 St Anne's Court who live in Clarion House.

The venue should remain if it has to have a license as a restaurant where drinking is only allowed in association with meals.

The physical structures of this narrow pedestrian alley means that sounds of outside drinking and people smoking will reach residents above.

I understand that sounds also travel up inside the building.

The nooks and crannies of the passageways nearby are a magnet for anti social behaviour and drug taking beyond the gaze of the security of the venue.

There is a major rise in crime, ASB and inappropriate behaviour towards women and girls that making drinking easier in Soho and here in particular undermines the licensing objectives of Westminster Council. If you agree this license you will have to accept you are contributing to a rise in crime and ASB.

This is in the centre of the cumulative impact zone and must be refused on the basis it positively undermines our licensing objectives and granting this will make life hell for a wide range of residents.

<b>Name:</b>	████████████████████
<b>Address and/or Residents Association:</b>	████████████████████
<b>Received:</b>	18 April 2023

**STRONGLY OBJECT**

I am a disabled resident of Soho for thirty-four years. Within my first month of my move here to Soho, I was aware that your unit below Clarion House was an eatery. The business belonged to ██████████. During my first year there was never any disturbance of any noise, which one would expect being Soho. After a year ██████████ moved on with his business, little did we realise the next thirty-three years would be an annus horribilis. Business after failing business past through and when operating had total disregard for their neighbours above in Clarion House.

Block Soho have not acted as a business should the staff, C.E.O. care less about infringing their dysfunctional "work ethics" in our lives

1. Arrogant attitude when voicing their impact
2. First four months, person parties, loud music, much more
3. Meeting c.e.o. Mr. J. Wallace before Christmas, waste of time



4. Block's lack of "running" a business has exacerbated health issues of mine
5. Anxiety, depression, hypertension
6. On medication so that I can sleep
7. Block due to c.e.o. do not wish to have an amicable "relationship" with us their neighbours
8. When their disturbance has greatly impacted on us, I have met more than five of their "acting managers" making me feel that I was being a complete thorn in their side like all 25 residence have felt

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	18 April 2023

We write to make a relevant representation to the above application on behalf of The Soho Society

**About the [REDACTED]** The  
 [REDACTED] is a charitable company limited by guarantee established in 1972. The Society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

**Application Summary**

**New Premises Licence**

The premises will operate as a restaurant. The premises is already licensed (21/09143/LIPT). Upon satisfactory grant of this application, the premises licence holder will surrender premises licence 21/09143/LIPT.

**Alcohol :** Mon - Thurs : 10:00 - 23:30. Sat - Fri: 10:00 - 00:00. Sun: 12:00 - 22:30

**LNR:** Mon - Thurs : 23:00 - 23:30. Sat - Fri: 23:00 - 00:00

**Opening Hours:** Mon - Thurs: 08:30 - 23.30. Sat - Fri: 08:30 - 00:00. Sun: 08:30 - 22:30

**Capacity:** Bar area 50. Restaurant 150. **Total : 200**

**On and Off Sales**

**Proposed General Conditions / Operating Schedule**

With the exception of the bar area as laid out in the plan, there supply of alcohol on the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

There shall be seating for a minimum of 50 guests at any one time in the ground floor bar area.

With the exception of the bar area as laid out on the plan, the supply alcohol 'on' the premises shall be by waiter or waitress service only.

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.

All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, except for alcohol supplied and consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway

**Current Licence: 21/09143/LIPT**

**Alcohol :** Mon - Thurs : 10:00 - 23:30. Sat - Fri: 10:00 - 00:00. Sun: 12:00 - 22:30

**LNR:** Mon - Thurs : 23:00 - 23:30. Sat - Fri: 23:00 - 00:00

**Opening Hours:** Mon - Thurs: 10:00 - 23.30. Sat - Fri: 10:00 - 00:00. Sun: 12:00 - 22:30

**Capacity: 200**

**On Sales ONLY**

### **Representation**

We are writing to object to this application and also in support of residents living above the premises, as presented this application will fail to promote the licensing objectives and increase cumulative impact in the West End Cumulative Impact Zone.

We object on the following grounds:

- A new bar / area in a restaurant with a minimum capacity of 50 guests
- The addition of the sale of alcohol for consumption off the premises, including to external tables and chairs
- The extension of the opening hours from 10am/12pm (Sun) to 8.30am seven days a week
- The noise disturbance /nuisance residents already experience from the current restaurant and bar operated by the applicant, it also includes breaches of their licence conditions

The premises is within Soho an area at the heart of West End's entertainment district, with its **478** licensed premises a large proportion being late night 119 (25%) licensed with a terminal hour between 1am - 6am and a **capacity of 22,480**. There are over 220 restaurants, these numbers increasing every year, 39 bars, 46 pubs, 31 clubs (including members clubs) and entertainment premises. The area is densely populated at night with people creating loud levels of noise causing disturbance, alongside an increase in crime, disorder and anti-social behaviour.

Although not licensed for bar use the restaurant is operating a bar, the evidence submitted by residents confirms this and they describe the associated nuisance with this use. We strongly object to the proposed bar use not only is it against the Restaurants Policy RNT1, any new bar even within core hours will have a negative impact on the licensing objectives and cumulative impact in an area already saturated with huge numbers of food and beverage premises.

We object to bar use in a restaurant, the Restaurants Policy RNT1 is clear in raising concerns regarding restaurants turning into bars, it states,

*'The Licensing Authority is particularly concerned that restaurant premises within the West End Cumulative Impact Zone do not, even in part, come to operate as bars and particularly not as 'vertical drinking' premises where customers consume alcohol throughout the evening.'* (F112)

However, it continues, *'Submission has been made that not every individual in a group may wish to eat but should not be prevented from accompanying diners and having a drink. The Licensing Authority, however, is not minded to relax the conditions for restaurants where alcohol may only be consumed by persons as an ancillary to their substantial table meal.'*

**Section C;** defines restaurants as,

**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 of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.'** (Our emphasis)

This application proposes to strip away the restaurant condition, changing the operation in part by creating the opportunity for a minimum of 50 patrons (what's the maximum ?) to consume

alcohol without taking a substantial table meal, everything the restaurant policy aims to prevent.

The Pubs and Bar Policy PB1 applies in this case, there is a presumption to refuse any new applications within the West End CIZ the policy states,

**F93.** *'If the premises, to which the application relates is located within the West End Cumulative Impact Zone it is likely to add to cumulative stress in that area. On this basis, the Licensing Authority considers that the grant of variations or new licences for pubs and bars in the West End Cumulative Impact Zone should be limited to expectational circumstances.'* **(Our emphasis)**

There are no exceptional circumstances in this case, **THIS IS A RESTAURANT** it needs to operate as one, under the Restaurant Policy RNT1 this application must be refused.

Furthermore, residents describe a long list of noise nuisance and complaints with the current operation including a number of breaches of their licence conditions, for example; no noise shall emanate from the premises giving rise to a nuisance, and the premises shall only operate as a restaurant. The applicant is unable to abide by the current conditions which aim to protect residential amenity.

It is therefore inconceivable that this application for a new bar within a restaurant, the inclusion of off sales, external tables and chairs and earlier opening hours 8.30am seven days a week will not increase the noise disturbance already experienced by residents.

### **Residents**

Residents live above the premises in Clarion House a Soho Housing Association property with 22 flats, they are disturbed by noise nuisance which is in breach of their licence and which has resulted in a number of reported noise complaints to WCC's noise team. Noise disturbance being caused by; patrons standing outside drinking and those using tables and chairs (the premises having benefited from the provision under the Business and Planning Act), the bar use - vertical drinking / dancing, the playing of loud music, noise from the extractor fan, noise from the cleaners working overnight.

Residents are also disturbed even if an establishment is not located directly on their street, as patrons usually intoxicated leave premises to either carry on their night out in Soho or as they make their way home making a noise and disturbing residents along the way.

With all of the above it is unsurprising residents experience sleep disturbance, a recent survey conducted by the [REDACTED] confirms that residents are disturbed by noise at night and this is having a negative impact on their lives. 87 people responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80, 59% having lived in Soho for more than 10 years.

When asked about disturbed sleep; 24% of respondents have their sleep disturbed 7 nights a week, 16% 5 or 6 nights a week and 19% 3 or 4 nights a week.

Furthermore, 64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho.

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho.

The full survey can be found in **Appendix 1**.

## Crime and Disorder

The Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, **it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.** The level of crime, disorder and anti social behaviour continues to be a huge problem in Soho, the crime figures are high and increasing. The recent police crime report for December 2022 highlights Soho as having the highest number of robberies, overall knife crime and violence against the person compared to other areas within the CIZ. The Committee will be aware of another recent serious incident on Greek Street where two police officers were stabbed which appears to be linked to the drugs trade, this follows on from another serious incident in the same street where a man was seriously injured.

These incidents confirm what residents already know that Soho is unsafe at night. Public safety is a huge concern and has been for a long time, the large number of licensed premises plus the numbers of people out on the streets at night attracts criminal gangs, which in turn results in high levels of crime and disorder creating a very unsafe environment for the public.

In Soho the majority of robberies take place at night, people are targeted as they leave venues. Alongside the robberies and assaults drug dealing is a huge problem with groups of dealers congregating to sell drugs to people as they leave premises or as they pass by. There are more dealers in the area at night than during the day, this is directly linked to the large number of venues and people which creates the drugs market. Pickpockets also operate in the area, they are a part of a well organised criminal group who arrive in a van at night and disperse into Soho before returning to be driven away.

It is well known that intoxicated people become victims of crime, their vulnerability being exploited by gangs or individuals who are in Soho explicitly to target them. We believe patrons leaving this bar /restaurant at night will be at high risk of becoming victims of crime.

## Cumulative Impact Policy CIP1

This

area has been identified by the Westminster City Council as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019. It concludes that,

***'After consideration of the cumulative impact assessment it is the Licensing Authority's view that the number of premises licences in the West End, are such that it is likely granting further types of licences or varying existing licences would be inconsistent with the authority's duty to promote the licensing objectives. The granting of licences for certain types of operation that are likely to add to Cumulative Impact within these areas would not be consistent with the Licensing Authority's duty under the Licensing Act 2003.'***  
(p.19) (Our emphasis)

This evidence supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels (D1). Soho is fully open for business and thriving, our observation is Soho attracts more people now than at pre-COVID times.

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy).

D23. ***'The proximity of residential accommodation is a general consideration with regard to the prevention of public nuisance.*** It goes on, ***'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but the wider***



**area; thus the number of people visiting the premises, the nature of licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.’ (our emphasis)**

It is important to note the policy relates to the global effects of alcohol licences in the whole impact zone and not just a part of it.

**In summary**

This is an application for a new bar, off sales, external tables and chairs and earlier opening hours will increase cumulative impact and fail to promote the licensing objectives.

We respectfully ask the Licensing Sub-Committee to refuse this application.

Yours faithfully,

Licensing Committee  
██████████

**Appendix 1 : ██████████ Sleep Survey Results**

**Appendix 1 : ██████████ Sleep Survey Results - 31 October 2022**

The survey conducted by the ██████████ confirms that residents are disturbed by noise at night and this is having a negative impact on their lives.

87 people have responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80.

59% have lived in Soho more than 10 years

26% between 3 and 10 years

6% between 1 and 3 years and

9% have lived here less than a year

42% own their homes

20% are Soho Housing Association and the rest tenants with other landlords

10 respondents have children living at home with them

58% have double glazing

37% single glazing

5% have triple glazing

24% of respondents have their sleep disturbed 7 nights a week

16% of respondents have their sleep disturbed 5 or 6 nights a week

19% of respondents have their sleep disturbed 3 or 4 nights a week

19% of respondents have their sleep disturbed once or twice a week

20% do not have a problem with environmental noise pollution

Topping the list in September was people drinking in the street with 54 mentions, then pedicabs with 51, waste collections at 48, construction noise 36 and car horns 33 and deliveries at 25.

Other noise sources identified were air conditioning, motorbikes revving, building alarms and music from licensed venues. The most common identified problem at 42% of respondents was people drinking and shouting in the street.

64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

67% of respondents agreed that the council should base its noise policy on the World Health Organisation guidelines

64% of respondents agreed that our ward councillors should make this their priority during the next four years

69% of respondents agreed that during the time I have lived in Soho noise pollution has got significantly worse

73% of respondents agreed that if noise limits are being exceeded the council should consider reviewing existing alcohol licences

72% of respondents agreed that the council should install electronic noise monitoring in Soho

56% of respondents agreed that the council should not grant additional premises licence for the sale of alcohol in Soho.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho

68% of respondents agreed that the council should renew its noise strategy as a matter of urgency

Many respondents made additional comments:-

*I left Soho 4 years ago. After 20 years, the noise & air pollution finally broke me. Like the frog in the pan of water with the heat gradually turned up, it took me a while to realise that it wasn't me going soft, it was the significant degradation of the environment around me. Since moved out of my flat, several other tenants have moved in & swiftly out again citing sleep disruption & excessive night noise as their reason for leaving. The flat is now used as an office rather than as residential.*

*I am disappointed that another restaurant unit is going to be let on Hopkins Street by Shaftesbury when the residents already have an enormous amount of noise from the existing restaurants. No doubt they will also want an alcohol license, which will increase the noise and disturb residents even more.*

*As a disabled person working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded. Noise at home, lack of sleep, and concentration in the day time. I have a hand held noise monitor, I recorded noise levels of 97db outside the pub at the corner of Broadwick and Berwick Streets.*

*More consideration needs to be given to residents from councillors, people visiting the area and local businesses in particular those who serve alcohol and have late night licences. Decisions such as granting planning and licence applications should not be made by people who do not live in the area and are therefore not impacted by the decision making.*

*Very difficult to get the local authority to understand and take complaints seriously. Officers often helpful but then the case goes to committee and they always seem to rule in favour of the commercial premises rather than residents.*

*There is supposed to be a presumption to refuse new licences but in practice the council still lets new things through until after Midnight, which is far too late and has made a nonsense of the policy.*

*There should be a quiet window of 11pm to 8am every day. 7am deliveries are far too early for*

*a lot of people if they are noisy or use cages or refrigeration.*

*I live in Marshall St and overlook it. Regularly now (most nights) there are traffic jams in the street at 3am in the morning with cars picking up people leaving clubs. The cars frequently are using their horns. Last night they had their door open with music blaring. we have 2 motorbike stands close together. 1 in Broadwick St and 1 in Marshall St. There is always at least one bike revving up at either 3am or really early like 530am This noise has changed and increased over the past 3-4 years. I am woken up most nights at about 3am. And i have double glazing and am on [a high] floor.*

*Businesses take no responsibility for their customers drinking/eating and mainly shouting outside, including when they are queuing, and particularly when they are leaving. Post al fresco, there is a new attitude that anything goes on the streets and that includes contempt for the community who live here. The Council need to rethink this and put some major resource into enforcement.*

*I've lived in Soho for 60 years... Born and bred.. It's never been this noisy!*

*Early hours waste collections (including bottle smashing) also includes the food & beverage businesses putting their waste in the street and bottle bins at anti-social hours ahead of collection times. Our local restaurants are not supposed to put bottles out between the hours of 23:00 and 07:00 but they frequently do. Frequently delivery trucks some with noisy refrigeration units are also delivering early hours.*

*Also deliveries & pedicabs. Unfortunately my lack of sleep due to noise has caused serious health issues and I now cannot work and suffer anxiety and depression. I'm woken up on average 5 times per night and have considered suicide. Why I'm being denied sleep between the hours of 11pm and 7am astonishes me. The freeholders Shaftesbury Carnaby show a total disrespect to the effects that noise has on the residents of Soho*

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	17 April 2023

I am writing to you regarding the new application of Block Soho Bar & Restaurant at 2 St Anne's Court.

[REDACTED] who has Special Education Needs. Late autumn and winter 2022 we experienced a terrible late night and early hours of morning noise from the restaurant, every single night our sleep was badly disturbed by them shuffling chairs, slamming doors. Our quality of life changed to poor due this noise at late nights. When they had a live DJ I could hear their music in my flat, not hearing my TV on usual volume, my kitchen worktop was shaking and walls vibrated. Absolutely nightmare. There is no insulation in their ceiling. Having an idea of changing their license is shocking.

Please, do not accept Block Soho new application.



<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	17 April 2023

[REDACTED]

I would like to advice you that I do not agree with the new license that Block Soho restaurant intends to apply with loud music, events etc, since I live above the venue and if this goes ahead I would be very affected since I am a very ill woman.

Thank you for your consideration.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	10 April 2023

The restaurant has 22 flats above it, owned by Soho Housing Association and tenanted by a diverse mix of young families and elderly housebound and disabled residents.

Block Soho who hold the current licence, have been a nightmare for all of us living above them. They have continually flouted the terms of their current licence, have been responsible for noisy, drunken parties into the early hours which have spilled onto the narrow thoroughfare that is St Anne's Court. There have been outside vertical drinking and groups of smokers, rudeness and lies from the management to residents who have complained, and outright hostility to the residents' association when attempts have been made to open a dialogue.

The restaurant should be forced to stick to the terms of their current licence, not be given another which would increase the already serious anti-social behaviour that they have bred since moving in.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	18 April 2023

I am a disabled resident of Soho for thirty-four years. Within my first month of my move here to Soho, I was aware that you unit below Clarion House was an eatery. The business belonged

[REDACTED] During my first year there was never any disturbance of any noise, which one would expect being Soho. After a year [REDACTED] moved on with his business, little did we realise the next thirty-three years would be a annus horribilis. Business after failing business past through and when operating had total disregard for their neighbours above in Clarion House. Block Soho have not acted as a business should the staff, C.E.O. care less about infringing their dysfunctional "work ethics" in our lives

1. Arrogant attitude when voicing their impact

2. First four months, person parties, loud music, much more
3. Meeting c.e.o. [REDACTED] before Christmas, waste of time
4. Block's lack of "running" a business has exacerbated health issues of mine
5. Anxiety, depression, hypertension
6. On medication so that I can sleep
7. Block due to c.e.o. do not wish to have an amicable "relationship" with us their neighbours
8. When their disturbance has greatly impacted on us, I have met more than five of their "acting managers" making me feel that I was being a complete thorn in their side like all 25 residence have felt

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	18 April 2023

**Representation in respect of variation of application for new premises licence ref: 23/01807/LIPN - Block Soho Restaurant, 2 St Anne's Court W1F 0AZ**

**Personal details**

[REDACTED] I have been a resident since 2012 and am currently acting [REDACTED]

**Flats at Clarion House sit directly above the Block Soho Restaurant.**

Clarion House with 22 Flats was built in 1987 and is managed by Soho Housing Association.

St Anne's Court is the narrow alley that connects Dean St and Wardour St.

12 flats are directly above the venue. 10 others share their floors with the venue's ceiling from which acoustic tiling was removed for redecoration.

The alley's zig-zag nooks and corners has attracted anti-social behaviour in the past.



**Objection to the application:**

1. **Noise nuisance** to residents living above the premises.
2. **Use of the Bar, the operating of an independent bar contrary to the Council's Statement of Licensing Policy, particularly CIP1(i) and PN1 and para 2.5.3:**  
*'The council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as "vertical drinking" premises where customers consume alcohol standing throughout the evening. Submission has been made that not every individual in a group may wish to eat, but should not be prevented from accompanying diners and having a drink. The council, however, is not minded to relax conditions for restaurants where alcohol may only be*



*consumed by persons as an ancillary to their substantial table meal.'*

**Block Soho's application adds vertical drinking and sale of alcohol off sales.**

The plans show an area in front of its Cocktail Bar which would be 'exempt from the 'restaurant conditions' allowing the sale of alcohol without need to be served a meal while being seated.

**Block Soho propose:**

*'With the exception of the bar area as laid out on the plan, the supply of alcohol on the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.'*

**– This condition would permit vertical drinking in the Bar Area.**

**And** *"With the exception of the bar area as laid out on the plan, the supply of alcohol 'On' the premises shall be by waiter or waitress service only"*

**– This exception would permit drinking at the Bar itself.**

Their plan does not show tables and chairs outside the premises though it seems clear from their application that they do want off-sales of alcohol to tables and chairs and for the delivery with food.

Arguably, Block Soho have only applied for off sales by delivery and not to the outside tables and chairs. They also want to strike the prohibition on taking drinks outside in favour of allowing their customers to take drinks outside into the alley but just not in *glass* containers.

**Background**

Block Soho, owned by Enhanced Hospitality moved into the venue August/Sept 2022. I meet with [REDACTED] while the restaurant was being set up and he undertook to abide by previous agreements between The Environmental Health Noise Team, the residents, and the previous owners of the restaurant, Zelman Meats. Written copies of the agreement were eMailed to [REDACTED] and forwarded to [REDACTED] of Enhanced Hospitality on 05/0822.

[REDACTED] said that he Kitchen Extractor Unit would rely on its automatic timer to turn off at 11:00pm and to retain its capacity limiter at 70%. [REDACTED] affirmed that Block Soho would be a 'great chop house' and had no intention of running the venue as a Bar.

**The issues began** when their kitchen Extractor was taken off its timer and left to run all night resulting in my bedroom of [REDACTED] becoming unusable due to the noise and vibration of the extractor unit through the wall. The noise was judged a statutory nuisance in a site visit by Environmental Health Noise Team Feb 2017.

