



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Thursday 26 October 2023**

Time: **10.00 am**

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

Members: **Councillors:**

Angela Piddock (Chair)
Iman Less
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, Jack Robinson-Young, Committee and Councillor Co-ordinator.

Email: jrobinsonyoung@westminster.gov.uk
Corporate Website: www.westminster.gov.uk

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

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

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

Licensing Applications for Determination

1. FORA SPACE, 14 BIRD STREET, W1U 1BU

(Pages 1 - 50)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * None ** None	Fora Space 14 Bird Street W1U 1BU	New Premises Licence	23/04507/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

2. CHICKEN COTTAGE, 135 PRAED STREET, W2 1RL

(Pages 51 - 80)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Hyde Park * None ** None	Chicken Cottage 135 Praed Street W2 1RL	Premises Licence Variation	23/01819/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

3. URBAN DONER KEBAB, GROUND FLOOR, 127 PRAED STREET, W2 1RL

**(Pages 81 -
106)**

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Hyde Park * None ** None	Urban Doner Kebab Ground Floor 127 Praed Street W2 1RL	New Premises Licence	23/02223/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love
Chief Executive
18 October 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:	26 October 2023
Licensing Ref No:	23/04507/LIPN - New Premises Licence
Title of Report:	Fora Space 14 Bird Street London W1U 1BU
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:	Roxsana Haq Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	5 July 2023		
Applicant:	Fora Space Limited		
Premises:	Fora Space		
Premises address:	14 Bird Street London W1U 1BU	Ward:	West End
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises is an office building operated by Fora Space Limited (part of The Office Group), who provide flexible workspace in central locations, with individual offices, meeting rooms, co-working, lounge and café facilities. These premises are not open to general members of the public.		
Premises licence history:	This a new premises licence application and therefore no licence history exists.		
Applicant submissions:	The applicant has provided a summary of proposals and a letter to interested parties which can be seen at Appendix 2 .		
Applicant amendments:	None.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	
End:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:				N/A			
Sale by retail of alcohol				On or off sales or both:			
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	11:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:				N/A			

Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	11:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:				N/A			

Plays				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	11:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:				N/A			

Hours premises are open							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			N/A				
Adult Entertainment:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Maxwell Koduah
Received:	28 July 2023
Fora Space, 14 Bird Street, London, W1U 1BU	
<p>I refer to the application for a new Premises Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking the following licensable activities:</p> <p>Exhibition of films take indoors at the following times: Monday – Thursday 10:00 - 23:30 hours Friday – Saturday 10:00 – 00:00 hours (midnight) Sunday 11:00 – 22:00 hours</p> <p>Playing of recorded music place indoors at the following times: Monday – Thursday 10:00 - 23:30 hours Friday – Saturday 10:00 – 00:00 hours (midnight) Sunday 11:00 – 22:30 hours</p> <p>Provision of late-night refreshment indoors Monday to Thursday 23:00 – 23:30 hours and Friday – Saturday 23:00 – 00:00 hours</p> <p>Supply of alcohol for consumption on & off the premises at the following times Monday – Thursday 10:00 - 23:30 hours Friday – Saturday 10:00 – 00:00 hours (midnight) Sunday 11:00 – 22:30 hours</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and</p>	

meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:

The hours requested to exhibit films may have the likely effect of causing an increase in Public Nuisance within the area.

The hours requested to play recorded music may have the likely effect of causing an increase in Public Nuisance within the area.

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

The supply of alcohol and the hours requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area.

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

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

Below are proposed conditions to form part of the operating schedule for the applicant to consider.

Proposed conditions to form part of the operating schedule:

The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices/workspace

There shall be no sales of alcohol for consumption off the premises after 23:00 hours

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

No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day

All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons

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

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

Please contact me if you are minded discussing any of the matters above.