The first breach when the extractor unit was left to run all night was Saturday 20<sup>h</sup> August CAS-481145-W2Y4Q1 and again on Friday night/Sat morning 01/09/2022 CAS-491418-K8K9Z2 recorded on eMails to [REDACTED] of the same dates. This occurred night after night over the following months, 26/08/2022 CAS-486931-R9S1L8 and 18/11/2022 CAS-569866-F0Z5K8

**Mainly in November 2022** but continuing into Dec/Jan there were complaints about noise from loud music and the anti-social behaviour e.g., their customers drinking at the Bar and making noise in the alley outside, Block Soho advertised itself as an events Bar. Since applying for this new licence from February to April '23 events have been kept quiet.

**Residents were concerned the operation has breached several of their licensing conditions.**

**Meeting with the operators**

Together with the [REDACTED] I met with the operator, [REDACTED] [REDACTED] on December 1<sup>st</sup> 2022. We asked about the mixed messages from staff and

his signage out in front of the Restaurant promoting a Bar.

██████████ repeated that *Block Soho* had no intention of running a bar, “we’ll be serving people at tables with a substantial meal served by a waitress but we will be offering cocktails.” He said that their ‘only aim was for Block Soho to be ‘a great chophouse and sea food restaurant.’

We asked, “why were they were advertising themselves online, e.g., on 'TagVenue' as an Events Bar with a 'Standing Capacity in Bar' of 60 & 'Seated Capacity' of 30, while the website says 'Standing Capacity' of 200 and 'Seated' was 125. We asked because, a restaurant serving food to seated diners do not need to advertise standing capacity? (*Annex 1, (1)*)

██████████ said, he did not know but that he thought his office may have put those ads., out. He said he would have a word. He added, that they did want to *'promote the Bar but through the restaurant.'*

In answer to a direct question – **‘Do you plan to have late night events ‘til 1 or 2am?’** ██████████ said, **“Yes, we do have a few coming up.”** (*Minutes Dec 1<sup>s</sup>*)

In the run up to their application for a bar licence with an alcohol off-sales licence, **Block Soho has mostly put Bar events on hiatus.**

Residents then received a letter from ██████████, dated 16/02/2022 (*sic*) saying that they did in fact want to open a bar and would pursue late night music and dance events. The opposite of what was promised at the meeting with the Residents Association, December 1<sup>st</sup>.

### **Noise Issues**

**Noise from drinkers outside the venue**, or remaining in the alley after hours reverberates up to the flats above in St Anne’s court narrow alleyway, amplified in a canyon effect.

**The sound of loud music during bar events carries through the whole building** along with the sounds of people partying. Noise from the ground floor reverberates through metal and other structures up to the 3<sup>rd</sup> floor including the sound of cleaners moving furniture, banging on aluminum worktops.

**Noise from the cleaners continues** despite complaints and even though Block Soho fit rubber stoppers on the feet of some of its chairs and stools.

**Noise from the Kitchen Extractor Unit is continuous** from 10am to 11pm. It has not run overnight recently. It is not clear if it has been returned to its timer. It comes on in late morning sometimes after 10am. The booster button allowing the unit to return to 100% for a limit of 30mins in emergencies does not, at present appear to be being abused.

**I am very concerned Block Soho’s application for an earlier start at 8:30am** (Mon – Fri and Middyay on Sunday), as this would start the noise from the Extractor Unit in the early hours of the morning.

The riser for their kitchen’s extractor unit goes up along my bedroom wall. The Unit makes a continuous sound not unlike the engine of a ship. Westminster Environment Health Noise Team attended my flat in Feb 2017 and judged the noise to be a statutory nuisance and served a noise abatement notice and the owners were asked to provide a solution.

The noise and vibration already make my bedroom unusable during the day. During busy periods in the evenings, the noise and vibration can even spread across the walls into my living room.

This 8:30am start would make my bedroom unusable even before breakfast. It breaks the long-standing local agreement brokered by the WCC Noise Team between the restaurant owners

and myself. The previous owners Zelman's had altered the unit's hood and made the noise worse.

The current Licence Condition 16. ***"No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance."***

However, because of the physical design of the riser there was a limit to what could be done to attenuate the noise in an affordable way.

To allow the kitchen to continue operating, a compromise agreement was reached that limited the operational capacity of the unit to 70%.

For emergencies, a 'booster button' was fitted to allow the system to return to 100% in emergencies, e.g., to clear smoke for a 30-minute period only. The 'booster' is to be used sparingly and only by the Head Chef. Currently, the unit does not start until late morning after 10am.

An 08:30 start perhaps before that with time for preparation would break this agreement and trigger 'a reconsideration and possible review of the licence.'

██████████ said in a meeting with me at the restaurant in early August 2022 that he and his staff would abide by the local agreement and suggested he might to use the document for staff training. A written copy of the agreement was eMailed to both ██████████ and forwarded to Enhanced Hospitality ██████████ on 05/08/2022.

After several failures documented which saw the unit come off its timer leaving the extractor to run all night. The Environmental Health officer reported Block Soho that had affirmed over the telephone their commitment to the agreement, August 20<sup>th</sup> 2022.

#### **Vertical drinking Bar and music noise – as bar events begin**

After a loud after-hours party at the venue on Sunday Nov 13<sup>th</sup> I went downstairs to the restaurant and complained about very loud music. The bar area was packed with loud dance music playing and people drinking. The kitchen was still serving (*Minutes, eMail 19/11/22*)

I asked the Assistant Manager, ██████████ what the event was and if they had a Temporary Event Notice? He said that they did not need one, that a party had come late after a car accident and that was why they were still serving. He added that the kitchen could serve until anytime they liked. I said that loud music would attract many more complaints – that the building itself was not designed to contain that kind of noise.

I asked to speak to the DPS, ██████████ wrongly claimed that he was the DPS. Westminster Council later confirmed that there were no TENs for 2022 save for one Dec 31st. ██████████ said that they intend to have Music and Dance nights every Friday, & Saturday (*Annex 1, 2*)

A second complaint was about the ear-splitting sound of music and partying loud enough for me to hear it in my flat, as the sound travelled up through my floor vents and walls, was early on Fri November 18<sup>th</sup> 2022 CAS-569866-F0Z5K8.

When I went down to the venue, I saw vertical drinking at the bar and outside in the alley as the revellers used a second doorway previously restricted from use by Westminster Council to come in and out. They were talking loudly above the noise of the music. There was no security at either their main door or the fire door next to Clarion House.

The next morning, Nov 19<sup>th</sup> I met with Block Soho General Manager, ██████████, who was hostile and ready to deny there had been any problem. I described the noise and customers drinking standing at the Bar and dancing despite the lack of that kind of alcohol Licence or Temporary Event Notice. I told him about the DJ had previously been beckoning through the



window to any groups of girls he saw as they passed through the alley and that the atmosphere was more like an attempt at a 18-30 drinking party. (Annex 1, (2))

██████████ said that Block Soho had no wish to be a Disco Bar.' He also denied that they made any noise and had they only used the house sound system, though his Assist., Manager said that ██████████ was not present on the night.

Extremely loud music, vertical drinking inside and outside the venue, a second and third event ran on similar lines with no TENs on 24/11/2022 CAS-575175-R2D7V9 and 28/11/2022 CAS-576696-Q8H7Y7. (Pictured below, see Annex 1, 2)

### **Breach of licence conditions**

I saw *Block Soho* flout their current Licence by running a vertical drinking bar along with music and dance events without that kind of Licence or even Temporary Event Notices & extractor noise over 5 months Aug '22 – Jan '23 at least one ran after hours. (See photos, details over). The aim seems to be to transition the current restaurant licence into a bar license with alcohol off-sales. .../

***“From inside the DJ beckoned in groups of girls passing through the alley” - Nov 13***



***to 30 revellers in outside Block Soho in the alley at St Anne's Court using a door restricted from use by Westminster Council.***

***24 Nov drinkers 'bar' door in the alley***

***Dancers in the 'Bar Area' with customers being served at the Bar by 3 staff. The music was ear-splitting.***

***There was no security at either door on these events.***

***26 Nov vertical drinking & dancing at the Bar***



### **Westminster Council City Inspector visits**

**City Inspectors visited the premises on Tuesday 7th December 2022** at 22:45hrs. They were met by the Duty Manager – ██████████. He acknowledged that a City Inspector had also visited the premises on the **27th November**. He said and the management of the premises are working very closely with the council on how best to control the escape of noise and crowd management.

The Duty Manager was reminded that according to the allegations, the premises was in breach of the following Licence conditions (Premises Licence 22/07992/LIPDPS): **14. The premises shall only operate as a restaurant in which customers are shown to their table, where the supply of alcohol is by waiter or waitress service only, 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, which do not provide any take away service of food or drink and 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. 15. There shall be no sales of alcohol for consumption off the premises.

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

19. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons. 20. Patrons permitted to temporarily leave and then re-enter the premises, e.g., to smoke, shall be limited to 15 persons at any one time. 27. The licence holder shall ensure that any queue to enter the premises which forms public nuisance or obstruction to the public highway.

All the above conditions were discussed extensively with the duty Manager and he promised that their management will continue to make sure the conditions are adhered to. Loud music was played at the event until 11:18. CAS-576696-Q7V7T7 26/11/2022.

**Before its' opening Block Soho added the signage to show two separate entrances, for the Restaurant and the Bar door, which is restricted from use by Westminster Council.**



**1 Separate signage next to two doors,** food on the left, alcohol at the Bar on the right



**Door for the Bar - restricted by the WCC.** A-board ad., now points back to main door.

### TAKE AWAY / DELIVERIES OUT

When the previous licence holders, Zelman Meats were originally granted their Licence from Westminster City Council they also promised that they understood that the area of St. Anne's Court was unsuitable for either a Take Away or a Bar.\* (Sub Committee (1) hearing Thurs 31<sup>st</sup> of July 2014, full quote footnote 1) Annex 3 #14(iii) and (iv) to 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 and (iv) which do not provide any take away service of food or drink for immediate consumption. Their application was refused.

For Condition 14. (iv) "...do not provide any take away service of food or drink", Block Soho want to add '...with the exception of delivery.' St Anne's Court has a u-shaped dip in the paving and wheelchair users and those who walk with the aid of a frame are frequently blocked in bikers delivering from the 7 restaurants in the alley. Takeaways or deliveries out are a similar activity.

### CONCLUSION

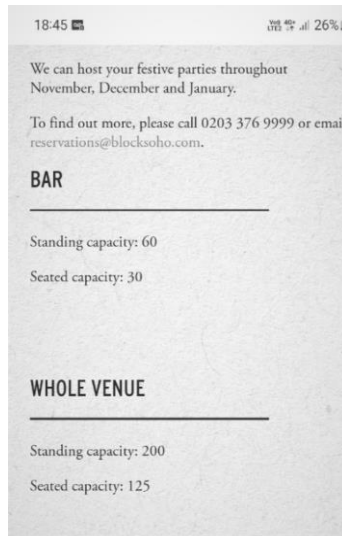
The requests to expand the scope of the licence in ways which have previously been refused and/or proven to be problematic will inevitably result in a further deterioration in the lives of the people who live above the premises and should be refused.

**Caveat:** Because the application has been submitted as a new licence application rather than a variation, I reserve the right to challenge any changes to wording of conditions which we will need to comment on.

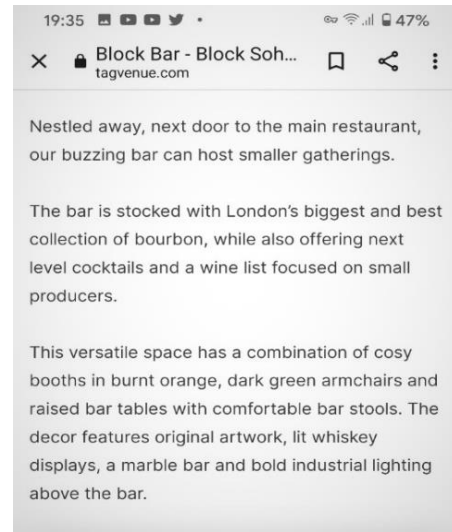
For example, although off sales are applied for, it is not clear whether this is for delivery of alcohol only - the conditions appear to be contradictory.

### Annex 1, 1

The online ads and website promotion of events the Block Soho Bar.



Ads w/ Bar standing capacity 30 6/12/22



TagVenue Ad for 'Buzzing Bar' online 18/01/23

### Annex 1, 2

eMail WCC  
Licensing  
Confirmation:  
No Temporary  
Events Notices  
registered for Block  
Soho in 2022 except  
for Dec 31st.

FEB 10th '23.

Subject: TENs query re Block Soho 22/07992/LIPDPS 10/02/2023 14:50

[REDACTED],  
I refer to your email below and advise that our records show that we received one TEN in 2022 for an event on 31 December 2022. Our records also indicate that [REDACTED] is not the Designated Premises Supervisor at the premises. The City Inspector duty manager has been copied in to this message for further investigation into the matter.

Kind regards, Senior Licensing Officer, Licensing Team, Public Protection & Licensing, Westminster City Hall 15th Floor, 64 Victoria Street, London, SW1E 6QP

The interested Party has provided further submission which appear at appendix 3



### 3. Policy & Guidance

The following policies within the City of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>A. It is the Licensing Authority’s policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> <li>1. Vary the hours within Core Hours under Policy HRS1, and/or</li> <li>2. Vary the licence to reduce the overall capacity of the premises.</li> </ol> <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<b>Policy HRS1 applies</b>	<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"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>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.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>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.</li> <li>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</li> </ol>

	<p>home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p>
<p><b>Policy PB1(B) applies</b></p>	<p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> <li>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.</li> <li>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</li> </ol> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,</li> <li>2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>

#### 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.

<b>5.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Metropolitan Police Supporting documents
<b>Appendix 4</b>	Interested Party additional submissions
<b>Appendix 5</b>	Complaints History
<b>Appendix 6</b>	Premises history
<b>Appendix 7</b>	Proposed conditions
<b>Appendix 8</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Licensing Officer
<b>Contact:</b>	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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Licensing Authority representation	19 April 2023
<b>5</b>	Environmental Health representation	17 April 2023
<b>6</b>	Metropolitan Police representation	18 April 2023
<b>7</b>	Interested Party (1)	18 April 2023
<b>8</b>	Interested Party (2)	16 April 2023
<b>9</b>	Interested Party (3)	16 April 2023
<b>10</b>	Interested Party (4)	11 April 2023
<b>11</b>	Interested Party (5)	17 April 2023
<b>12</b>	Interested Party (6)	12 April 2023
<b>13</b>	Interested Party (7)	20 April 2023
<b>14</b>	Interested Party (8)	18 April 2023
<b>15</b>	Interested Party (9)	18 April 2023
<b>16</b>	Interested Party (10)	17 April 2023
<b>17</b>	Interested Party (11)	17 April 2023
<b>18</b>	Interested Party (12)	10 April 2023
<b>19</b>	Interested Party (13)	18 April 2023
<b>20</b>	Interested Party (14)	18 April 2023







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

Schedule 12  
Part A

WARD: West End UPRN: 100023471882
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**Premises licence**

Regulation 33, 34

<b>Premises licence number:</b>	22/07992/LIPDPS
<b>Original Reference:</b>	14/04699/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Block Soho  
2 St Anne's Court  
London  
W1F 0AZ

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**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  
 Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Sale by Retail of Alcohol**  
 Monday to Thursday: 10:00 to 23:30  
 Friday to Saturday: 10:00 to 00:00  
 Sunday: 12:00 to 22:30  
 Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**The opening hours of the premises:**

Monday to Thursday: 10:00 to 23:30  
 Friday to Saturday: 10:00 to 00:00  
 Sunday: 12:00 to 22:30

**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:**

St Annes Location Limited  
C/o PSB Accountants Jubilee House  
Townsend Lane  
London  
NW9 8TZ

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

14065625

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

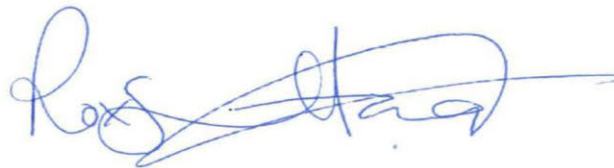
**Name:** Justin Peter Stephen Wallace

**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:** 355835  
**Licensing Authority:** London Borough of Brent

**Date:** 07 September 2022



**Signed:**

**This licence has been authorised by Ms Roxsana Haq 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**

None

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

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any visit by a relevant authority or emergency service.
12. 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.
13. No deliveries to the premises shall take place between 23:00 and 08:00 the following day.
14. 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, and
  - (v) 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.

15. There shall be no sales of alcohol for consumption off the premises.
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. 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.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.

19. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
20. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
22. The number of persons accommodated at the premises (excluding staff) shall not exceed 200.
23. Entry and egress shall only be via the main double door at the east end of the frontage of the premises, except in the case of emergencies.
24. The extract plant shall be switched off at 23:00 hours.
25. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
26. 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.
27. The licence holder shall ensure that any queue to enter the premises which forms public nuisance or obstruction to the public highway.
28. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.







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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023471882

Premises licence  
summary

Regulation 33, 34

Premises licence number:

22/07992/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Block Soho  
2 St Anne's Court  
London  
W1F 0AZ

**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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Sale by Retail of Alcohol**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**The opening hours of the premises:**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30

**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:**

St Annes Location Limited  
C/o PSB Accountants Jubilee House  
Townsend Lane  
London  
NW9 8TZ

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

14065625

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

**Name:** Justin Peter Stephen Wallace

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

Restricted

**Date:** 07 September 2022



**Signed:**

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.



PC David Morgan  
Westminster Police Licensing Unit  
Westminster City Hall  
15th Floor, 64 Victoria Street  
London  
SW1E 6QP  
Email:  
dmorgan@westminster.gov.uk

Thursday 8<sup>th</sup> June 2023

Dear Westminster Licensing Team,

The Metropolitan Police Service wishes to submit the following information with regards to the representation made for opposing the granting of a New Premises Licence for:

**Block Soho, 2 St Anne's Court, London, W1F 0AZ – 23/01807/LIPN**

The venue currently operates as a core hour's restaurant with on-sales alcohol sales within the Cumulative Impact Zone.

The new application seeks the same hours as the existing licence, but with the addition of off-sales along with a modification of the existing restaurant condition (MC66).

The new application is seeking that up to 50 customers within a defined area (the bar), will be exempt from the restaurant condition and will in effect allow them to consume alcohol without being ancillary to consuming a table meal.

The Metropolitan Police Service are concerned about this amendment as it essentially allows up to 25% of the venues total capacity to consume alcohol without the need to consume a meal.

Although there has been an additional condition offered which states that there will be a minimum of 50 seats in the ground floor bar area, there are no conditions offered which states that customers in this area **must** be seated.

This essentially permits customers within this area to vertically drink and to come and go from the venue without having the need to consume a meal.

As per the Westminster Licensing Policy, the Licensing Authority are particularly concerned that restaurant premises within the West end Cumulative Impact Zone do not, even in part, come to operate as bars and particularly not as 'vertical drinking' premises where customers consume alcohol standing throughout the evening.

The Police are aware that customers who have been consuming alcohol whilst seated, and having consumed a meal, will behave very differently to those who have been vertically drinking without the requirement to consume food.

We are therefore concerned that part of this venue (the bar area) will essentially become a vertical drinking bar which may potentially lead to increased crime and disorder and anti-social behaviour in the area.

Although this venue is not a crime generator, we feel that by allowing vertical drinking bar area for up to 50 people, may lead to issues for the Police and Emergency Services in an already demanding area.

The current levels of alcohol related assaults, sexual assaults and robberies within the West End are now higher than at pre-covid levels and when the Cumulative Impact Assessment was conducted in 2020.

The most recent crime figures can be seen in Appendix 1 and it should be noted that the peak times for crime are between 2200 hours and 0200 hours.

It should also be noted that the applicant has offered a number of conditions, but the Police are still concerned about the vertical drinking and the potential adverse impact it will have on the Cumulative Impact within the CIZ and it is for the reasons above that the Metropolitan Police Service object to this application.

 PC4242AW

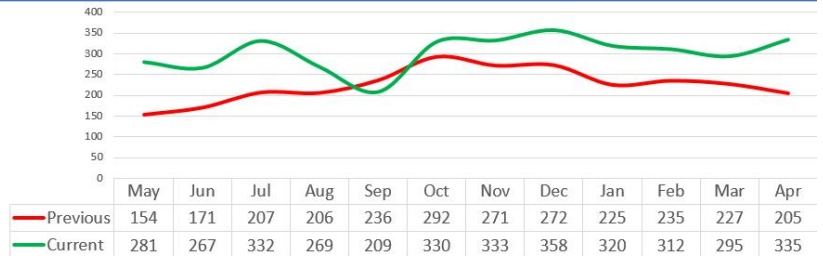
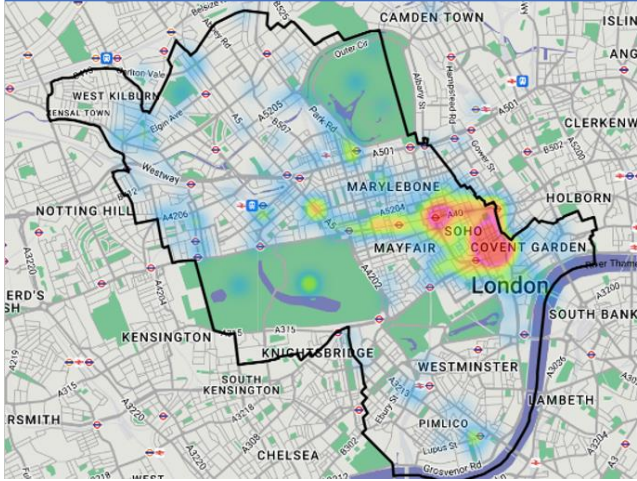
**PC David Morgan**

**Westminster Police Licensing Team**



## Appendix 1 - West End Crime Statistics – April/May 2023

### Robbery – Whole of Westminster



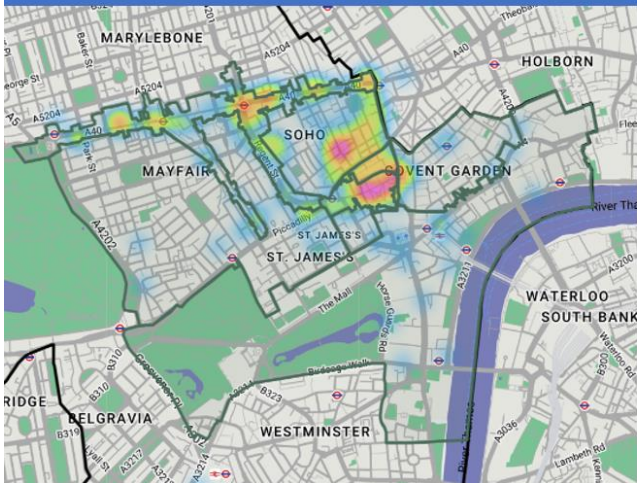
For April there were 335 offences, this is an increase of 63.41% compared to last year's 205 offences and an increase of 13.56% compared to March's 295 offences. Over previous rolling 12 months there were 3,641 offences, this is an increase of 34.80% compared to last year's 2,701 offences.

#### Peak Day & Times

Saturday (75) between 0000-0500hrs / 1600-2200hrs

Sunday (55) between 0000-0300hrs / 1900-2000hrs

### Robbery – West End



For April there were 184 offences, this is an increase of 42.64% compared to last year's 129 offences and an increase of 2.22% compared to March's 180 offences. Over previous rolling 12 months there were 2,219 offences, this is an increase of 27.38% compared to last year's 1,742 offences.

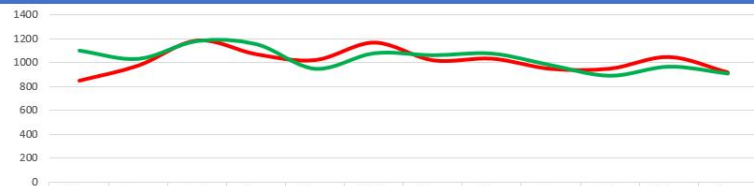
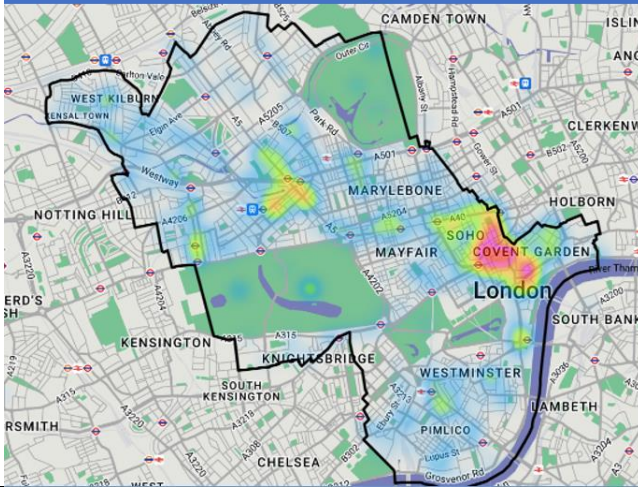
#### Peak Day & Times

Saturday (42) between 0000-0500hrs / 1300-1900hrs

Friday (34) between 0000-0300hrs / 2100-0000hrs



# Violence Against the Person – Whole of Westminster



	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Previous	849	976	1,187	1,071	1,022	1,169	1,020	1,034	948	950	1,048	918
Current	1,101	1,032	1,181	1,155	949	1,079	1,062	1,076	979	891	967	909

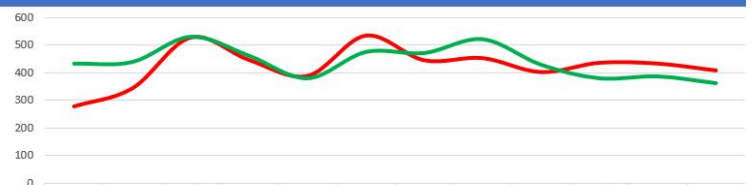
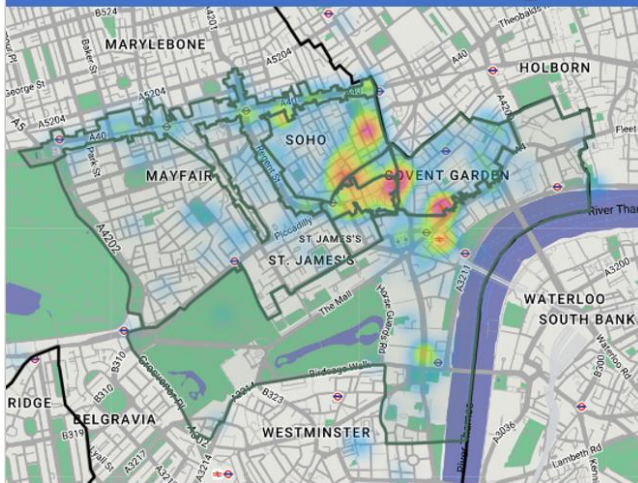
For April there were 909 offences, this is a decrease of 0.98% compared to last year's 918 offences and a decrease of 6% compared to March's 967 offences. Over previous rolling 12 months there were 12,381 offences, this is an increase of 1.55% compared to last year's 12,192 offences.

## Peak Day & Times

Saturday (154) between 0000-0100hrs / 1800-2300hrs

Thursday (147) between 1300-1400hrs / 1700-1800hrs

# Violence Against the Person – West End



	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Previous	277	343	528	446	388	535	445	453	402	436	433	408
Current	432	438	531	461	378	475	471	522	428	378	385	360

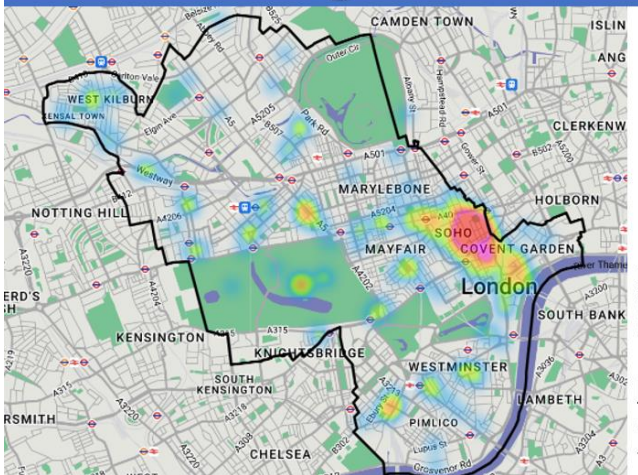
For April there were 360 offences, this is a decrease of 11.76% compared to last year's 408 offences and a decrease of 6.49% compared to March's 385 offences. Over previous rolling 12 months there were 5,259 offences, this is an increase of 3.24% compared to last year's 5,094 offences.

## Peak Day & Times

Saturday (81) between 0000-0500hrs / 1800-2300hrs

Sunday (63) between 0000-0400hrs

# Drug Possession – Whole of Westminster



	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Previous	234	255	252	204	197	181	198	266	280	234	253	268
Current	283	271	311	323	273	312	247	201	187	190	201	205

For April there were 205 offences, this is a decrease of 23.51% compared to last year's 268 offences and an increase of 1.99% compared to March's 201 offences. Over previous rolling 12 months there were 3,004 offences, this is an increase of 6.45% compared to last year's 2,822 offences.

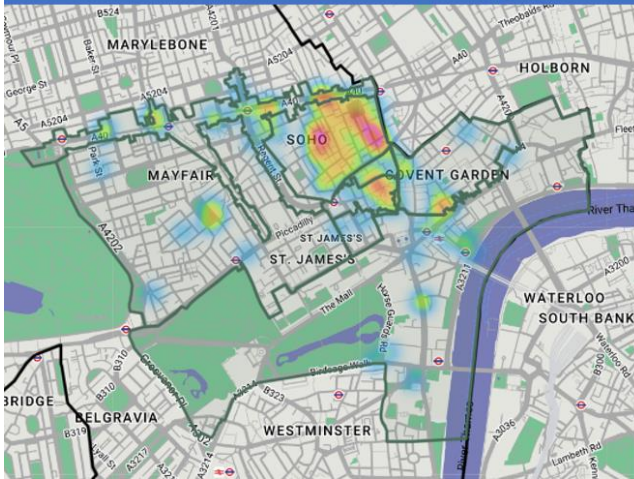
## Peak Day & Times

Saturday (45) between 0000-0300hrs / 1600-1800hrs / 2100-0000hrs

Thursday (43) between 1400-1900hrs



## Drug Possession – West End



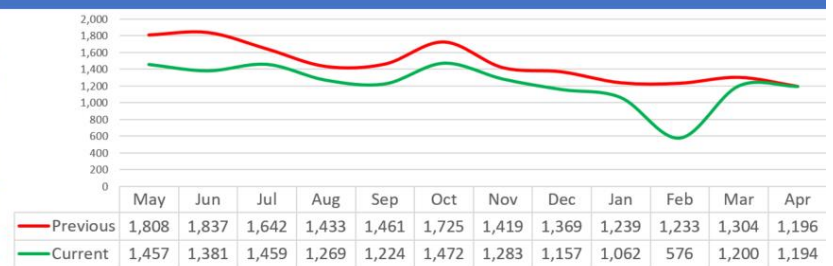
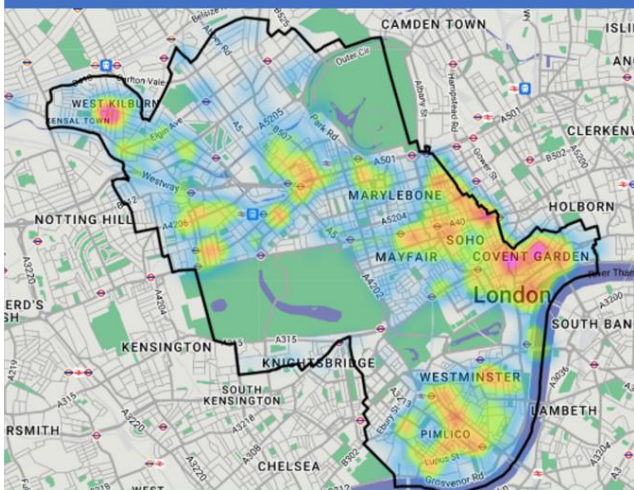
For April there were 105 offences, this is a decrease of 40.68% compared to last year's 177 offences and a decrease of 6.25% compared to March's 112 offences. Over previous rolling 12 months there were 1,835 offences, this is an increase of 9.29% compared to last year's 1,679 offences.

### Peak Day & Times

Saturday (25) between 0000-0300hrs / 2200-0000hrs

Friday (24) between 0000-0100hrs / 2200-0000hrs

## Anti Social Behaviour – Whole of Westminster



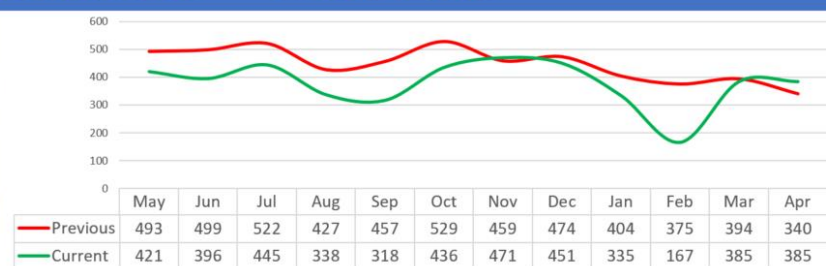
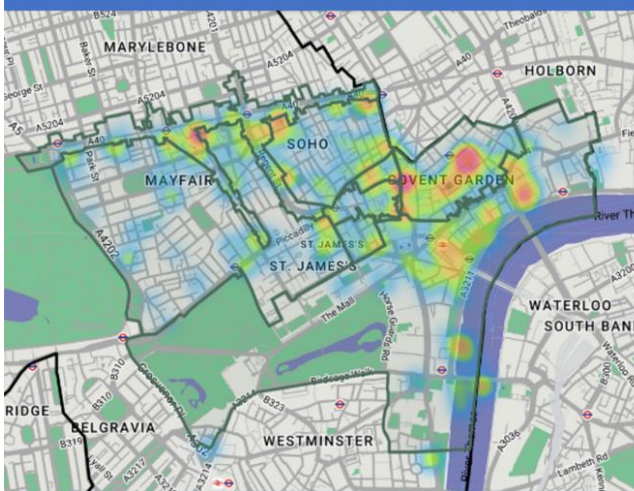
For April there were 1,194 reports, this is a decrease of 0.17% compared to last year's 1,196 reports and a decrease of 0.50% compared to March's 1,200 reports. Over previous rolling 12 months there were 14,734 reports, this is a decrease of 16.60% compared to last year's 17,666 reports.

### Peak Day & Times

Saturday (217) between 0000-0400hrs

Sunday (198) between 0000-0400hrs

## Anti Social Behaviour – West End



For April there were 385 reports, this is an increase of 13.24% compared to last year's 340 reports and the same compared to March's 385 reports. Over previous rolling 12 months there were 4,548 reports, this is a decrease of 15.35% compared to last year's 5,373 reports.

### Peak Day & Times

Saturday (78) between 0000-0400hrs

Sunday (72) between 0200-0600hrs

Crime statistics in relation to *day and time* committed within the West End. Inclusive of Violence against the person, Sexual assault, Robbery and drug offences between **May 2022** and **May 2023**.

Combined (Violence against the person, Sexual assault, Robbery and drug possession) - May 2022 and May 2023

	0700 - 0959			1000 - 1259			1300 - 1559			1600 - 1859			1900 - 2159			2200 - 0059			0100 - 0359			0400 - 0659			
Mon	4	5	8	6	8	10	7	14	22	20	18	21	21	27	27	26	40	54	27	32	22	14	7	4	444
Tue	3	7	7	10	13	20	13	12	29	18	15	20	25	29	28	57	57	39	50	42	35	16	5	6	556
Wed	4	2	8	4	8	13	10	14	19	16	20	23	26	24	26	43	47	60	55	61	46	17	7	7	560
Thu	7	4	7	5	12	13	6	22	20	17	29	25	37	32	41	87	92	116	84	66	59	36	18	8	843
Fri	9	7	9	12	14	16	19	15	26	28	27	35	44	46	72	79	126	145	105	142	108	48	15	10	1,157
Sat	11	7	11	10	15	14	11	22	20	26	42	48	36	51	81	127	130	130	122	127	106	55	24	6	1,232
Sun	9	6	6	9	5	6	8	19	26	19	26	19	25	35	37	56	42	49	35	19	27	9	9	4	505
<b>Total</b>	<b>47</b>	<b>38</b>	<b>56</b>	<b>56</b>	<b>75</b>	<b>92</b>	<b>74</b>	<b>118</b>	<b>162</b>	<b>144</b>	<b>177</b>	<b>191</b>	<b>214</b>	<b>244</b>	<b>312</b>	<b>475</b>	<b>534</b>	<b>593</b>	<b>478</b>	<b>489</b>	<b>403</b>	<b>195</b>	<b>85</b>	<b>45</b>	<b>5,297</b>

Violence against the person - May 2022 and May 2023

	0700 - 0959			1000 - 1259			1300 - 1559			1600 - 1859			1900 - 2159			2200 - 0059			0100 - 0359			0400 - 0659			
Mon	1	5	8	5	2	6	5	9	12	11	8	13	6	17	18	11	12	30	13	10	7	7	5	2	223
Tue	1	3	5	8	9	17	6	6	10	9	8	8	13	12	16	23	20	19	31	22	23	8	4	6	287
Wed	4	1	5	4	7	7	6	8	9	10	10	13	14	16	15	19	20	28	22	23	23	12	5	2	283
Thu	6	4	5	4	9	8	4	10	11	8	13	14	24	18	17	35	35	57	41	26	26	15	11	3	404
Fri	5	3	8	4	9	13	11	9	12	13	15	22	29	21	35	23	45	71	32	58	54	24	8	6	530
Sat	9	3	7	7	8	8	5	13	8	15	24	33	20	23	43	48	56	69	64	52	57	29	14	2	617
Sun	6	4	4	2	2	3	3	13	14	10	12	12	19	26	25	25	28	28	21	8	16	5	5	3	294
<b>Total</b>	<b>32</b>	<b>23</b>	<b>42</b>	<b>34</b>	<b>46</b>	<b>62</b>	<b>40</b>	<b>68</b>	<b>76</b>	<b>76</b>	<b>90</b>	<b>115</b>	<b>125</b>	<b>133</b>	<b>169</b>	<b>184</b>	<b>216</b>	<b>302</b>	<b>224</b>	<b>199</b>	<b>206</b>	<b>100</b>	<b>52</b>	<b>24</b>	<b>2,638</b>

Sexual assault - May 2022 and May 2023

	0700 - 0959			1000 - 1259			1300 - 1559			1600 - 1859			1900 - 2159			2200 - 0059			0100 - 0359			0400 - 0659			
Mon				1	2					1	2	1	3	2	1	1	1	2	2	4	3	1			26
Tue		1		1			1					1	3	4	1	2	1	3	2	1	2				23
Wed							1		1			1	1	3	2	4	3	5	6	12	3	1			43
Thu				1			1	1				3	2	3	6	2	8	5	5	2	1			1	42
Fri	2	1	1	1			3	1		1	2	3	2	3	4	5	10	15	16	15	8	1			94
Sat		2			3	3		2	2	1		4	2	4	4	9	22	17	17	13	3	3			111
Sun			2	3			2	1		2		1	3		3		4	1	4	1	2	5		1	35
<b>Total</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>7</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>5</b>	<b>13</b>	<b>10</b>	<b>21</b>	<b>19</b>	<b>30</b>	<b>41</b>	<b>52</b>	<b>50</b>	<b>53</b>	<b>25</b>	<b>9</b>	<b>1</b>	<b>1</b>	<b>374</b>



Robbery - May 2022 and May 2023

	0700 - 0959	1000 - 1259	1300 - 1559	1600 - 1859	1900 - 2159	2200 - 0059	0100 - 0359	0400 - 0659	
Mon	2		1 1 2 3	1 5 6 8	4 5 9 7 9	6 9 8	3 2 2		93
Tue	2 2	1 1	2 2 3	1 3 5 6	5 2 8 13 8	9 15 10	1 1		100
Wed	1	1	1 1 2 2	4 8 4	3 7 12 11	16 11 11	4 1 3		103
Thu	1		2 1 4 3	6 8 5 5	10 13 19 23 21 23	11 5 4		164	
Fri	1 2	2 2 2 1 2	5 4 3 3	8 14 14	7 18 19	36 39 31	16 5 1		235
Sat	2 2 1 1 2 1 3 1	5 6 14 6 8	14 21 17 21 16	29 47 28	16 8 4			273	
Sun	3 1	2	3 2 6 3 9 3 5 5 6 4 6 5 8 3 4 3 2 1		84				
<b>Total</b>	10 8 2 6 5 5 10 12 24 21 39 33 51 51 56 62 90 87 127 145 115 54 24 15	<b>1,052</b>							

Drug offences between May 2022 and May 2023

	0700 - 0959	1000 - 1259	1300 - 1559	1600 - 1859	1900 - 2159	2200 - 0059	0100 - 0359	0400 - 0659	
Mon	1	1 5 1 1 3 7 8 4	6 4 2 5 20 13	6 9 4 3		103			
Tue	2 1 1 2 3 5 3 16 8 4 8 5 10 6 25 22 12 8 4 2 5		152						
Wed	3	1 5 3 5 8 4 8 5 3 1 6 13 12 16 11 16 9	1 2	132					
Thu	1	1 1 2 5 2 9 8 4 12 5 2 7 16 36 43 33 15 14 9 9 2		236					
Fri	1 1	5 3 1 4 3 9 10 7 7 6 8 20 44 55 40 22 31 17 8 2 3		307					
Sat		3 2 2 2 3 6 5 4 5 6 6 10 13 54 32 29 15 16 18 7 2		240					
Sun	1	2 3 1 1 4 5 6 4 1 1 1 6 23 8 13 5 6 2 1 1		95					
<b>Total</b>	3 4 8 12 18 18 19 33 58 44 44 32 29 41 69 200 192 156 82 96 61 33 8 5	<b>1,265</b>							