Maxwell Owusu Koduah
Environmental Health Officer

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	02/08/2023
<p>Good Evening,</p> <p>Our client is a private owner and occupier [REDACTED]. [REDACTED], many of which, including our clients, [REDACTED]. [REDACTED] The noise generated has a direct impact on these properties and their residents. Our clients [REDACTED] Fora propose to have to use until midnight for entertainment purposes. This would greatly disturb our clients [REDACTED]. Since Fora opened the increased disturbance in Bird Street has been noticeable and the proposed licence will only increase this. A licence allowing alcohol to be consumed and music played is clearly a big change in use of this space, does not fit well in a residential setting and is detrimental to the quality of life of those with apartments in this building. We urge you to object to this licence.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	19/07/2023
<p>To whomever it may concern,</p> <p>We are residents [REDACTED]. This new license is going to cause a lot of disturbance for us especially since we have to be waking up early every single day and studying in the evening. We object to this license.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	18/07/2023
<p>I write to object against the permission of licensing for the above name premises [REDACTED]. [REDACTED]. A late night alcohol, music entertainment will clearly bring a massive change to the street which is a quiet residential place. It will not be convenient to live here by this change . I therefore request the council to please not grant this permission.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17/07/2023
<p>I write in my capacity as a [REDACTED].</p> <p>The [REDACTED], many of which [REDACTED] so whatever happens in that street by way of noise, smells, traffic has a direct and immediate impact on the quality of life of a great number of residents.</p> <p>Until approx two years the property now titled The Parcels Building was simply an office block. People came and went at normal times with a few deliveries through the day.</p> <p>Since Fora opened the workspace in its new guise the increased disturbance in Bird Street has been noticeable. We have a marked increase in deliveries and the reversing vehicles do cause noise. Those using the workspace come out onto Bird Street to smoke during breaks. Smoke already gets into our living space through open windows as does the noise from those assembling outside.</p> <p>Now, a licence is sought so that films may be shown, alcohol supplied, music played until well into the night. Clearly, this is a massive change in the use of this space which does not fit well in a quiet residential street. All of the disturbance we already have to tolerate will inevitably increase and be extended into the night time.</p> <p>The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in the street.</p> <p>Please do not grant this licence.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17/07/2023
<p>This is a residential street and an additional late night establishment bringing extra traffic, noise etc to the area post 10pm is detrimental to the health and well-being of those having to live in the vicinity.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	19/07/2023
<p>I object to this license [REDACTED]</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	18/07/2023

Dear sir/ madam

I strongly object to this licence premises permission application

This will affect [REDACTED]

Bird street is a small narrow road and the parcels building is [REDACTED]

The noise levels and disruption to residents gaining access to their apartments and safety issues due to increased passenger traffic will be intolerable if alcohol is served seven days a week until late at night.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	11/07/2023

I write in my capacity as a [REDACTED]

[REDACTED].

The [REDACTED], [REDACTED] whatever happens in that street by way of noise, smells, traffic has a direct and immediate impact on the quality of life of a great number of residents.

Until approx two years the property now titled The Parcels Building was simply an office block. People came and went at normal times with a few deliveries through the day.

Since Fora opened the workspace in its new guise the increased disturbance in Bird Street has been noticeable. We have a marked increase in deliveries and the reversing vehicles do cause noise. Those using the workspace come out onto Bird Street to smoke during breaks. Smoke already gets into our living space through open windows as does the noise from those assembling outside.

Now, a licence is sought so that films may be shown, alcohol supplied, music played until well into the night. Clearly, this is a massive change in the use of this space which does not fit well in a quiet residential street. All of the disturbance we already have to tolerate will inevitably increase and be extended into the night time.

The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in the street.

Please do not grant this licence.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17/07/2023

The increased disturbance in Bird Street has been noticeable Since Fora opened. More deliveries and vehicles are coming. We have a marked increase in deliveries and the reversing vehicles do cause noise.

Now, a licence is sought so that films may be shown, alcohol supplied, music played until well into the night. Clearly, this is a massive change in the use of this space which does not fit well in a quiet residential street. All of the disturbance we already have to tolerate will inevitably increase and be extended into the night time.

The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in the street.
Please do not grant this licence.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	18/07/2023

I strongly object to the application for a Premises Licence for 14 Bird Street.

I am a flat owner and also the mother of a young child. [REDACTED]
[REDACTED] The granting of a Premises Licence will result in the premises being used for evening social activities and the change of usage from simple office use to showing films, alcohol and music will lead to unacceptable increases in noise and unsociable behaviour into the evening.

Bird Street has been a quiet residential street in the many years [REDACTED], but the proposed inclusion of a premises for drinking and socialising after office hours will completely change the peaceful nature of the street.