**Previous year's statistics (2018-2022)**

**Combined (Violence against the person, Sexual assault, Robbery and drug possession) May 2018 – May 2019**

	0700 - 0959			1000 - 1259			1300 - 1559			1600 - 1859			1900 - 2159			2200 - 0059			0100 - 0359			0400 - 0659			
Mon	9	9	10	3	7	9	16	25	12	22	22	28	18	20	18	20	29	65	32	30	36	17	5	6	468
Tue	7	6	11	9	14	12	7	9	12	19	21	23	24	19	22	20	33	53	25	30	28	17	4	1	426
Wed	9	11	13	9	11	16	20	11	20	24	22	23	17	26	17	30	31	75	46	52	49	25	4		561
Thu	2	4	8	12	13	15	11	19	21	16	24	18	34	25	27	23	44	88	44	54	67	29	8	1	607
Fri	11	6	6	13	8	13	13	19	17	14	24	36	30	33	44	49	54	79	96	90	79	44	16	13	807
Sat	9	4	6	14	10	13	16	15	16	25	22	32	38	34	38	61	83	108	89	80	78	42	30	10	873
Sun	8	4	4	5	9	11	10	12	21	14	21	21	23	20	20	26	29	61	17	27	27	10	6	2	408
<b>Total</b>	<b>55</b>	<b>44</b>	<b>58</b>	<b>65</b>	<b>72</b>	<b>89</b>	<b>93</b>	<b>110</b>	<b>119</b>	<b>134</b>	<b>156</b>	<b>181</b>	<b>184</b>	<b>177</b>	<b>186</b>	<b>229</b>	<b>303</b>	<b>529</b>	<b>349</b>	<b>363</b>	<b>364</b>	<b>184</b>	<b>73</b>	<b>33</b>	<b>4,150</b>

**Combined (Violence against the person, Sexual assault, Robbery and drug possession) May 2019 – May 2020**

	0700 - 0959			1000 - 1259			1300 - 1559			1600 - 1859			1900 - 2159			2200 - 0059			0100 - 0359			0400 - 0659			
Mon	2	13	13	8	12	7	13	10	24	19	19	22	16	17	20	30	28	91	26	25	28	11	8	7	469
Tue	8	4	6	16	20	16	12	16	15	15	24	13	24	22	22	21	39	126	44	37	35	18	8	6	567
Wed	4	8	6	15	20	12	11	7	16	18	21	31	21	23	18	36	46	80	47	47	39	20	6	5	557
Thu	6	12	16	7	15	30	16	18	22	25	16	24	22	17	21	41	51	113	52	62	49	22	11	7	675
Fri	6	7	6	11	11	13	15	24	20	15	30	32	29	45	35	45	81	129	107	100	74	50	11	3	899
Sat	5	4	8	10	13	18	15	21	18	33	47	26	27	31	52	56	85	121	92	90	81	38	18	5	914
Sun	7	8	2	6	10	8	12	17	15	19	22	26	25	15	23	31	37	87	27	17	22	8	6	4	454
<b>Total</b>	<b>38</b>	<b>56</b>	<b>57</b>	<b>73</b>	<b>101</b>	<b>104</b>	<b>94</b>	<b>113</b>	<b>130</b>	<b>144</b>	<b>179</b>	<b>174</b>	<b>164</b>	<b>170</b>	<b>191</b>	<b>260</b>	<b>367</b>	<b>747</b>	<b>395</b>	<b>378</b>	<b>328</b>	<b>167</b>	<b>68</b>	<b>37</b>	<b>4,535</b>

**Combined (Violence against the person, Sexual assault, Robbery and drug possession) May 2020 – May 2021**

	0700 - 0959			1000 - 1259			1300 - 1559			1600 - 1859			1900 - 2159			2200 - 0059			0100 - 0359			0400 - 0659			
Mon	2	5	6	4	4	5	5	9	10	13	15	14	9	19	20	30	19	14	11	11	8	3	1	1	238
Tue	2	4	4	6	5	10	8	8	18	10	21	13	10	16	21	25	7	18	15	11	6	1	1	3	243
Wed	1	5	3	9	6	6	8	8	7	17	11	17	8	19	15	26	16	24	7	4	6	7	3	1	234
Thu	5	5	5	6	9	10	10	11	15	11	17	10	20	20	17	35	22	28	13	16	16	8	4	2	315
Fri	4	3	6	10	7	14	17	13	14	17	12	17	16	26	24	57	53	41	29	25	13	10	3	2	433
Sat	3	2	5	4	7	7	12	12	15	17	24	28	31	20	42	43	50	31	22	24	21	8	5		433
Sun	1	3	3	4	6	4	5	5	13	17	13	13	9	15	21	17	24	15	8	5	3	5		1	210
<b>Total</b>	<b>18</b>	<b>27</b>	<b>32</b>	<b>43</b>	<b>44</b>	<b>56</b>	<b>65</b>	<b>66</b>	<b>92</b>	<b>102</b>	<b>113</b>	<b>112</b>	<b>103</b>	<b>135</b>	<b>160</b>	<b>233</b>	<b>191</b>	<b>171</b>	<b>105</b>	<b>96</b>	<b>73</b>	<b>42</b>	<b>17</b>	<b>10</b>	<b>2,106</b>

**Combined (Violence against the person, Sexual assault, Robbery and drug possession) May 2021 – May 2022**

	0700 - 0959			1000 - 1259			1300 - 1559			1600 - 1859			1900 - 2159			2200 - 0059			0100 - 0359			0400 - 0659			
Mon	4	2	6	6	8	16	12	12	17	28	14	25	22	23	17	32	38	57	35	25	26	12	6	4	447
Tue	3	1	6	11	15	10	17	9	19	20	18	26	27	27	20	38	52	75	50	31	26	13	1	4	519
Wed	6	4	3	7	6	15	13	9	16	25	21	26	21	15	24	43	52	64	62	69	56	19	9	4	589
Thu	4	6	13	7	7	11	14	17	11	22	30	25	22	24	40	68	92	98	58	73	55	24	11	2	734
Fri	1	6	7	10	15	7	8	21	12	20	33	27	22	44	56	89	147	158	134	169	112	56	20	9	1,183
Sat	8	4	4	9	12	11	14	20	21	31	24	41	45	50	59	111	125	158	128	123	105	61	17	16	1,197
Sun	9	10	4	8	5	7	16	19	19	21	19	23	27	36	38	36	38	65	37	32	26	14	8	3	520
<b>Total</b>	<b>35</b>	<b>33</b>	<b>43</b>	<b>58</b>	<b>68</b>	<b>77</b>	<b>94</b>	<b>107</b>	<b>115</b>	<b>167</b>	<b>159</b>	<b>193</b>	<b>186</b>	<b>219</b>	<b>254</b>	<b>417</b>	<b>544</b>	<b>675</b>	<b>504</b>	<b>522</b>	<b>406</b>	<b>199</b>	<b>72</b>	<b>42</b>	<b>5,189</b>

**From:** [REDACTED]  
**To:** Jackaman, Kevin: WCC; Abbott, Karvn: WCC; Donovan, Jessica: WCC; Hag, Roxsana: WCC; Richard Brown  
**Subject:** EXTRA MATERIAL: Licensing Sub Committee 22nd June 2023 - 2 St Anne's Court, London, W1F 0AZ (23/01807/LIPN)  
**Date:** 13 June 2023 16:23:18  
**Attachments:** [40F20AC77B664C449C328F3C1B1F84C3.png](#)  
[Nov19.22BlockSohoMinutes.txt](#)  
[Dec1st.22BlockSohoMinutes.txt](#)

Some people who received this message don't often get email from eniall@hotmail.com. [Learn why this is important](#)

Dear Mr. Jackaman,

Here is some extra material for the Hearing re new Licence for Block Soho Restaurant 23/01807/LIPN Thursday 22 June '23.

Items are attached and in the body of this eMail a timeline of recent events.

Attached: Block Soho's Letter to residents from Block Soho which many regarded as accusatory and intimidating (BlockSohoLetter1.jpeg Para 4)

Also: 2 sets of minutes to illustrate the hostile beginning of relations with Block Soho's management and staff 19/11/2022 send on the 28<sup>th</sup> to [REDACTED] to illustrate the mixed messaging around only wanting to be a restaurant as well as the desire to run regular late night music and dance events at their Bar 01/12/22 (Clarion House Residents Association Minutes, last paras).

Below is a record of some of the events since the consultation on Block Soho's application for a new licence began.

**ONE WAY GLASS FITTED Weekend before 08/05/2022**

After neighbours complained to Westminster Council about the use of Block Soho's bar for vertical drinking in breach of the licence as well as the noise from loud music and dance events in the Bar, Block Soho has fitted silver mirrored material across the all their windows and the fire door on the west side of the building. This has the effect of making a 'one way mirror' where customers drinking or dancing in the bar can see out but neighbours are prevented from seeing events happening inside.

**WATER LEAKS DURING ONGOING WORKS - leaks onto the alley at St. Anne's Court.**

The flats at Clarion House sit above the Block Soho restaurant on St. Anne's Court. The building's plumbing has been undergoing treatment from March 2023. Block Soho's outside tables and chars sit under a nook along the building and under their awning.

A number of run-off pipes open onto the alley above the restaurant's outside tables and chairs and there have been occasional spills of water out onto the alley from 19/03 (which also affected an interior Block Soho fridge) thru' April 2023 with a last noted at 15<sup>th</sup> May. The works are near completion.

**HOSTILE RECEPTION Saturday 24 April**

One of our residents called into Block Soho to complain about the continued noise from staff cleaners dragging furniture which can be heard up to their flat on the third floor as well as other issues to do with noise.

Inside, our neighbour was approached by Block Soho [REDACTED] had previously fitted some rubber stops to the feet of some of the chairs and stools to help mute the noise. The building is that susceptible to noise that even the sound of cleaners spreads up across the building and disturbs children sleeping on the first floor., but a s [REDACTED] accepted it disturbed our neighbour on the 3<sup>rd</sup> floor.

In a report made to me in person and on eMail our neighbour said that [REDACTED] verbally attacked her, talking over her to impress how well they were co-operating and all they had done to accommodate, residents raising his voice to say 'let me finish'.

**ALCOHOL EVENT / OUTSIDE SERVICE WITHOUT FOOD Saturday 10/06 – not clear if a Temporary Event as Westminster Website is down.**

4 tables of customers were served with alcohol without a meal accompanied by ice buckets with Wine. Music



from bar with vertical drinkers inside.

EVENT BEER at table with Pizza box 22 Apr  
all Tables filled with drinker s 18:34 drinks from bar no one is eating

Many thanks



Sent from [Mail](#) for Windows

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**From:** Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>  
**Sent:** Monday, June 5, 2023 9:42:27 AM  
**Cc:** Abbott, Karyn: WCC <kabbott@westminster.gov.uk>; Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; Haq, Roxsana: WCC <rhaq@westminster.gov.uk>  
**Subject:** Licensing Sub Committee 22nd June 2023 - 2 St Anne's Court, London, W1F 0AZ (23/01807/LIPN)

Good morning

**Applicant:** St Annes Location Limited  
**Application:** Premises Licence, New – Licensing Act 2003  
**Location:** Block Soho, 2 St Anne's Court, London, W1F 0AZ

In accordance with regulation 6 of The Licensing Act 2003 (Hearings) Regulations 2005 (2005 Regs) Westminster City Council as the Licensing Authority under the Licensing Act 2003 (the Act) hereby gives notice of the need to hold a hearing to determine the above mentioned application.

The Licensing Authority has received representations relating to this application and has scheduled the following public hearing to consider and determine this application:

**Committee:** Licensing Sub-Committee  
**Start time:** 10am  
**Date:** Thursday 22<sup>nd</sup> June 2023  
**Location:** 18<sup>th</sup> Floor, Westminster City Hall, 64 Victoria Street, London SW1E 6QP – Room to be confirmed

**\*\*\* Please be aware members require all documents for applications to be part of the report. Please submit all documents by 12pm on Tuesday 13<sup>th</sup> June. If you wish to submit any additional documents after this date members have the discretion to adjourn cases if they do not have adequate time to fully consider all additional documentation.\*\*\***

**PLEASE PROVIDE CONFIRMATION OF ATTENDANCE WITH FULL NAMES AND ACKNOWLEDGEMENT RECEIPT OF THIS EMAIL BY 12pm Monday 19<sup>th</sup> June 2023.**

Each party who has registered to speak, will be invited to make their representations and will be allowed a **maximum of 10 minutes each**.

If you have any special requirements for access to this building e.g. wheelchair access, please contact the case officer on the telephone number or email address listed above.

Subject to regulations 14(2) and 25 of the 2005 Regs, a party may attend the hearing and may be



assisted or represented by any person whether or not that person is legally qualified.

At the hearing a party shall be entitled to -

- a. in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1) (d), give further information in support of their application, representations or notice,
- b. if given permission by the authority, question any other party, and,
- c. address the authority.

Under the Act, you are required to give notice to the Authority no later than one week prior to the hearing stating:

Whether you intend to attend or be represented at the Hearing  
Whether you consider a hearing to be unnecessary

If you wish to request the attendance of any other person (other than the person you intend to represent you at the Hearing), you must submit, with your notice to the Authority, a request for permission for such other person to appear at the hearing. You must also submit the details of the name of that person and a brief description of the point(s) on which that person may be able to assist the Authority in relation to your application / notice / representation or notice of the party making the request. Any such request will be considered by the Committee at the beginning of the Hearing.

If a party cannot attend the hearing at the proposed time or date then they can request an adjournment of the application to a later date. Any request for an adjournment must be sent to the Licensing Authority in writing and express the reasons for the adjournment request. The Licensing Authority will consider the adjournment request and any implications on other parties to the application. It will then inform the requester of its decision.

To view further information on the requirements relating to licence applications and hearings or view the Council's Rules of Procedure please visit the Council's website at [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing).

Confidential and impartial advice is available for local residents and businesses from a specialist licensing solicitor at the Citizens Advice Bureau. You can contact the Licensing Advice Project via telephone on 020 7706 6029 or alternatively you can email [licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk). Further information about this service can also be found at [www.licensingadvice.org](http://www.licensingadvice.org).

If you or any other party to this application does not attend the hearing, the application may proceed in your or their absence, or alternatively, the Sub-Committee could decide to adjourn the matter.

If you have any questions relating to this application or this notice please do not hesitate to contact me on 020 7641 6500 or email [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk).

Regards

Kevin Jackaman  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department  
Westminster City Council  
15th Floor  
64 Victoria Street  
London SW1E 6QP  
Direct Line: 07816217005  
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Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)

16/01/2022

Dear Resident,

As you may be aware, we operate Block Soho on the ground floor of this building. We have now had the opportunity to meet with some of the residents and better understand the concerns that have arisen in living above the premises and in particular issues that in the past have caused some friction between parties. We hope that where matters have been brought to our attention that we have proven ourselves to be both sensitive to your concerns and proactive in dealing with matters within our control. We will, of course, continue to proactively work with you.

On the flip-side, we need to ensure that the premises can operate in such a way that our customers are getting the service that they expect from a premises such as Block Soho. The operation of any restaurant is incredibly challenging at the best of times, let alone with a potential recession around the corner and the 'headwinds' that the industry is having to deal with, including spiralling energy costs, as well as staffing and supply issues. Rest assured, we want to operate the premises as a restaurant, but we need to think about what our clients expect when coming to visit and how we can maximise their experience. To this end, we feel that the current premises licence is overly restrictive and does not meet our needs or the needs of our customers.

We are very much aware that the conditions on the premises licence have been led by you as residents to ensure that you are not unreasonably disturbed. However, it also needs to be recognised that these restrictions are, in part, responsible for the failure of the premises to trade successfully. We hope that you would agree that it would be better for us to work with each other to try to correct this imbalance than for you as residents to see a revolving door of operators who may or may not want to have a constructive dialogue with you.

It is for this reason that we want you to have the opportunity to comment on our plans moving forward prior to us making any application. We are happy to provide you with the following documents by email:

3. An operating schedule that details in red the changes we are proposing to the licence for ease of reference
4. A plan showing the changes referred to in the revised conditions.

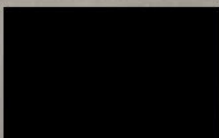
Please let me know if you would like to have copies forwarded to you and the best email address to send them. You can email me at: [REDACTED]

#### **Invitation to meet and discuss the application**

Our intention is to submit the application at the end of January. However, we are keen to hear your views and look to work with you where we can to try to reach some agreement on our proposal. We would therefore like to invite you to meet with us on **Wednesday 25<sup>th</sup> 6pm** at the restaurant along with Piers Warne from TLT solicitors. We would ask that you RSVP my email: [REDACTED] if you intend to come along so that we can notify our greeter that you are coming.

We look forward to continuing to develop our relationship with you and your neighbours.

Warm Regards





Dear [REDACTED],

Complaints from within Clarion House to Westminster City Council's Noise and Licensing Teams are growing in number.

The complaints are in response to loud music events at Block Soho and the apparent willingness of local managers to break with the familiar terms of the published Licence.

Over the last two weekends, loud music is being heard up through 3 floors at Clarion House. The flats most affected by the noise are the 12 at the front of the building, overlooking the restaurant and those with families on the first floor.

I first had to go down to the restaurant to complain on Nov 13th and spoke to [REDACTED] who said he was the manager and that 'Music Nights will be a regular feature for Block Soho on Fridays and Saturdays'. He went on, 'we have the licences from the beginning – they are all online.'

When I went down to the restaurant a second time, on the 18th, I saw a packed dance floor. I saw a crowd of people drinking alcohol standing at the bar with four or five bar staff serving behind it. This was instead of serving alcohol to customers seated at a table to have along with a substantial meal. There seemed to be several empty tables in the main body of the restaurant. The tables and chairs by the Bar were all pushed back to make room for the dancers.

I saw the DJ gesturing through the window, beckoning in groups of girls as they passed through the alley, while customers used the 'bar door' as an entrance and exit which the Licence restricts.

I'm not sure what to say about the many customers drinking alcohol from bottles and glasses outside the restaurant and along the alley. This was a loud unruly party with people moving from the Bar with the DJ, out and along the alley. There was no trace online of any Temporary Event Notice for Block Soho.

At a meeting held the next morning with [REDACTED] on the 19th he said, that Block Soho only wants to be a restaurant and not a 'Disco Bar'. (There seems to be some confusion about Entertainment Licences, Music Licences, Temporary events and as to who is a DPS - please see the Minutes of the meeting with [REDACTED] below).

I need to draw your attention to the contradictory remarks from Gen Manager, [REDACTED] and his assistant manager, [REDACTED] because one is denying that these 'Disco Bar' events are happening at all, while at the other is saying that in fact they have the licences to cover it - and that it is all part of the plan for the venue.

What [REDACTED] said certainly seems to be the more accurate, since we have continued to have more loud music and dance nights. Another music and dance event was the subject of complaints on Sat 26th.

To residents at Clarion House, all this behaviour seems guaranteed to bulldoze problems up ahead of it at the expense of any good will.

I would be grateful if you would please let me know what the actual situation is?

Because, in the midst of all this, residents can't get your management team to respond to the ordinary day to day issues that come up between businesses and neighbours. For example,

residents have requested that staff be asked not to make noise from the botting at the rear of the building where they have been cascading the glass bottles into the wheelie bins, or to ask the cleaners to please keep their noise to a minimum as it is disturbing families on the 1st floor, or to replace the signage on the main doors to remind customers to 'please keep the noise down to respect the neighbours', or even enquire about the management of the Extractor plant.

I look forward to hearing back from you,

Many thanks,

██████████

██

██████████

Please find below edited Minutes of the meeting with ██████ at Block Soho from Sat 19th Nov. at Block Soho restaurant.

#### MEETING MINUTES (4min read)

I was presenting complaints about loud music played at two late-evening events on Sun 13th and Fri 18th Nov. There has since been two more loud music and dance events held in the same manner.

#### HOSTILE START

Although this was my first meeting with BLOCK SOHO Gen Manager, ████████████████████, I was met with an angry stare and a frosty atmosphere. ██████ thought I was there to complain about his management of the Extractor Unit – I wasn't. I was following up on complaints about the loud music on Sat 13th and Fri 18th November .

██████████ said, he was not prepared to discuss anything about the business that was available online.

I said, that put us at a redundant stand-off and reminded him that I was not his enemy but a neighbour and that the Licence and our local agreements are the 'rules of the road'.

We discussed The DPS, The Block Soho Licence, music volume, whether the venue had a Entertainment Licence and a PLL/PRS Licence, signage re noise and TENS i.e. Temporary Event Notices. Had they applied?

#### COMPLAINTS / ENTERTAINMENT LICENCE

When I came down to the restaurant on Fri 13th I had asked ██████, who said he was the manager, to please turn the music down because it was causing a nuisance as it could be heard all the way up to the third floor. I asked whether they had an Entertainment Licence or a Music Licence. ██████ said that BLOCK SOHO had both and had them since the beginning as 'Music Nights' were to be a feature on Fridays and Saturdays and that it was all allowed on their new Licence which was available online.



A later search showed that Block Soho did not appear to have a PPL/PRS Music Licence at least not one that showed up on a search of licensed premises (prsformusic.com). The licence on file at Westminster does not show an Entertainment Licence.

#### LOUD MUSIC v BACKGROUND

I said that the DJ Music on both nights was significantly louder than background music and was clearly a feature to encourage dancing, as tables and chairs in the bar area had been moved to make more room for them.

However, music that loud at Clarion House causes a nuisance, while background music, if intended to create an atmosphere usually does not carry. Block Soho would need an Entertainment Licence to any loud or featured music. I asked if Block Soho had one?

#### ENTERTAINMENT /PUBLIC DANCE BAR

█████ said, 'Block Soho does not wish to have a Entertainment Licence - it operates only as a Restaurant and not a 'Disco Bar'.' I noted that this agreed with the Block Soho Licence, (Annex 3 #14) but not what was witnessed on those nights.

I reported that I had seen the DJ at the first event gesturing through the window, beckoning in several groups of girls as they passed through the alley outside and that this behaviour had resembled events at The Vodka Revolution Bar at the same premises. That 'Dance-Bar' had turned the alley into an anti-social nightmare and got so bad that the police had to raid the alley from all three entrances at once - eventually the venue had to be closed. I explained that that was why some of the restrictions were added to the premises' Licence.

#### TEN(s) EVENTS

█████ said, that the event was a TEN i.e. 'Temporary Event Notice' evening i.e. a one night event with the notice being given to Westminster Council. Later, residents could not find any Temporary Event Notice attached to BLOCK SOHO then or since, although they may not have been posted or there may have been some error, nonetheless no TEN events have yet been posted at Westminster Licensing.

#### DPS

I asked who was the DPS? █████, had claimed to be the DPS on that Sunday night. However, documents at Licensing | Westminster City Council site appear to show that the DPS for BLOCK SOHO is █████ who is also the MD of Enhanced Hospitality BLOCK SOHO's parent company.

█████ explained that although █████ may have thought he was the DPS, he was not and was not fully aware of what License or Music Licences BLOCK SOHO held or what the arrangements there were regarding the Extractor unit. █████, he said was wrong to suggest that Friday and Saturday night were intended to be 'Music Nights'.

I said that people at Clarion House were used to asking who was the DPS if there was a problem. █████ said that █████ was present at Block Soho on the night of the Sunday 13th.

█████ said, that he himself was not present at the event on Sun 13th. He did say there would be other Temporary Notice Events at some point and that one was already booked for December. He said he would let us know about other TEN nights in future.

#### LICENCE, NOISE COMPLAINTS and SOHO HOUSING

I reminded [REDACTED] that The venue's Licence says that 'no noise or vibration shall emanate from the premise that gives rise to a nuisance' (Licence, Annex 3 #16). I said that the music from both events was loud enough to be heard and felt in the walls of the flats up to the 3rd floor. Because this was a second incident after Sun 13th it had to be formally reported to Westminster Noise Team. This is a condition required of us by Soho Housing.

[REDACTED] said that the venue did not have speakers or a large sound system. Equally, I explained that the building was badly insulated as it was a cheaply built in 1985. It isn't suitable for loud music. I also pointed out that more recently, the acoustic tiles which had been on the ceiling were removed by the previous tenants, Zelman Meats.

## CLEANERS / OTHER NOISE ISSUES / AGREEMENTS

I said that special care also needed to be taken about disturbance from the cleaners as noise from vacuums, moving furniture or banging on the aluminium fittings in the kitchen causes a real nuisance. All the families, now including 6 young children, are on the first floor of the building directly above the restaurant and their parents have been getting more and more anxious as their complaints are not being heeded. I said that the problem had been highlighted in the Local Agreements Document.

[REDACTED] said he was aware of the history of agreements with previous licensees (pls see .pdf attached). Westminster Council's Noise Team, reported that Enhanced Hospitality when contacted by phone, had affirmed to them in Sept 2022 that they intended to honour those agreements. Before the official opening, [REDACTED] welcomed sight of it as potentially useful as an aid to staff training.

I made a request for [REDACTED]/Block Soho to replace signage 'reminding customers to be aware of noise and not to disturb their neighbours'. There were signs mandated by the licence, (Licence, Annex 3 #12) to be placed beside main double doors and by local agreement on the gates to the bins at the rear. It's also important for the outside tables as residents' windows were directly above.

I passed on residents thanks that the bottling noises were no longer being done late at night as this was a welcome change. However, I also asked for further discretion regarding bottling noises in the early evening, as staff had taken to pouring two or three separate cascades of bottles into the wheelie bins which was causing prolonged noise. I requested that bottles be placed in the bins as quietly as possible – that it would be much appreciated. A notice of the gates to remind staff had always been necessary in the past.

## EXTRACTOR

I said that I acknowledged the very different management of the Extractor Unit which appears to turn off at various, seemingly at random, throughout the day and night. I looked forward to a longer explanation at a later date as it isn't clear what is going on.

The Unit no longer seemed on it's timer, when asked, [REDACTED] didn't have an answer he wished to share. However, it was being regularly turned off usually before 23:00.

## SAFETY

I also passed on a warning that BLOCK SOHO staff may need to be careful when moving the plant risers in front of the restaurant. Previously, drug dealers have hidden their works, including used needles in similar wooden containers. Zelman's staff had a number of near misses regarding cuts to their hands and fingers. They were also threatened on occasion, by dealers/users claiming that their stash had been interfered with or stolen.

I thanked [REDACTED] for the meeting and said I would send him the minutes and other items via eMail and said that it was likely other residents and members of the Residents Association would be in touch in due course.

Minutes of the meeting with Black Soho [REDACTED] and [REDACTED]  
[REDACTED]  
[REDACTED]

Venue: Soho Theatre Date: 3:30pm Thurs Dec 1st

[REDACTED] introduced himself and produced print-outs of the documents and correspondence sent to him by residents and printed out for him by his assistant. He said, he had not had a chance to read them but wanted to hear from us direct. He said he was a problem solver and here to solve problems. [REDACTED] gave an overview of his experience running clubs, restaurants and night clubs in London. He said he had run Soho private members club Blacks, on Dean Street and night 'Sound' on Leicester Sq., and that his other restaurants Shaka Zulu an African themed restaurant in Camden.

[REDACTED] asked [REDACTED] to say what his plans were for Block Soho as we had received mixed messages from his management. For example, his assistant manager [REDACTED] had said on Sat Nov 12th, that Block Soho was always intended to be an Events Bar for Music and Dancing on Thursday, Friday and Saturdays and that it was always been in their Licence from the beginning (Minutes Nov 13th).

When we asked General Manager [REDACTED] we got a very hostile reception as he tried to stare us down and set a bizarre restriction on the questions he would answer from the beginning. He said he would not answer any questions that could be answered from just looking online. [REDACTED] denied Block Soho was intending to be a Dance/Events Bar this saying it was only a restaurant not a 'Disco Bar'. (Nov 19th)

[REDACTED] Said that when he went down to complain about the noise he saw a loud unruly party, the bar was in full use with people being served by three staff, I couldn't see anyone seated or eating a meal, they were standing around with drinks. The crowd was spilling out onto the street where people were carrying their drinks. I could not see any Security presence outside.

The DJ was beckoning in passers by from the alley. The Bar Door they were using is restricted from use by the Westminster Council. The door has 'please use other door' on it - it isn't supposed to be used except in emergencies.

[REDACTED] asked why they shouldn't use that door?

[REDACTED] said that the Council restricted that door from use and put it on the licence as it was too near the entrance and exit of Clarion House which is right beside it. The venue is not supposed to be a Bar for vertical drinking the licence only allows Block Soho to serve alcohol to people seated for a substantial meal, served by a waiter. [REDACTED] added that Just needed to look at Annex 3 of his licence, that all those requirements were outlined there.

[REDACTED] said use of the 'bar door' was a signifier. If people were using that door, neighbours see that the tables and chairs have been removed from in front of the bar and they are running a Bar.

[REDACTED] replied that their only aim was for Block Soho to be a restaurant - a good 'Chophouse' restaurant for great steak and sea food.

[REDACTED] said that there had been a number of Music and Dance events which had taken place since it opened in November (Nov 13th on to 18th) without a Temporary Event Licence [TENs] and that this had caused many complaints at Clarion House because of the extremely loud music being played. The last one was very loud one minute and low the next so it sounded like some was turning it up and later someone else was turning it down, like a teenage house party. The Music had gone on after 23:30 and could be heard all the way up to the third floor.



█████ said that there was a sound limiter on the DJ Deck and they were using the house system.

█████ replied that if that was true then it matched what we were hearing that night. On that night when the Westminster Noise Team was called, it had been Loud and then quieter but did not stop until after 23:00.

█████ said that residents in the alley understood that you are allowed to have background music, it's better to have a licence but whatever about that, no one is allowed to be so ear-splittingly loud that they are a nuisance and certainly not after hours. The venue is simply not designed for loud Music.

█████ asked, was it was that if Block Soho intended it to be a restaurant only - then why were they advertising themselves online, for example, on 'TagVenue' touting that their 'Standing Capacity in Bar' was 60 and the 'Seated Capacity' was 30, while In the restaurant as a whole on the website it says 'Standing Capacity' was 200 and 'Seated' was 125. AdVenue <https://ccevents.org.uk/venue/block-soho-venue-hire/> <https://www.blocksoho.com/events> TagVenue. A Restaurant serving diners who are seated only does not need to advertise it's standing capacity.

█████ said, he didn't know but that he thought his office may have put those out. He said he would have a word. █████ said, they did want to 'promote the Bar but through the restaurant.'

█████ explained that Residents had already been through all this before with the Vodka Revolution Bar in which had to be closed in 2013. They were a restaurant/events bar aimed at the 18-30 crowd. They had run a late night music and dance bar/events and had applied to add the right to their licence. That had already turned into a nightmare for the neighbours in the alley. The venue attracted every anti-social behaviour imaginable. Residents were harassed by touts. The music was ear-splitting, the alley was covered in foul smelling urine and vomit every weekend.

█████ said that truly horrible creeps, taxi and club touts, hung around outside the venue. More people on their way into Soho, were attracted down into the alley by the lights, crowds and music as they passed by the entrances on Dean St. And Wardour St. They stayed in the in the alley much of the night, shouting and singing. They were using drugs and continuing to drink from bottles, selling drugs or just waiting to mug/roll drunks or harass women passers by. The were loud vicious fights into the early hours of the morning.

█████ said that it just got worse and worse. In the end the Police had had to raid St. Anne's Court from all three entrances to the alley at once. █████ said that the Revolution Bar was opposed by residents and neighbouring businesses, the Met Police, The Council and others. He said that the Landlord Raymond Estates would prefer the venue was used for an Office space or a Gym not a restaurant and certainly not a bar. █████ repeated that no one with a interest in the alley want Block Soho to run a Bar in that venue, This was based on bitter, first hand experience of where it leads - but on the nights already seen at Block Soho we are nearly there already.

█████ said that the venue was not designed to be a restaurant. The ground floor was opened in 1985 and was originally a singles telephone exchange singles club modelled on Casper's in Mayfair and Berlin Singles Exchanges. The restrictions on the Licence were there for a very good reason and taken years of work.

█████ said the building itself is structurally unsuitable for music or noise of any kind. The building itself conducts sound. Officers from the Westminster Noise Team had said that it is the metal frame of the building that conducts the sound through the building. Acoustic engineers that have visited the site have said it's is also conducted by the brickwork and concrete columns. It should

also be remembered that the 1st floor of Clarion House is directly above the ceiling of Black Soho – with no insulation.

█████ asked to understand this..

█████ explained that the ground floor venue originally had a false ceiling made of acoustic tiles - they was taken down by the previous tenant Zelman Meats/Rex & Mariano for re-decoration. They had wanted an industrial look of exposed pipes, electrical conduits and air conditioning ducts. Unfortunately, it is not suited to music. The space does not have any acoustic insulation at all.

█████ said that the flats on the first floor and directly on top of Block Soho, contain families with 7 young children in total and they can hear the cleaners late at night moving furniture 2 floors up - they can hear people using a vacuum cleaner even bottling noises. They found the loud music events are heard up to the 3rd floor and residents found it impossible to get to sleep.

█████ said that she can hear staff and cleaners dragging stools across the concrete floors of the restaurant and she is on the 2nd floor.

█████ said he has a good relationship with the cleaners and that he doubts very much they would be making noise. That the cleaning team were the same company as before with Zelman's and that he knew them well.

█████ said that if they were the same team that had been with Zelman's then he had gotten to know the cleaners very well too from having to go down into the alley late at night and knock on the door to tell them to keep the noise down. Another neighbour recently reported that she had to do the same. █████ said he had dealt with Team Leader, Matthew and his colleagues and that they were not always the same people - they were sometimes casual workers and differed from week to week.

█████ answered that he could take action and for example, put rubber ends on the legs of the stools.

█████ accepted that particular aspect of nuisance but said he would check it out and made a note. Just asked if they could sound test the music in all the various flats. █████ gave █████ a business card for an Acoustic Engineers who had worked in the building before.

█████ said the only testing that is allowed is by Westminster Council Environmental Health Teams that they make that judgement not the restaurant itself. They visit the premises in a team and make their report. They have already called in and spoken to staff at Block Soho a number of times.

█████ said that the building is a nightmare because it conducts sound - it travels throughout. Music is heard as a thumping noise and vibration in the walls. He said he lived on the 1st floor above the kitchen area - the opposite end from the bar/music area but when it is played loud that he could hear it in the walls of his living room.

█████ said that the building was made from cheaper materials in 1985 and been put up in double quick time.

█████ gave an example of a flat in Denbigh Place, Pimlico, where he visited, where you can hear a conversation at a normal level from the building's ground floor all the way up to the 3rd. The building itself conducted the sound. It cannot be sound proofed without building an internal acoustic shell inside each room, and ceiling tiles above the stairwell and acoustic mats underneath the hallways. The venue where Block Soho is, is that kind of nightmare.

■■■■ added that sound in the alley itself was also a problem. Because of the 'canyon effect', any sound in the alley is amplified and resonates upwards into the bedrooms and kitchens of all the flats upstairs. Having people drinking at tables and running music night will lead to constant complaints.

■■■■ asked what had Zelman's done with their outside seating?

■■■■ said that the outside seating was not popular – nobody sat there. Residents had reported that they had not seen notices about outside Tables and Chairs from Block Soho had appeared on their windows late but understood that Covid restriction had been lifted.

■■■■ also explained about the noise at the rear of the restaurant. Bottling noises were disturbing residents as Block Soho Staff were cascading bottles from a height into the plastic wheelie bins in the alcove Richmond Buildings.

Complaints about bigger boom noises from staff throwing large bin bags into the Wheelie Bins were largely heeded after some effort ( with some exceptions) but the bottling noises persist now in the evenings. Niall offered that the signs 'Do not disturb the neighbours' had to put on the inside of Block Soho's back door as staff kept forgetting and that it took nearly a year for the loud noises and their frequency to lessen.

The noise in that alley - Richmond Buildings also had a 'Canyon Effect' in that any noise was amplified and resonated inside the court yard on the 1st floor of Clarion House. For example, Niall described standing on the 1st floor balcony at Clarion House and being able to hear gravel being crunched under foot at the corner with Dean St.

■■■■ asked for a Justin to consider what the noise from the Kitchen Unit does to his flat which is directly upstairs from the kitchen.

■■■■ explained that his bedroom and living room are situated directly above Zelman's kitchen, running north to south from its entrance on the Dean St side along its side wall, toward the rear of the venue in Richmond Buildings.

The riser for their kitchen's extractor unit goes up along my bedroom wall and exits on the roof. It makes a continuous sound not unlike the engine of a ship. That noise and vibration make my bedroom unusable during the day but worse, at busy periods in the evenings the noise and vibration spread across the wall and into my living room.

Westminster Environment Health Noise Team were asked to attend my flat. They were asked on a Sunday evening when Zelman's Restaurant was moderately busy so the sample would not be 'too loud' as it might be on a busier night but also not without a fair crowd expecting a general service. The noise in my flat was judged to reach the level of a statutory nuisance and Zelman's were asked to provide a solution. (Feb 2017).

It has gotten much worse since then. The Unit has been taken off it's timer and when I asked why I could not get an answer. Whatever the answer is Block Soho don't want me to know. ■■■■, when asked why the kitchen was still serving after hours, said that a party of several people had had a car accident and were late for their booking but that they were allowed to serve after 23:00. We didn't ask about the car accident but the comment about the licence was not true.

■■■■ asked ■■■■ to take a moment and put himself in his shoes. He said he was particularly affected by the ongoing noise and vibration from the kitchen's extractor unit.

The Extractor unit is supposed to be on a timer so it turns itself off at 23:00 this is to avoid frequent staff error. If left on overnight, I am forced to sleep on my living room couch. Zelman's extractor had made so much noise down into the yard of Clarion house, that they had to replace

the fan turned the hood to east to the right. (Dec 2016) This made the internal vibrations in my flat worse. The exhaust blows back onto the shared wall and into other ventilators and so extending the spread of noise & vibration. The change was made without an impact study or consultation.

Zelman's then added specialized meat grills, they also put in aluminium worktops, splash-backs and hoods. They covered their back wall with ceramic tiles and placed a glass wall facing the front of house. All of this created an enclosed amplifier for any noise made in the kitchen directly under my bedroom which Block Soho has kept. The noise on the worksurfaces are heard upstairs as loud booms. The noise in the restaurant itself can be remarkably loud and staff and patrons alike in an ordinary work night often have to raise their voice to be heard over the air-con. Block Soho has retained all these features.

Attenuations were fitted to the extractor but were insufficient due the design of the building as they were unable to fit baffle silencers. Because of this, an agreement was reached between Westminster Environmental Health Noise Team, representatives for Zelman's, [REDACTED], then manager at Soho Housing and myself that Zelman's kitchen units must operate at a lower capacity.

The Extractor unit is now on a timer and inhibitor which regulates its operations capacity for the Kitchen. The timer shuts the unit, which starts at 09:00 shuts off automatically at 23:00 to avoid staff error. When the unit is turned off or disabled it can be left to run all night. Block Soho has taken the system off it's timer and so fails regularly.

The Regulator inhibits the kitchen's extractor unit and is set by Zelman's to run at 70% capacity. There is also a manual over-ride or 'booster button' which when pressed returns the extractor to 100% capacity for a 30-minute period. This is supposed 'in practice only used sparingly', for emergencies, or for health and safety to clear smoke from the kitchen's meat-smokers and grills.

The kitchen staff have found a work-around and to run the kitchen at full 100% capacity by repeatedly pressing this 'booster button', they can add multiples of 30-minute periods in a continuous sequence. A 'boost' can therefore last the entire night e.g. 9pm to 10:30 at 30mins +30mins +30mins when the kitchen closes.

[REDACTED] said he had explained this at the first meeting when [REDACTED] and he met at the venue before it opened and sent [REDACTED] a copy of the agreement and some background. [REDACTED] said that he would find that useful and would use it for staff training.

[REDACTED] explained that repeatedly pressing the 'booster button' undermines the local agreed which [REDACTED] promised he would abide by. The Westminster Environmental Health Noise Team reported that they had asked [REDACTED] if he was prepared to honour these local agreements and he had confirmed that yes, he was.

When the 'booster button' is pressed, I can feel the difference in the noise level and vibrations along the wall in my living room as well as feel the changes in audio pressure in my ears. It is an intrusive and oppressive presence and when it is left to run off it's timer after 23:00 I have no way of knowing whether it will end in 30 mins or an hour nor do I ever know for sure that won't last all night. It is an extremely stressful way to live and has been going on for about 7 years. I'm told that I should withdraw my consent and ask for the Noise Team to re-evaluate the noise. I would prefer coming to a sensible negotiation between neighbours but fear that moment has passed.

At first I it seemed that Block Soho were being thoughtful in leaving the Unit turned off when not in use during the day but as soon as they got busy they were back to trying to run the kitchen at full capacity. There was a certain amount of cunning involved early on but now there is just noise and leaving the extractor unit on all night at random.



■■■■ asked ■■■■ why the Extractor Unit had been removed from the timer and to outline when the Chief said he was likely to use the 30 min booster to return the Kitchen to 100%. If there was some transparency about times and I could plan accordingly. What time in the morning it turned on, when was prep? What time does he consider peak in busy nights.

■■■■ said, Chefs can't tell when they will be busy.

■■■■ said, they can know what time they use that emergency booster – especially as required that they are they only one authorised to use it. They can know start and finish times.

■■■■ said he would look into it and get back to us.

■■■■ asked if Just has any plans for a late night alcohol event at the venue coming up?

Just said, yes he thought that there was one scheduled but that obviously he's have to put a stop on it. He promised to send a response to all we had said and would look into the noise of stools across the floor.

**City of Westminster**

**TO** Emanuela Meloyan  
**REFERENCE** 23/01807/LIPN  
**FROM** Leroy Adedeji  
City Inspectors, 15<sup>th</sup> Floor, City Hall  
**DATE** 11<sup>th</sup> April 2023

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**RE: SOHO BLOCK, 2 St. Anne's Court, London W1F 0AZ**

I have searched the records and found that 17 complaints have been made since August 2022 to February 2023 about noise, mainly in the form of extractor fan, dragging of tables, chairs and barrels and loud music, emanating from Soho Block at 2 St. Anne's Court London. All the complaints have come from five people living in neighbouring residential flats who I have identified as residents (a) to (e).

On no occasion has the noise been substantiated as a statutory nuisance by a visiting officer. However, at least three letters were written to the CEO of Soho Block by the visiting officers based on the complaints received from the residents indicating that the noise witnessed after 23:00 would have constituted a nuisance.

**20/08/22** Complaint from local resident (a) about an extraction fan unit left running all night causing noise and vibration. Letter written to the CEO and a call back received promising to abide by all agreement.

**26/08/22** Complaint from local resident (a) about an extraction fan unit left running all night causing noise and vibration. Informant did not respond to SMS and no visit was made.

**01/09/22** Complaint from local resident (a) about an extraction fan unit left running all night causing noise and vibration. A warning letter written to the CEO and company solicitors reminding them about condition 24 of the premises licence.

**13/11/22** Complaint from local resident (b) about a loud party taking place in the premises. The complainant was contacted, and she responded that the party had stopped. No visit was made.

**18/11/22** Complaint from local resident (a) about an extraction fan unit left running all night causing noise and vibration. Contacted the complainant and he advised that the premises had closed, and extractor fan turned off.