There are few residential streets in the centre of London remaining: I would ask that the Determining Officer please consider the negative effect this proposal would have on local's family life should it be granted.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	23/07/2023

I write in my capacity [REDACTED]
[REDACTED], many of which [REDACTED] so whatever happens in that street by way of noise, smells, traffic has a direct and immediate impact on our quality of life at The Phoenix.¿

Until approx two years ago the property now titled The Parcels Building was simply an office block. People came and went at normal times with a few deliveries through the day. Since Fora opened the workspace in its new guise the increased disturbance in Bird Street has been noticeable.

Now a licence being sought so that films may be shown, alcohol supplied, music played until well into the night will have a massive effect on the residents at The Phoenix, changing what was once a quiet residential street into an entertainment venue that will create a nightly disturbance to residents of our neighbouring building.

The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in the street.¿

PLEASE DO NOT GRANT THIS LICENCE.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	20/07/2023

[REDACTED] I am extremely concerned about granting a new premises licence.
With Oxford Street and the lively St. Christopherr Place and James Street just around the corner, there has been already an overflow of pedestrian in Bird Street creating noise, getting 'sick' and continuing their celebrations and impacting the evening (sometimes early morning) hours.
[REDACTED] and professional and not only will this the license effect the street / foot traffic getting to my home [REDACTED] in the evening in regards to comfort and safety but most important the noise level impacting the surrounding residents in the later evening.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17/07/2023

The increased disturbance in Bird Street has been noticeable Since Fora opened. More deliveries and vehicles are coming. We have a marked increase in deliveries and the reversing vehicles do cause noise.

Now, a licence is sought so that films may be shown, alcohol supplied, music played until well into the night. Clearly, this is a massive change in the use of this space which does not fit well in a quiet residential street. All of the disturbance we already have to tolerate will inevitably increase and be extended into the night time.

The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in the street.
Please do not grant this licence.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	18/07/2023

I am writing to express my strong objection to the Parcels Building's application for a premises licence to serve alcohol seven days a week until late at night. [REDACTED], I am deeply concerned about the potential negative impact this will have on the local community.

Firstly, the proposed hours of alcohol service are excessive and will undoubtedly lead to increased noise levels and disturbance for residents living nearby. The Fora offices themselves are open only during typical business hours, so it is unclear why alcohol needs to be served until late at night.

Secondly, there are already several licensed premises in the area, and the addition of another will only exacerbate existing issues with anti-social behavior and alcohol-related incidents. The safety and wellbeing of local residents should be the council's top priority, and this application does not align with that objective.

Finally, it is worth noting that the Parcels Building [REDACTED]. Allowing alcohol service until late at night in such close proximity to a residential area is simply unacceptable.

In light of these concerns, I urge you to reject the Parcels Building's premises licence application and prioritize the interests and safety of the local community.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17/07/2023

Good morning

I received the letter this morning regarding the application made from Fora space ref 23/04507/LIPN.

I am the [REDACTED]. I strongly object to this application as both a [REDACTED] - it would cause so much disruption /noise/smoke/ etc to so many residents here at the Phoenix. The close proximity of the two buildings would make it impossible for the residents to enjoy their homes at night, Bird street is a very hollow street and every noise outside is magnified and echoes throughout. If there were alcohol gatherings hosted inside at night people would be in and out to smoke (which they do already during the day) and the noise and smell would certainly cause unsettlement. We have already had to endure the noisy building disruption for the last few years while this was been refurbished so we implore of you to please do not grant this licence and allow the building to remain what it is meant to be , what its main purpose is which is an office block.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17/07/2023

I write in my capacity as a [REDACTED]
The [REDACTED] so whatever happens in that street by way of noise, smells, traffic has a direct and immediate impact on the quality of life of ours and a great number of residents.
Until approx two years the property now titled The Parcels Building was simply an office block. People came and went at normal times with a few deliveries through the day.
Since Fora opened the workspace in its new guise the increased disturbance in Bird Street has been noticeable. We have a marked increase in deliveries and the reversing vehicles do cause noise. Those using the workspace come out onto Bird Street to smoke during breaks. Smoke already gets into our living space through open windows as does the noise from those assembling outside.
Now, a licence is sought so that films may be shown, alcohol supplied, music played until well into the night. Clearly, this is a massive change in the use of this space which does not fit well in a quiet residential street. All of the disturbance we already have to tolerate will inevitably increase and be extended into the night time.
The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in the street.
Please do not grant this licence.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25/07/2023