## City of Westminster

**24/11/22** Complaint from local resident (a) at 21:25hrs, about a loud party taking place in the premises. Informant did not respond to SMS and no visit was made.

**24/11/22** Complaint from local resident (a) at 22:34hrs, about loud music noise coming from Soho Block. Informant was contacted and he explained that the noise had stopped but would love officers to remind the premises of their licencing conditions.

**25/11/22** Complaint from local resident (c) about loud music noise coming from Soho Block. The noise had happened on the 24/11/22. The informant was advised to report noise when it is happening.

**25/11/22** Complaint from local resident (d) about loud music noise coming from Soho Block. The noise had happened on the 24/11/22. The informant was advised to report noise when it is happening.

**01/12/22** Complaint from local resident (e) at about dragging of tables and chairs causing excessively noise from Soho block. Informant did not respond to SMS and no visit was made.

**08/12/22** Complaint from local resident (e) at about dragging of tables and chairs causing excessively noise from Soho block. Informant did not respond to SMS and no visit was made.

**09/12/22** Complaint from local resident (e) at about dragging of tables and chairs causing excessively noise from Soho block. Informant did not respond to SMS and no visit was made.

**17/12/22** Complaint from local resident (e) at about dragging of tables and chairs causing excessively noise from Soho block. The complainant was contacted, she explained the dragging of furniture and barrels had stopped. No visit was made.

**20/12/22** Complaint from local resident (a) about an extraction fan unit left running all night causing noise and vibration. Letter written to the CEO and a reply was received stating, *"I have attached the signing sheet which is recorded every day and available on site for our records for when we shut the extraction system off. I have also recorded and photographed the 'switch off' every day on a WhatsApp group, I hope this helps but please feel free to contact me at any time. I have met with the residents several times and working with them to ensure we are satisfying any issues."*

**25/01/23** Complaint from local resident (e) at about dragging of tables and chairs causing excessively noise from Soho block. Informant did not respond to SMS and no visit was made. A voice message was delivered to the complainant voice inbox.

## City of Westminster

**27/01/23** Complaint from local resident (a) about an extraction fan unit left running all night causing noise and vibration. The informant was contacted and he explained that the noise had stopped but would like an officer to return the following morning and remind the premises of their licencing conditions.



**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/06224/LIPC	Conversion	03.09.2005	Granted under delegated authority
06/02997/LIPDPS	Variation of DPS	21.04.2006	Granted under delegated authority
06/08557/LIPDPS	Variation of DPS	13.09.2006	Granted under delegated authority
06/12919/LIPDPS	Variation of DPS	28.02.2007	Granted under delegated authority
07/04994/LIPV	Variation – Extension of hours to core hours	26.07.2007	Refused by Licensing Sub Committee
07/09079/LIPDPS	Variation of DPS	26.09.2007	Granted under delegated authority
08/02253/LIPDPS	Variation of DPS	07.03.2008	Granted under delegated authority
09/06657/LIPDPS	Variation of DPS	30.09.2009	Granted under delegated authority
09/07743/LIPDPS	Variation of DPS	11.11.2009	Granted under delegated authority
10/00516/LIPDPS	Variation of DPS	08.02.2010	Granted under delegated authority
10/03858/LIPDPS	Variation of DPS	22.06.2010	Granted under delegated authority
10/07507/LIPDPS	Variation of DPS	12.10.2010	Granted under delegated authority

10/08333/LIPDPS	Variation of DPS	02.11.2010	Granted under delegated authority
10/10205/LIPV	Variation - Extension of hours to 01:00	16.03.2011	Application withdrawn
11/02306/LIPVM	Minor variation – change of layout	06.04.2011	Granted under delegated authority
11/04917/LIPDPS	Variation of DPS	01.06.2011	Granted under delegated authority
11/05993/LIPDPS	Variation of DPS	27.06.2011	Granted under delegated authority
11/07816/LIPV	Variation – Extension of hours to core hours	29.09.2011	Refused by Licensing Sub Committee
12/00527/LIPDPS	Variation of DPS	01.04.2012	Granted under delegated authority
12/01031/LIPDPS	Variation of DPS	22.02.2012	Granted under delegated authority
12/03890/LIPVM	Minor variation – removal of embedded condition	06.06.2012	Granted under delegated authority
12/09250/LIPDPS	Variation of DPS	03.12.2012	Granted under delegated authority
13/01540/LIPV	Variation – Extension of hours to core hours	13.06.2013	Refused by Licensing Sub Committee
13/07749/LIPDPS	Variation of DPS	25.10.2013	Granted under delegated authority
13/08763/LIPDPS	Variation of DPS	25.11.2013	Granted under delegated authority <b>(Licence surrendered 07.01.2014)</b>

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
14/04699/LIPN	New premises licence – Recorded music, alcohol and late night refreshment to core hours	31.07.2014	Granted by Licensing Sub Committee
15/05020/LIPDPS	Variation of DPS	07.07.2015	Granted under delegated authority
15/08707/LIPV	Variation – Change of layout	14.01.2016	Granted by Licensing Sub Committee
15/10779/LIPDPS	Variation of DPS	03.05.2016	Granted under delegated authority
16/00301/LIPVM	Minor variation – Addition of conditions	27.01.2016	Granted under delegated authority
17/03785/LIPDPS	Variation of DPS	01.11.2017	Granted under delegated authority
18/10655/LIPVM	Minor variation – Change of layout	08.10.2018	Granted under delegated authority
18/11137/LIPDPS	Variation of DPS	27.12.2018	Granted under delegated authority
19/10803/LIPDPS	Variation of DPS	25.09.2019	Granted under delegated authority
19/11368/LIPVM	Minor variation – Change of layout	30.09.2019	Granted under delegated authority
20/04950/LIPV	Variation - Add off sales of alcohol (limited to sealed containers and with a take-away meal) 2. Permit take away of food for delivery/ collection 3. Permit the bar to be used by up to 12 non-diners until 8pm	08.01.2021	Application withdrawn

20/08963/LIPDPS	Variation of DPS	15.10.2020	Granted under delegated authority
21/09143/LIPT	Transfer - St Anne's Court Restaurant Ltd to Raymond Estates Ltd	12.10.2021	Granted under delegated authority
22/07975/LIPT	Transfer - Raymond Estates Ltd to St Annes Location Limited	06.09.2022	Granted under delegated authority
22/07992/LIPDPS	Variation of DPS	07.09.2022	Granted under delegated authority

**There is no appeal history**



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

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

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

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

**Mandatory Conditions**

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

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

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

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

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

## Conditions consistent with the operating schedule

9. With the exception of the bar area as laid out on the plan, the supply of alcohol on the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.
10. With the exception of the bar area as laid out on the plan, the supply of alcohol 'On' the premises shall be by waiter or waitress service only.
11. There shall be seating for a minimum of 50 Guests at any one time in the Ground floor bar area.
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. There shall be no sales of hot food or hot drink for consumption 'Off' the premises after 23.00 hours.
14. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, except for alcohol supplied and consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
15. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed,
  - a. Bar area: 50 persons.
  - b. Restaurant: 150 persons.
16. The premises shall operate primarily as a restaurant, with the exception of the bar area as marked on the plan
  - (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, with the exception of delivery and
  - (v) 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.
17. Deliveries of alcohol shall only be made to bona fide residential or business addresses.
18. There shall be no sales of alcohol for consumption off the premises except as ordered as part of a substantial food delivery.
19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
20. 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.

21. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any visit by a relevant authority or emergency service.
22. 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.
23. No deliveries to the premises shall take place between 23:00 and 08:00 the following day.
24. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. 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.
26. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
27. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
28. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
29. 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.
30. The extract plant shall be switched off at 23:00 hours.
31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
32. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
33. The licence holder shall ensure that any queue to enter the premises which forms public nuisance or obstruction to the public highway.
34. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
35. A dispersal policy ('the policy') will be drawn up and implemented at the Premises to ensure that customers are managed to leave and disperse quickly and quietly. The Policy will be made available to The Metropolitan Police Service and Westminster licensing and enforcement officers on request.

36. 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.

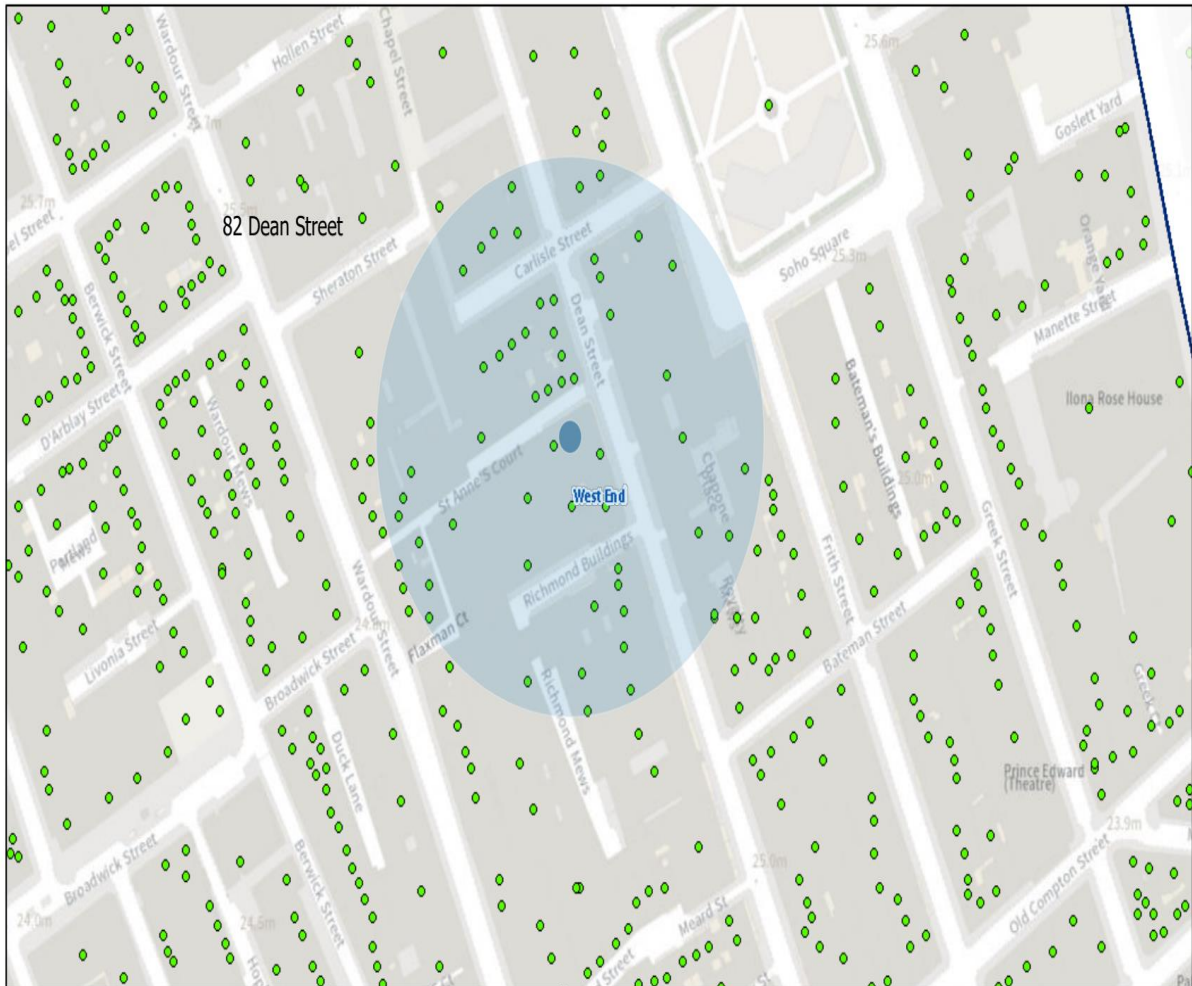
**Conditions proposed by the Environmental Health**

None

**Conditions proposed by the Police**

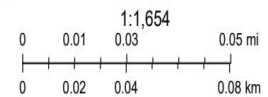
None

**Block Soho 2 St Anne's Court**



07/06/2023, 09:21:41

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Ward Labels
- Borough Boundary - Detailed



Resident Count: 85

Licensed premises within 75m of 2 St Anne's Court, London, W1F 0AZ				
Licence Number	Trading Name	Address	Premises Type	Time Period
22/07992/LIPDPS	Block Soho	2 St Anne's Court London W1F 0AZ	Restaurant	Sunday; 10:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00

20/01077/LIPDPS	Bowls	27 - 28 St Anne's Court London W1F 0BN	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/09123/LIPCH	Wagamama	81 Dean Street London W1D 3SW	Restaurant	Sunday; 08:00 - 23:00   Monday to Thursday; 08:00 - 00:00   Friday to Saturday; 08:00 - 00:30   Sundays before Bank Holidays; 08:00 - 00:30
21/07631/LIPCHT	Capital Shop	Ground Floor 88 Dean Street London W1D 3ST	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
18/14691/LIPDPS	Heart Magazine UK, The Good Housekeeping Institute	21-25 St Anne's Court London W1F 0BJ	Miscellaneous	Monday to Sunday; 00:00 - 00:00
23/01781/LIPVM	Nellie Dean Public House	89 Dean Street London W1D 3SU	Public house or pub restaurant	Monday; 10:00 - 23:30   Tuesday; 10:00 - 23:30   Wednesday; 10:00 - 23:30   Thursday; 10:00 - 23:30   Friday; 10:00 - 23:30   Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
20/03227/LIPT	Vanity Bar And Nightclub	Basement To First Floor 4 Carlisle Street London W1D 3BJ	Night clubs and discos	Sunday; 09:00 - 01:00   Monday to Saturday; 09:00 - 03:30
22/11860/LIREVX	Vanity Bar And Nightclub	Basement To First Floor 4 Carlisle Street London W1D 3BJ	Not Recorded	
19/07112/LIPV	Soho Theatre	Basement And Ground	Theatre	Sunday; 10:00 - 01:00



		Floor 21 Dean Street London W1D 3NE		Monday to Saturday; 10:00 - 02:30
19/07312/LIPDPS	Soho Theatre Company	First Floor To Second Floor 21 Dean Street London W1D 3NE	Theatre	Sunday; 12:00 - 23:30   Monday to Saturday; 09:00 - 00:00   Bank Holiday; 14:00 - 23:30
23/01999/LIPDPS	Pizza Pilgrims	11 Dean Street London W1D 3RP	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
13/03483/LIPN	Piccolo Fomo Pizzeria	9-12 St Anne's Court London W1F 0BB	Restaurant	Sunday; 10:00 - 22:30   Monday to Saturday; 10:00 - 23:30
18/08862/LIPVM	Japes	Ground Floor Townsend House 22 - 25 Dean Street London W1D 3RY	Restaurant	Sunday; 09:00 - 00:00   Monday to Saturday; 07:00 - 01:00
21/04387/LIPCHT	The Resident Soho Hotel	10 - 12 Carlisle Street London W1D 3BR	Hotel, 3 star or under	Monday; 10:00 - 01:00   Tuesday; 10:00 - 01:00   Wednesday; 10:00 - 01:00   Thursday; 10:00 - 01:00   Friday; 10:00 - 01:00   Saturday; 10:00 - 01:00   Sunday; 10:00 - 01:00
22/11434/LIPDPS	The Seafood Bar	Basement And Ground Floor 77 Dean Street London W1D 3SH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
18/03688/LIPCHT	Club 16	16 Carlisle Street London W1D 3BT	Office	Sunday; 08:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00

23/00256/LIPDPS	Pizza Express	Basement And Ground Floor 10 Dean Street London W1D 3RW	Restaurant	Monday; 09:00 - 03:30   Monday; 10:00 - 00:30   Tuesday; 09:00 - 03:30   Tuesday; 10:00 - 00:30   Wednesday; 09:00 - 03:30   Wednesday; 10:00 - 00:30   Thursday; 09:00 - 03:30   Thursday; 10:00 - 00:30   Friday; 09:00 - 03:30   Friday; 10:00 - 00:30   Sunday; 09:00 - 00:00   Sunday; 12:00 - 00:00
17/03770/LIPDPS	Soho Hotel	Soho Hotel 4 Richmond Mews London W1D 3DH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
21/07752/LIPN	Gravity House	65 - 66 Frith Street London W1D 3JR	Office	Monday to Sunday; 00:00 - 00:00
23/02617/LIPDPS	Aulis	Ground Floor 16 St Anne's Court London W1F 0BF	Cafe	Sunday; 10:00 - 22:00   Monday to Saturday; 08:00 - 23:30
20/09927/LIPT	Sohostel - 4th Floor	West End House 91-92 Dean Street London W1D 3SY	Hostel with on site management	Monday to Sunday; 12:00 - 23:00
20/09934/LIPT	Sohostel (Whole Premises)	West End House 91-92 Dean Street London W1D 3SY	Hostel	Monday to Sunday; 00:00 - 00:00
22/00107/LIPD	The Toucan	19 Carlisle Street London W1D 3BY	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
22/10218/LIPDPS	Soho Dean Street	76 Dean Street London W1D 3SQ	Club or institution	Monday to Sunday; 07:00 - 01:00

22/01602/LIPDPS	The Ship Public House	116 Wardour Street London W1F 0TT	Pub or pub restaurant with lodge	Sunday; 12:00 - 22:50   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
23/00162/LIPVM	Barrafina Quo Vadis	26 Dean Street London W1D 3LL	Restaurant	Sunday; 09:00 - 00:00   Monday to Saturday; 09:00 - 02:30

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City of Westminster

## Licensing Sub-Committee Report

Item No:	
Date:	22 June 2023
Licensing Ref No:	23/02196/LIPV - Premises Licence Variation
Title of Report:	Burger & Lobster 29 Clarges Street London W1J 7EF
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			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	5 April 2023		
<b>Applicant:</b>	Burger & Lobster Restaurant Group Ltd		
<b>Premises:</b>	Burger & Lobster		
<b>Premises address:</b>	29 Clarges Street London W1J 7EF	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates as a restaurant.		
<b>Variation description:</b>	<p>This variation seeks the following:</p> <ul style="list-style-type: none"> <li>To amend conditions 9, 10 &amp; 11 on the existing premises licence.</li> </ul> <p>Full details can be seen at <b>1-D</b> and <b>Appendix 4</b>.</p> <p>This application follows pre-application advice (23/01347/PREAPM).</p>		
<b>Premises licence history:</b>	The premises had the benefit of a premises licence from 2005 until the licence was surrender in 2007. A new premises licence was granted in 2009. The current premises licence (17/06132/LIPDPS) can be viewed at <b>Appendix 2</b> along with the history which appears at <b>Appendix 3</b> .		
<b>Applicant submissions:</b>	There are no supporting documents from the applicant.		
<b>Applicant amendments:</b>	None		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	No change		Basement and Ground Floor	No change
Tuesday	10:00	23:00				
Wednesday	10:00	23:00				
Thursday	10:00	23:00				
Friday	10:00	23:00				
Saturday	10:00	23:00				
Sunday	12:00	22:30				
Seasonal Variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	No change		Basement and Ground Floor	No change
Tuesday	10:00	23:00				
Wednesday	10:00	23:00				
Thursday	10:00	23:00				
Friday	10:00	23:00				
Saturday	10:00	23:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	No change		Basement and Ground Floor	No change
Tuesday	10:00	23:00				
Wednesday	10:00	23:00				
Thursday	10:00	23:00				
Friday	10:00	23:00				
Saturday	10:00	23:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

1-C Layout alteration
There are no proposed changes to the layout.

1-D Conditions proposed to varied	
Condition	Proposed variation
9. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.	9. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons save when consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
10. No tables and chairs for public use shall be provided outside the premises.	10. No tables and chairs for public use shall be provided outside the premises after 22:00 hours.
11. All windows and external doors shall be kept closed except for the immediate access and egress of persons.	11. All windows and external doors shall be kept closed except for the immediate access and egress of persons after 22:00 hours.



## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Anil Drayan
<b>Received:</b>	03 May 2023
<p><b>I refer to the variation application for the above premises.</b></p> <p>The applicant is seeking the following variations:</p> <ol style="list-style-type: none"> <li>1. Amend Condition 9. to “No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons save when consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway” .</li> <li>2. Amend condition 10. to “No tables and chairs for public use shall be provided outside the premises after 22:00 hours”.</li> <li>3. Amend condition 11. to “All windows and external doors shall be kept closed except for the immediate access and egress of persons after 22:00 hours”.</li> </ol> <p><b>Environmental Health make the following representations based on the operating schedule submitted:</b></p> <ol style="list-style-type: none"> <li>1. The proposed amendment to condition 9 may lead to an increase in Public Nuisance in the area</li> <li>2. The proposed amendment to condition 10 may lead to an increase in Public Nuisance in the area</li> <li>3. The proposed amendment to condition 11 may lead to an increase in Public Nuisance in the area</li> </ol> <p>No additional conditions have been offered for the proposed variations. The applicant is requested to contact the undersigned to discuss the application after which Environmental Health may propose additional conditions to allay its concerns.</p>	

2-B Other Persons			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	27 April 2023		
<p>I am writing formally to object to the planning application submitted by Burger and Lobster restaurant for the installation of tables on the pavement outside of their restaurant in clarges street, located in Westminster.</p> <p>It is already very noisy with many people standing outside and making a lot of noise.</p> <p>[REDACTED] I am deeply concerned about the proposed tables on the pavement for the following reasons:</p>			

**Pedestrian Safety:** The installation of tables on the pavement would obstruct the flow of pedestrian traffic and create potential hazards, especially for elderly individuals, people with disabilities, and parents with strollers. It may also cause congestion on the pavement, making it difficult for pedestrians to safely navigate the area.

**Noise and Nuisance:** The operation of a restaurant with tables on the pavement may result in increased noise levels, especially during peak hours. This could disturb the peace and tranquility of the local residential and commercial areas, negatively impacting the quality of life for nearby residents and businesses.

**Impact on Public Space:** Pavements are public spaces that should be preserved for the unobstructed use of pedestrians. Allowing tables on the pavement may set a precedent for other businesses to encroach on public spaces, leading to the loss of valuable public areas and changing the character of the neighborhood.

**Loss of Aesthetics:** The installation of tables on the pavement may result in visual clutter and disrupt the aesthetics of the local area. It may also contribute to littering, waste management challenges, and maintenance issues.

Based on these concerns, I respectfully request that the planning application for tables on the pavement outside of [Applicant's Name] restaurant be rejected. I believe that this proposal does not comply with the local planning regulations and is not in the best interest of the local community.

I urge the planning authority to carefully consider the potential negative impacts of this proposal on pedestrian safety, noise levels, public space, and aesthetics of the area. I also request to be notified of any further developments or decisions regarding this planning application.

Thank you for considering my objection. Please feel free to contact me if further information or clarification is required.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	27 April 2023		

I am objecting to the variation application submitted by Burger & Lobster Restaurant Group Limited to put tables on the narrow pavement outside the restaurant at 29 Clarges Street, Westminster, W1J 7EF, and the extension of permission to allow alcoholic drinks to be consumed on the pavement.

[REDACTED] I am very concerned about the proposed tables on the pavement for the following reasons:

- 1. Pedestrian Safety:** The installation of tables, and drinkers of alcoholic drinks on the pavement would obstruct the flow of pedestrian traffic and create hazards, especially for the elderly, people with disabilities, and parents with strollers. It will also cause congestion, making it difficult for pedestrians to safely navigate the pavement.
- 2. Noise and Nuisance:** The operation of a restaurant with tables and drinkers on the narrow pavement will result in increased noise levels late into the evening, as it already does as the current licensing restrictions are not kept to, disturbing the peace and tranquility of the local residential areas, negatively impacting the quality of life for nearby residents.
- 3. Impact on Public Space:** Pavements are public spaces that should be preserved for the unobstructed use of pedestrians. A precedent must not be allowed for others to similarly encroach leading to the loss of public areas and their character.

4. Loss of Aesthetics: Any tables on the pavement will result in visual clutter and harm the aesthetics of the area. It will also contribute to littering and waste management challenges. Based on these concerns, I respectfully request that the planning application be rejected. I believe the proposal does not meet planning regulations and is not in the best interest of the local community.

I urge the council to carefully consider all the negative aspects of this application. Thank you.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	04 May 2023		

I am writing on behalf of [REDACTED] to object formally to the planning application submitted by the Burger and Lobster for variance of their existing licence to enable the use of tables on the pavement outside their restaurant premises located in Clarges Street, Westminster.

[REDACTED] I am extremely concerned about any proposed tables being placed on the pavement for the following reasons in particular: Pedestrian Safety: The placing of tables on the pavement would obstruct the flow of pedestrian traffic, creating potential hazards, especially for elderly individuals, people with disabilities, and parents with strollers. It may also cause congestion on the pavement, making it difficult for all pedestrians to safely navigate the area Noise and Nuisance: The operation of a restaurant with tables on the pavement may result in increased noise levels, especially during peak hours. This could disturb the peace and tranquility of the local residential and commercial areas, negatively impacting the quality of life for nearby residents and businesses; Loss of Aesthetics: Allowing tables on the pavement may result in visual clutter and disrupt the aesthetics of the local area. It may also contribute to littering, waste management challenges, as well as ongoing maintenance issue; The Impact on Public Space: Pavement are public spaces that should be preserved for the unobstructed use of pedestrians. Allowing tables on the pavement may set a precedent for other businesses to encroach on public spaces, leading to the loss of valuable public areas and changing the character of the neighbourhood.

Based on these concerns, I request respectfully that the planning application for tables on the pavement outside of restaurant be rejected. I believe that this proposal does not comply with the local planning regulations and is not in the best interests of the local community including the Residents whose right to quiet enjoyment of their homes will be negatively impacted

I urge the planning authority to carefully consider the potential negative impacts of this proposal on pedestrian safety, noise levels, public space, and aesthetics of the area as mentioned above. I also request to be notified of any further developments or decisions regarding this planning application.

Thank you for considering our objection.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	30 April 2023		

I am writing formally to object to the planning application submitted by Burger & Lobster Restaurant Group Ltd for the installation of tables on the pavement outside of their restaurant, located in Westminster.

[REDACTED] I am deeply concerned about the proposed tables on the pavement for the following reasons:

1. Pedestrian Safety: The installation of tables on the pavement would obstruct the flow of



pedestrian traffic and create potential hazards, especially for elderly individuals, people with disabilities, and parents with strollers. It may also cause congestion on the pavement, making it difficult for pedestrians to safely navigate the area.

2. **Noise and Nuisance:** The operation of a restaurant with tables on the pavement may result in increased noise levels, especially during peak hours. This could disturb the peace and tranquility of the local residential and commercial areas, negatively impacting the quality of life for nearby residents and businesses.
3. **Impact on Public Space:** Pavements are public spaces that should be preserved for the unobstructed use of pedestrians. Allowing tables on the pavement may set a precedent for other businesses to encroach on public spaces, leading to the loss of valuable public areas and changing the character of the neighborhood.
4. **Loss of Aesthetics:** The installation of tables on the pavement may result in visual clutter and disrupt the aesthetics of the local area. It may also contribute to littering, waste management challenges, and maintenance issues.

Based on these concerns, I respectfully request that the planning application for tables on the pavement outside of Burger & Lobster Restaurant Group Ltd restaurant be rejected. I believe that this proposal does not comply with the local planning regulations and is not in the best interest of the local community.

I urge the planning authority to carefully consider the potential negative impacts of this proposal on pedestrian safety, noise levels, public space, and aesthetics of the area. I also request to be notified of any further developments or decisions regarding this planning application.

Thank you for considering my objection. Please feel free to contact me if further information or clarification is required.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	04 May 2023		

I am writing formally to object to the planning application submitted by Burger and Lobster Restaurant for the installation of tables on the pavement outside of their restaurant, located in Westminster.

[REDACTED] I am deeply concerned about the proposed tables on the pavement for the following reasons:

1. **Pedestrian Safety:** The installation of tables on the pavement would obstruct the flow of pedestrian traffic and create potential hazards, especially for elderly individuals, people with disabilities, and parents with strollers. It may also cause congestion on the pavement, making it difficult for pedestrians to safely navigate the area.
2. **Noise and Nuisance:** The operation of a restaurant with tables on the pavement may result in increased noise levels, especially during peak hours. This could disturb the peace and tranquility of the local residential and commercial areas, negatively impacting the quality of life for nearby residents and businesses.
3. **Impact on Public Space:** Pavements are public spaces that should be preserved for the unobstructed use of pedestrians. Allowing tables on the pavement may set a precedent for other businesses to encroach on public spaces, leading to the loss of valuable public areas and changing the character of the neighborhood.
4. **Loss of Aesthetics:** The installation of tables on the pavement may result in visual clutter and disrupt the aesthetics of the local area. It may also contribute to littering, waste management challenges, and maintenance issues.

Based on these concerns, I respectfully request that the planning application for tables on the pavement outside of Burger and Lobster Restaurant be rejected. I believe that this proposal does not comply with the local planning regulations and is not in the best interest of the local community.

I urge the planning authority to carefully consider the potential negative impacts of this proposal on pedestrian safety, noise levels, public space, and aesthetics of the area. I also request to be notified of any further developments or decisions regarding this planning application.

Thank you for considering my objection. Please feel free to contact me if further information or clarification is required.



### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<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"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>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.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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</li> </ol>

	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> <li>1. <b>Casinos:</b> Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</li> <li>2. <b>Cinemas, Cultural Venues and Live Sporting Premises:</b> Monday to Sunday: 9am to 12am</li> <li>3. <b>Hotels:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</li> <li>4. <b>Off licences:</b> Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</li> <li>5. <b>Outdoor Spaces:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>6. <b>Pubs and bars, Fast Food and Music and Dance venues:</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.</li> <li>7. <b>Qualifying Clubs:</b> Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>8. <b>Restaurants:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>9. <b>Sexual Entertainment Venues and Sex Cinemas:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> </ol> <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>
<b>Policy RNT1 applies</b>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p>

	<ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>
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#### 4. Equality Implications

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

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

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

## 5. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Existing premises licence 17/06132/LIPDPS
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	01 October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Environmental Health Service representation	03 May 2023
<b>5</b>	Interested party 1 representation	27 April 2023
<b>6</b>	Interested party 2 representation	27 April 2023
<b>7</b>	Interested party 3 representation	04 May 2023
<b>8</b>	Interested party 4 representation	30 April 2023
<b>9</b>	Interested party 5 representation	04 May 2023



There are no supporting documents from the applicant.



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

**Schedule 12**  
**Part A**

**WARD: West End**  
**UPRN: 100023476456**

**Premises licence**

Regulation 33, 34

**Premises licence number:**

17/06132/LIPDPS

**Original Reference:**

09/05847/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Burger & Lobster  
29 Clarges Street  
London  
W1J 7EF

**Telephone Number:** Not Supplied

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Sale by Retail of Alcohol

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

**Playing of Recorded Music**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

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

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

**Part 2**

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

Burger & Lobster Restaurant Group Ltd  
37 - 41 Bedford Row  
London  
WC1R 4JH

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

08332271

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

**Name:** Francesca Cociancich

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

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

**Licence Number:** LN/000016344  
**Licensing Authority:** London Borough of Haringey

**Date:** 30 August 2017

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

## Annex 1 – Mandatory conditions

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



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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

None

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

9. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.
10. No tables and chairs for public use shall be provided outside the premises.
11. All windows and external doors shall be kept closed except for the immediate access and egress of persons.
12. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
13. Regulated Entertainment will be inaudible outside the premises.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
15. 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.
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. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
18. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
21. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
22. 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.
23. 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.
24. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
25. The premises 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 premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
27. No billboards or similar advertising is allowed on the pavement outside the pub.
28. A member of staff should be accountable for managing the behaviour and location of the patrons smoking outside the premises.
29. Pub staff should be in place to make sure that customers leaving the premises do not cause disturbance to neighbouring residents.
30. Customers of the pub must not obstruct traffic or parking in Clarges Street.







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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023476456

Premises licence  
summary

Regulation 33, 34

Premises licence  
number:

17/06132/LIPDPS

Part 1 – Premises details

Postal address of premises:

Burger & Lobster  
29 Clarges Street  
London  
W1J 7EF

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music  
Sale by Retail of Alcohol

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

**Playing of Recorded Music**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

The opening hours of the premises:

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

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

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

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

Burger & Lobster Restaurant Group Ltd  
37 - 41 Bedford Row  
London  
WC1R 4JH

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

08332271

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

**Name:** Francesca Cociancich

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

Restricted

**Date:** 30 August 2017

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

Application	Details of Application	Date Determined	Decision
05/04285/LIPCV	<p>Conversion licence</p> <p><b>Playing of Recorded Music:</b> Unrestricted</p> <p><b>Private entertainment consisting of dancing, music and other entertainment of a like kind for consideration and with a view to profit:</b> Unrestricted</p> <p><b>Late Night Refreshment:</b> Monday to Saturday 23:00 to 23:30</p> <p><b>Retail Sale of Alcohol:</b> Monday to Saturday 10:00 to 23:00 Sunday 12:00 to 22:30</p>	12.07.2005	Granted by Licensing Sub-Committee
06/06803/WCCMAP	Master Licence	12.07.2005	<p>Granted by Licensing Sub-Committee</p> <p><b>Licence Surrendered in 2007</b></p>
09/05847/LIPN	<p>New premises licence</p> <p><b>Playing of Recorded Music:</b> Monday to Saturday: 10:00 to 23:00 Sunday: 12:00 to 22:30</p> <p><b>Retail Sale of Alcohol:</b> Monday to Saturday: 10:00 to 23:00 Sunday: 12:00 to 22:30</p>	22.10.2009	Granted by Licensing Sub-Committee
11/11080/LIPT	Transfer application: Shannon Pubs Limited to Burger And Lobster Mayfair Ltd	30.11.2011	Granted under Delegated Authority
11/11090/LIPDPS	Application to vary the designated premises supervisor	30.11.2011	Granted under Delegated Authority

11/11095/LIPVM	Minor Variation: To vary the layout of the premises	30.11.2011	Granted under Delegated Authority
15/02589/LIPDPS	Application to vary the designated premises supervisor	15.12.2015	Granted under Delegated Authority
15/09982/LIPT	Transfer application: Burger And Lobster Mayfair Ltd to Burger & Lobster Restaurant Group Ltd	15.12.2015	Granted under Delegated Authority
17/06132/LIPDPS	Application to vary the designated premises supervisor	30.08.2017	Granted under Delegated Authority

### **Temporary Event Notice History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
19/04832/LITENP	Temporary Event Notice	27.06.2019	Event allowed to proceed
19/04842/LITENP	Temporary Event Notice	02.05.2019	Event allowed to proceed
19/04843/LITENP	Temporary Event Notice	02.05.2019	Event allowed to proceed
19/04883/LITENP	Temporary Event Notice	02.05.2019	Event allowed to proceed
19/04884/LITENP	Temporary Event Notice	02.05.2019	Event allowed to proceed

**There is no appeal history**



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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

None

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

9. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.

#### **Condition 9 is proposed to be varied by the applicant as follows:**

9. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons save when consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
10. No tables and chairs for public use shall be provided outside the premises.

#### **Condition 10 is proposed to be varied by the applicant as follows:**

10. No tables and chairs for public use shall be provided outside the premises after 22:00 hours.
11. All windows and external doors shall be kept closed except for the immediate access and egress of persons.

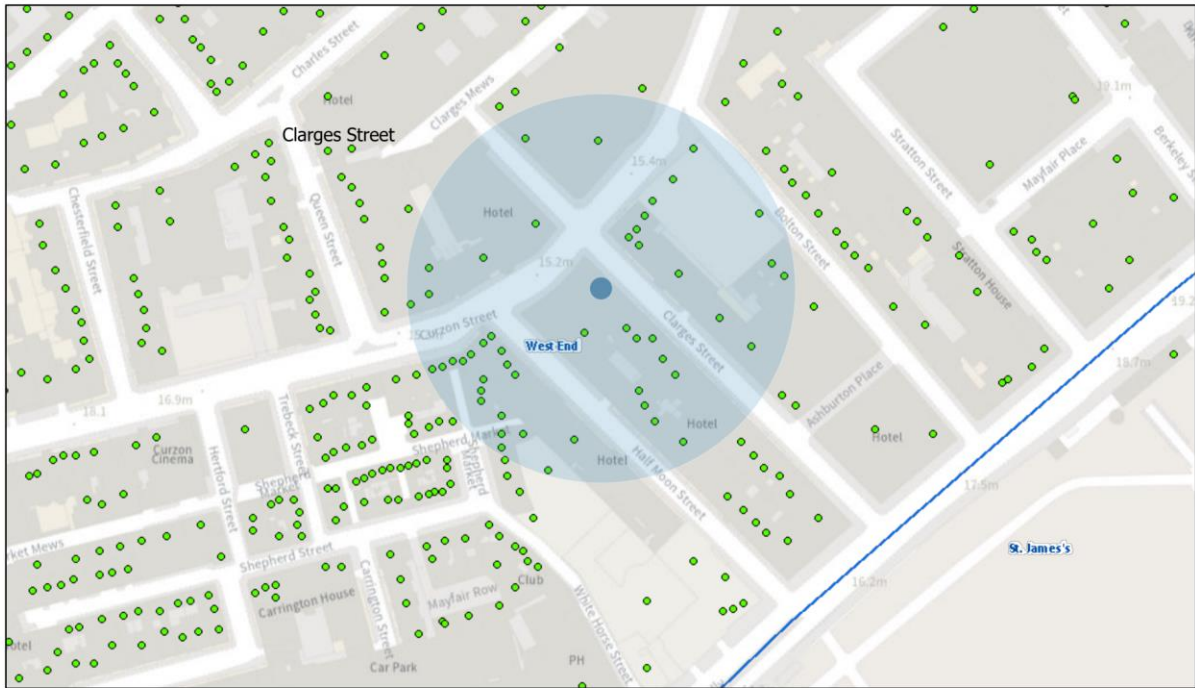
#### **Condition 11 is proposed to be varied by the applicant as follows:**

11. All windows and external doors shall be kept closed except for the immediate access and egress of persons after 22:00 hours.
12. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
13. Regulated Entertainment will be inaudible outside the premises.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
15. 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.
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. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
18. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

21. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
22. 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.
23. 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.
24. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
25. The premises 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 premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
27. No billboards or similar advertising is allowed on the pavement outside the pub.
28. A member of staff should be accountable for managing the behaviour and location of the patrons smoking outside the premises.
29. Pub staff should be in place to make sure that customers leaving the premises do not cause disturbance to neighbouring residents.
30. Customers of the pub must not obstruct traffic or parking in Clarges Street.

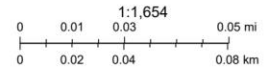


**Burger & Lobster, 29 Clarges Street, London, W1J 7EF**



07/06/2023, 15:41:50

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



**Resident count: 99**

<b>Licensed premises within 75 metres of 29 Clarges Street, London, W1J 7EF</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
22/07118/LIPDPS	Tesco Express (02757)	RCA House 50 - 52 Curzon Street London W1J 7UP	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
17/06132/LIPDPS	Burger & Lobster	29 Clarges Street London W1J 7EF	Restaurant	Sunday; 12:00 - 22:30   Monday to Saturday; 10:00 - 23:00
06/06381/WCCMAP	Kiku Restaurant	17 Half Moon Street London W1J 7BE	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
16/07515/LIPN	Beiteddine Express	19 Clarges Street London W1J 8AG	Restaurant	Monday to Sunday; 10:30 - 00:00
21/05588/LIPCHT	Mimi Mei Fair	54-55 Curzon Street London W1J 8PG	Restaurant	Monday to Sunday; 11:00 - 01:00
07/01278/WCCMAP	Washington Mayfair Hotel	5 Curzon Street London W1J 5HE	Hotel, 4+ star or major chain	Sunday; 12:00 - 01:00   Monday to Saturday; 10:00 - 01:30
06/04404/WCCMAP	Miyama Japanese Restaurant	38 Clarges Street London W1J 7EN	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
06/06358/WCCMAP	Da Corradi Restaurant	Basement And Ground Floor 20-22 Shepherd Market London W1J 7QJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/05143/LIPDPS	The Mayfair Townhouse	27 - 41 Half Moon Street London W1J 7BG	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
22/09887/LIPCH	Maru	18 Shepherd Market London W1J 7QH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30

22/10844/LIPDPS	Ye Grapes	16 Shepherd Market London W1J 7QQ	Public house or pub restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
22/07812/LIPDPS	Flemings Mayfair Hotel	7-12 Half Moon Street London W1J 7BH	Hotel, 4+ star or major chain	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
22/05556/LIPV	Kitty Fishers Restaurant	Basement And Ground Floor Front 10 Shepherd Market London W1J 7QF	Restaurant	Monday; 10:00 - 00:00   Tuesday; 10:00 - 00:00   Wednesday; 10:00 - 00:00   Thursday; 10:00 - 00:00   Friday; 10:00 - 00:00   Saturday; 10:00 - 00:00   Sunday; 12:00 - 00:00
12/01313/LIPN	Yazu Sushi	Basement Part And Ground Floor 46 Curzon Street London W1J 7UH	Restaurant	Monday to Saturday; 12:00 - 22:00
15/04287/LICN	The Kennel Club	10 Clarges Street London W1J 8AB	Office	Sunday; 12:00 - 23:00   Monday to Saturday; 11:00 - 23:30

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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

22 June 2023

23/02328/LIPV - Premises Licence Variation

Carlotta  
77 Marylebone High Street  
London  
W1U 5JX

Director of Public Protection and Licensing

Marylebone

City of Westminster Statement of Licensing Policy

None

Roxsana Haq  
Senior Licensing Officer

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



<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	12 April 2023		
<b>Applicant:</b>	Big Mamma Holdings Ltd		
<b>Premises:</b>	Carlotta		
<b>Premises address:</b>	77 Marylebone High Street London W1U 5JX	<b>Ward:</b>	Marylebone
		<b>Cumulative Impact Area:</b>	None.
		<b>Special Consideration Zone:</b>	None.
<b>Premises description:</b>	The premises currently operates as a high-end Italian Restaurant.		
<b>Variation description:</b>	The proposed variation is to extend opening hours and the terminal hour for the Supply of Alcohol both 'On' and 'Off' the premises Monday to Thursday from 23:00 hours to 23:30 hours, Friday and Saturday from 23:00 to 00:00 and Sundays from 22:00 to 22:30 hours		
<b>Premises licence history:</b>	The premises has had the benefit of a premises licence since 2022. The current premises licence (23/02873/LIPRW) can be viewed at <b>Appendix 1</b> of this report along with the premises licence history at <b>Appendix 2</b> .		
<b>Applicant submissions:</b>	As part of the application the applicant has provided an operating schedule / summary of the variation. This can be seen at <b>Appendix 3</b> .		
<b>Applicant amendments:</b>	None.		

<b>1-B</b>	<b>Current and proposed licensable activities, areas and hours</b>
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<b>Sale by Retail of Alcohol</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			Both		Both	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	08:00	23:00	08:00	23:30	Ground floor and basement with toilet facilities on the first floor as detailed on plan annexed to the premises licence.	No Change.
<b>Tuesday</b>	08:00	23:00	08:00	23:30		
<b>Wednesday</b>	08:00	23:00	08:00	23:30		
<b>Thursday</b>	08:00	23:00	08:00	23:30		
<b>Friday</b>	08:00	23:00	08:00	00:00		
<b>Saturday</b>	08:00	23:00	08:00	00:00		
<b>Sunday</b>	08:00	22:00	08:00	22:30		
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	None.			None		

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	08:00	23:00	08:00	23:30	Ground floor and basement with toilet facilities on the first floor as detailed on plan annexed to the premises licence.	No Change.
<b>Tuesday</b>	08:00	23:00	08:00	23:30		
<b>Wednesday</b>	08:00	23:00	08:00	23:30		
<b>Thursday</b>	08:00	23:00	08:00	23:30		
<b>Friday</b>	08:00	23:00	08:00	00:00		
<b>Saturday</b>	08:00	23:00	08:00	00:00		
<b>Sunday</b>	08:00	22:00	08:00	22:30		
<b>Seasonal variations/ Non-standard timings:</b>			<b>Current:</b>		<b>Proposed:</b>	
			None.		None.	

1-C	Layout alteration
There is no layout alteration being sought.	

1-D	Conditions being varied, added or removed.	
Condition	Proposed variation	
No conditions are being added, varied / removed.	N/A	
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	None

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Environmental Health Service ( <b>Withdrawn 11<sup>th</sup> May 2023</b> )
<b>Representative:</b>	Kudzaishe Mondhlani
<b>Received:</b>	9 <sup>th</sup> May 2023
<p>I refer to the application for a Premises Licence variation.</p> <p>This premises benefits from a current premises licence reference 23/02111/LIPVM. This representation is based on the application form and operating schedule provided.</p> <p>The applicant is seeking the following,</p> <ol style="list-style-type: none"> <li>To extend the hours for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday from 23:00 hours to 23:30 hours, Friday to Saturday from 23:00 to 00:00 and Sunday from 22:00 to 22:30 hours</li> </ol> <p>I wish to make the following representations in relation to the above application</p> <ol style="list-style-type: none"> <li>An increase of hours for the supply of alcohol will have the likely effect of causing an increase in Public Nuisance</li> </ol> <p>The application will be assessed upon a site visit and additional EH conditions may be proposed to uphold the licensing objectives. Should you wish to discuss the matter further please do not hesitate to contact me.</p> <p><b>After being satisfied with the application Environmental Health withdrew their objection on 11<sup>th</sup> May 2023.</b></p>	

<b>2-B</b>	<b>Other Persons</b>		
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	27th April 2023		
<p>[REDACTED], I am writing to object to the proposed variation, as it will not support the Licensing Objectives, namely Prevention of Public Nuisance &amp; Safety, Crime and Disorder and Protection of Children from Harm.</p> <p>This is a new business to Marylebone and now a softly softly "creep" in hours as they have only recently applied for and been granted a new premises licence and therefore have no track record of operating in this area which is highly residential.</p> <p>In fact, it is very disappointing that in spite of them liaising with Marylebone Councillors on their initial application and that they accepted the conditions and hours that were proposed to protect our resident, they are now seeking a variation.</p> <p>Therefore, we object to the sale of alcohol from 08:00 to 23:30 Monday to Thursday, 08:00 to 00:00 Friday &amp; Saturday and 08:00 to 22.30 on Sundays both indoors and outdoors.</p>			

Patrons leaving the premises at the hours sought will cause a disturbance, with car doors banging and loud voices in a hugely residential area. They will be parking in adjacent streets which have residents living in flats.

Whilst it is appreciated that every application is considered on its merits, not only has this premises not operated in this location previously, as it is a new business in Marylebone, it is my understanding because it is in a residential area that there are few if any other premises selling alcohol in the vicinity with these hours. It is likely to become a destination venue.

If the Committee is minded to grant this application then we would request that the hours applied for are reduced and for off sales, the hours as were agreed remain as granted on their present new licence.

Thank you for your consideration.

<b>3.</b>	<b>Policy &amp; Guidance</b>
The following policies within the City of Westminster Statement of Licensing Policy apply:	
<b>Restaurant Policy RNT1 applies</b>	<p><b>A.</b> Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>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.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p><b>C. For the purposes of this policy a restaurant is defined as:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>

<p><b>Hours Policy HRS1 applies</b></p>	<p><b>A.</b> 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>C.</b> For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p><b>8. Restaurants</b>  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><b>D.</b> 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><b>E.</b> For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p><b>Note:</b> 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>
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#### 4. Equality Implications

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

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

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



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

<b>Report author:</b>	Roxsana Haq Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: <a href="mailto:rhag@westminster.gov.uk">rhag@westminster.gov.uk</a>

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Environmental Health representation <b>(Withdrawn 11<sup>th</sup> May 2023)</b>	9 <sup>th</sup> May 2023
<b>5</b>	Interested Party 1	27 <sup>th</sup> April 2023



**City of  
Westminster**

Schedule 12  
Part A

**WARD: Marylebone  
UPRN: 100023463710**

Regulation 33, 34

64 Victoria Street, London, SW1E 6QP

**Premises licence**

**Premises licence number:**

**23/02873/LIPRW**

**Original Reference:**

22/07192/LIPN

*Part 1 – Premises details*

**Postal address of premises:**

Carlotta  
77 Marylebone High Street  
London  
W1U 5JX

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Sale by Retail of Alcohol

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

**Sale by Retail of Alcohol**

Monday to Saturday: 08:00 to 23:00

Sunday: 08:00 to 22:00

**The opening hours of the premises:**

Monday to Saturday: 08:00 to 23:00

Sunday: 08:00 to 22:00

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

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

**Part 2**

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

Big Mamma Holdings Ltd  
5 Elstree Gate  
Elstree Way  
Borehamwood  
London  
WD6 1JD

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

10952202

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

**Name:** Mr Enrico Pireddu

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

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

Licence Number: LN 19007  
Licensing Authority: London Borough of Islington

**Date:** 2<sup>nd</sup> May 2023

**Signed:**



**pp**

**This licence has been authorised by Karyn Abbott 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.
  - (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.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.  
  
For the purpose of this condition a 'Substantial Table Meal' means - a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
13. 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.
14. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
16. 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.
17. Save for alcohol consumed by persons who are seated in an area appropriately authorized for the use of tables and chairs on the highway, all sales of alcohol for consumption off the premises shall be in sealed containers only.
18. Alcohol consumed by persons who are seated in an area appropriately authorized for the use of tables and chairs on the highway shall only be consumed by patrons seated at tables who are taking a substantial meal and where the supply of alcohol is by waiter or waitress only.

19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. 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.
21. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
22. The supply of alcohol shall be by waiter or waitress service only.
23. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
24. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
25. 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.
26. With the exception of non-intrusive deliveries (e.g. post, milk, pastries, newspapers etc) there shall be no deliveries to the premises between the hours of 23.00 and 08.00 hours the following morning.
27. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
28. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
29. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
30. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
31. All tables and chairs shall be removed from the outside area by 23.00 hours on Monday to Saturday and 22.00 hours on Sunday.
32. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed:
  - Ground Floor 130 persons
  - Basement 60 persons

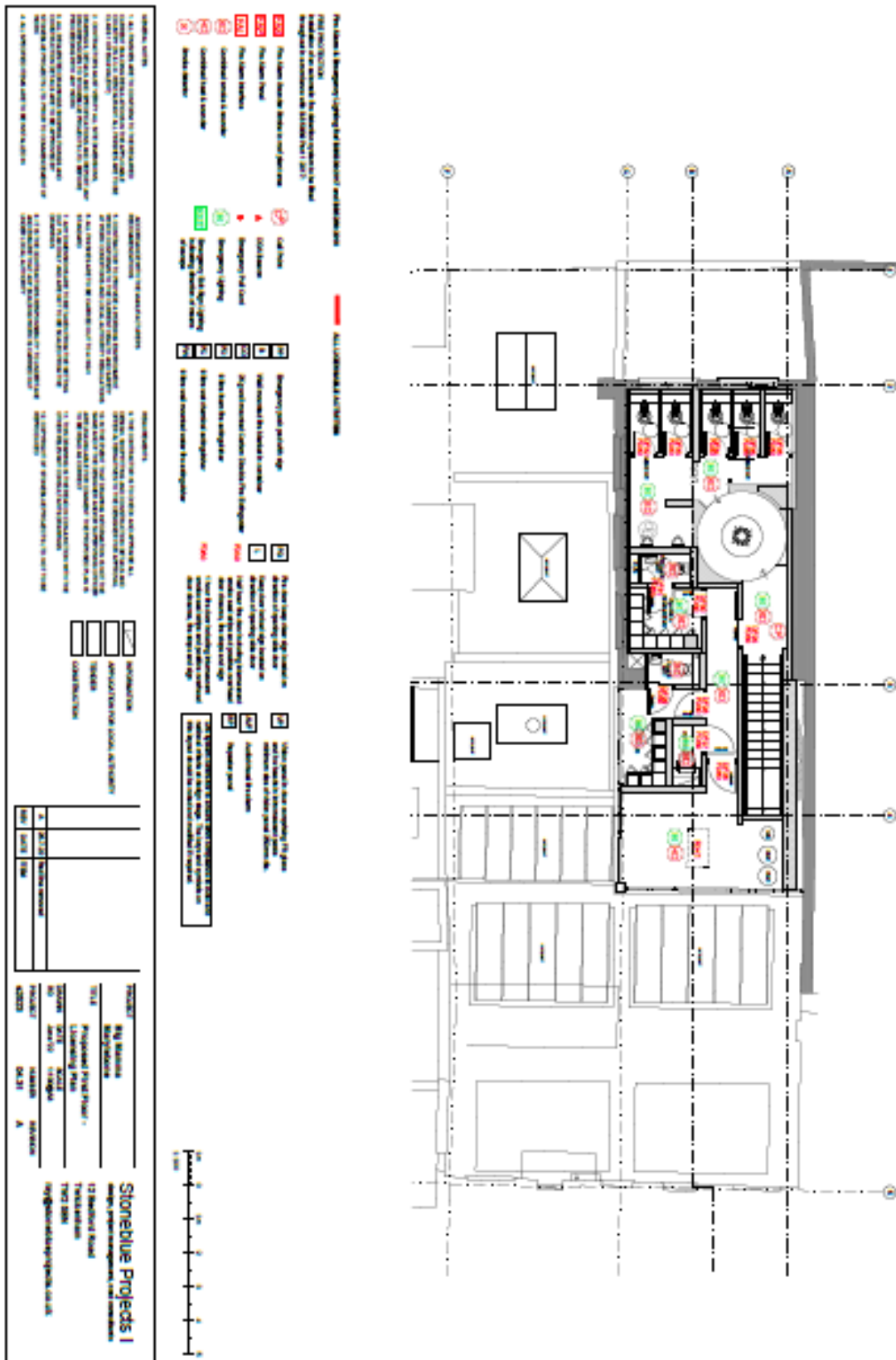
**Annex 3 – Conditions attached after a hearing by the licensing authority**

None





# First Floor







**City of  
Westminster**

Schedule 12  
Part B

WARD: Marylebone  
UPRN: 100023463710

64 Victoria Street, London, SW1E 6QP

**Premises licence  
summary**

Regulation 33, 34

Premises licence number:

**23/02873/LIPRW**

**Part 1 – Premises details**

**Postal address of premises:**

Carlotta77 Marylebone High Street  
London  
W1U 5JX

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Sale by Retail of Alcohol

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

**Sale by Retail of Alcohol**

Monday to Saturday: 08:00 to 23:00  
Sunday: 08:00 to 22:00

**The opening hours of the premises:**

Monday to Saturday: 08:00 to 23:00  
Sunday: 08:00 to 22:00

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

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

**Part 2**

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

Big Mamma Holdings Ltd  
5 Elstree Gate  
Elstree Way  
Borehamwood  
London  
WD6 1JD

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

10952202

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

Name: Mr Enrico Pireddu

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

Restricted

**Date:** 2<sup>nd</sup> May 2023

**Signed:**



pp

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

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
22/07192/LIPN	New Premises licence application.	28.09.2022	Granted under delegated authority
23/02111/LIPVM	Minor Variation application to vary the layout of the premises for the ground floor only (all other floors remain as existing) Changes: new fixed seating and the accessible WC has moved into the position of the current storage area. All licensable activities, permitted hours, opening hours and conditions to remain as existing.	20.04.2023	Granted under delegated authority
23/02873/LIPRW	Removal of works conditions	02.05.2023	Granted under delegated authority

**There is no appeal or TEN's history for these premises.**

**Carlotta (Form. Miracolo), 77-78 Marylebone High Street, London, W1U 5JX**

Application for Variation of Premises Licence - Operating Schedule Document

[The information provided in this document is for information purposes only and is not intended to form part of the premises licence *or to be converted into conditions on the licence* if granted.]

This is an application for a variation by extending the terminal hour for the sale of alcohol and the closing time to 10.30pm on Sundays, 11.30pm on Mondays to Thursdays inclusively, and midnight on Fridays and Saturdays, "core hours".

The current terminal hour was that applied for and granted in September 2022; the premises are not yet trading but due to open at the end of April to the general public. Note the name of the premises has changed from Miracolo to "Carlotta".

The current terminal hour followed the planning permission for change of use imposed, and an application has been submitted and is currently under consideration to vary these hours to core hours.

These premises are part of the Big Mamma Group which operates currently two licensed restaurants in Westminster. Firstly, Circulo Popolare in Rathbone Place and Ave Mario in Covent Garden.

The former operates to core hours and the latter in the Stress Area has a terminal hour for the sale of alcohol of 00:30 on Sunday to Tuesday and 1am on Wednesday to Saturday, following the surrender of a previous licence for that site.

Both of these premises trade as restaurants but have reserved bar use which Carlotta does not have.

All of the conditions on the Carlotta premises licence following discussions with local residents and the local ward Councillor will remain.

These include Condition 12 which is a restaurant condition which applies to the whole of the premises and the restrictions which include an effective restaurant requirement on the external area.

The external area for which there is a pavement licence has had its area reduced following "renewal" and comments made by the Highways Department.

This application is entirely policy compliant.

If granted, it will simply be a core hours restaurant with other restrictions and conditions to promote the licensing objectives and to protect the interests of local residents.

The Big Mamma Group are experienced restaurant operators with a good track record in Westminster and are confident that this extension to core hours will not have any adverse impact on local people but provide trading hours which will enable local people to enjoy slightly later, is comparable with the majority of licensed restaurants in Westminster and which is entirely within Westminster's licensing policy.

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

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

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

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

#### **Conditions: On Current Licence -**

##### **Mandatory:**

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

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

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



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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

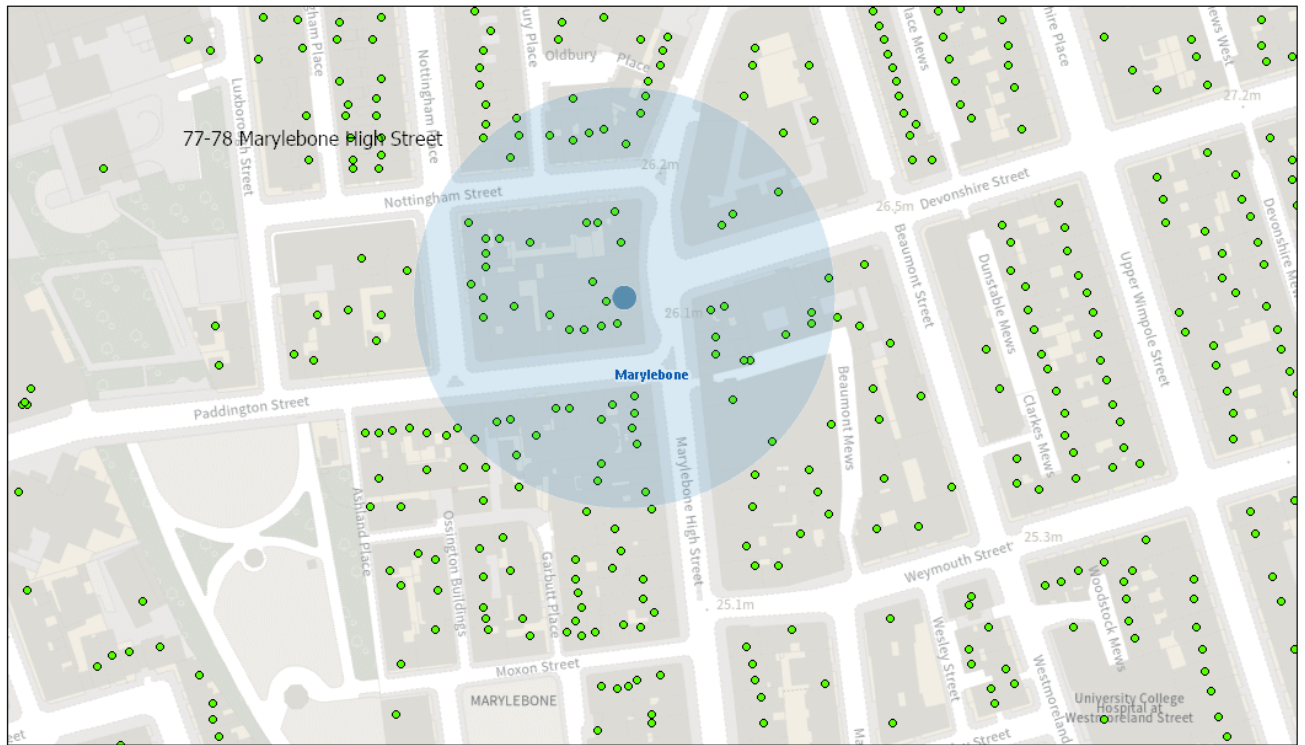
**Annex 2 – Conditions consistent with the operating Schedule**

None

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

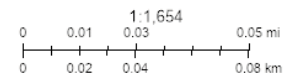
None.

77 Marylebone High Street London W1U 5JX



07/06/2023, 11:20:39

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident count: 249

<b>Licensed Premises within 75 metres of 77 Marylebone High Street, London W1U 5JX.</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
23/02873/LIPRW	Carlotta	77 Marylebone High Street London W1U 5JX	Restaurant	Friday to Saturday; 08:00 - 00:00   Sunday to Thursday; 08:00 - 23:30
20/10795/LIPDPS	CoCo MoMo	79 Marylebone High Street London W1U 5JZ	Pub or Pub Restaurant with lodge	Sunday; 12:00 - 22:50   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:20   Sundays before Bank Holidays; 12:00 - 23:50

20/07749/LIPN	Le Pain Quotidien	72 Marylebone High Street London W1U 5JW	Cafe	Sunday; 08:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00
22/11246/LIPT	Crazy Pizza	7 - 9 Paddington Street London W1U 5QE	Restaurant	Sunday; 08:00 - 23:00   Monday to Thursday; 08:00 - 00:00   Friday to Saturday; 08:00 - 00:30   Good Friday; 08:00 - 23:30
23/01974/LIPCH	The Italians	27B Devonshire Street London W1G 6PW	Restaurant	Sunday; 10:00 - 22:00   Monday to Saturday; 10:00 - 23:00
21/11421/LIPN	Not Recorded	82 Marylebone High Street London W1U 4QN	Not Recorded	Monday; 07:00 - 22:00   Tuesday; 07:00 - 22:00   Wednesday; 07:00 - 22:00   Thursday; 07:00 - 22:00   Friday; 07:00 - 22:00   Saturday; 07:00 - 22:00   Sunday; 07:00 - 22:00
22/00245/LIPCH	La Brasseria Milanese	42 Marylebone High Street London W1U 5HD	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/03739/LIPN	Not Recorded	47 Marylebone High Street London W1U 5HH	Not Recorded	Monday; 07:00 - 21:00   Tuesday; 07:00 - 21:00   Wednesday; 07:00 - 21:00   Thursday; 07:00 - 21:00   Friday; 07:00 - 21:00   Saturday; 07:00 - 20:00   Sunday; 07:00 - 18:00
14/03471/LIPV	Opso	Beer House 10 - 11 Paddington Street London W1U 5QL	Restaurant	Sunday; 08:00 - 23:00   Monday to Saturday; 08:00 - 23:30

22/08595/LIPDPS	Prince Regent Public House	Public House Prince Regent 71 Marylebone High Street London W1U 5JN	Public house or pub restaurant	Sunday; 07:00 - 23:00   Monday to Saturday; 07:00 - 23:30
23/02488/LIPT	Not Recorded	Basement And Ground Floor 57 Paddington Street London W1U 4HZ	Restaurant	Sunday; 10:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00
22/08333/LIPDPS	Cote	27 Devonshire Street London W1G 6PL	Restaurant	Sunday; 08:00 - 00:00   Monday to Saturday; 08:00 - 00:30
20/06789/LIPDPS	The Real Greek Souvlaki and Bar	Basement And Ground Floor 56 Paddington Street London W1U 4HY	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30

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