I write in my capacity as a [REDACTED]
The [REDACTED] whatever happens in that street by way of noise, smells, traffic has a direct and immediate impact on the quality of life of a great number of residents.
Until approx two years the property now titled The Parcels Building was simply an office block. People came and went at normal times with a few deliveries through the day.
Since Fora opened the workspace in its new guise the increased disturbance in Bird Street has been noticeable. We have a marked increase in deliveries and the reversing vehicles do cause noise. Those using the workspace come out onto Bird Street to smoke during breaks. Smoke already gets into our living space through open windows as does the noise from those assembling outside.
Now, a licence is sought so that films may be shown, alcohol supplied, music played until well into the night. Many of our bedrooms are directly adjacent to the proposed music/video areas. We have young children and critical shift workers sleeping at various times of the day too. Clearly, this is a massive change in the use of this space which does not fit well in a quiet residential street. All of the disturbance we already have to tolerate will inevitably increase and be extended into the night time.
The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in The Phoenix.
Please do not grant this licence.

Name:	██████████
Address and/or Residents Association:	████████████████████ ██████████ ██████████
Received:	18/07/2023

I am the ██████████ and i object to this application as this is effectively a change of land use in my opinion to an entertainment venue. It is not suitable with its ██████████. The noise, smells and disturbances from a 24 hour daily alcohol licence, films being shown will take away the basic right of ██████████ to a peaceful and undisturbed use and enjoyment of their residential property. I have had prior tenants terminate their leases early due to the disturbances from the outdoor night seating licence granted to Busaba restaurant ██████████ as the food smells, noise generated and smoking from diners along the street makes it impossible for the tenants to open their windows for the entire evening and night. This is an actual economic impact for landlords when the tenants have lost their right to quiet enjoyment of their residential property. Granting this licence will make the situation at ██████████ worse than it already is. I hope the Council can balance the needs of the building operators with the rights of the residents, and not subject the ██████████ to any further additional disturbances and inconveniences.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	18/07/2023

Hi I am one of the a ██████████. This is a residential area I live ██████████. I already seen a change with allowing this sort of application ions. Causes noise anti social behaviour , pollution and making our residential area un habitable. If you want to remove families from the area this is what will be achieved granting this application. So I strongly ask you to reject and register my objection. Thank you for your consideration.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ████████████████████ ██████████ ██████████
Received:	17/07/2023

I write in my capacity ██████████. The ██████████, ██████████ whatever happens in that street by way of noise, smells,traffic has a direct and immediate impact on the quality of life of a great number of residents. Until approx two years the property now titled The Parcels Building was simply an office block. People came and went at normal times with a few deliveries through the day. Since Fora opened the workspace in its new guise the increased disturbance in Bird Street has been noticeable. We have a marked increase in deliveries and the reversing vehicles do cause noise. Those using the workspace come out onto Bird Street to smoke during breaks. Smoke already gets into our living space through open windows as does the noise from those assembling outside. Now, a licence is sought so that films may be shown, alcohol supplied, music played until well

into the night. Clearly, this is a massive change in the use of this space which does not fit well in a quiet residential street. All of the disturbance we already have to tolerate will inevitably increase and be extended into the night time.

The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in the street.

Please do not grant this licence. I OBJECT STRONGLY TO THIS.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	25/07/2023

To Whom It May Concern

I write as Managing Agent on behalf [REDACTED] and management companies being a [REDACTED], objecting to the proposals of the sale of Alcohol to late each day of the week and also for the external areas to be used again till late at night. We also object to the showing of films and playing of music until late.

[REDACTED] already suffers from noise, smells, traffic etc [REDACTED] and any further increase to this will impact the quality of life and wellbeing of its residents.

Previously the subject property was an office block. Since Fora opened as workspaces, there has been a distinct increase in disturbance in Bird Street in respect of smoke, noise from deliveries, reversing vehicles, patrons taken phone calls etc. Any licence to sell alcohol and food will only see a further increase to this and till late into the evening.

The proposed requests are big changes from the original use of this space and that applied for initially when refurbishing and does not fit with the residential premises next door. The external balconies/areas of 14 Bird Street [REDACTED] some [REDACTED] as would loud music being played and films being shown until late. Residents, including families and children, must be able to leave their windows open for air and not have to close them to keep further noise at bay at any time of the day or night.

We ask that the residents wellbeing be considered in this licensing application and not to have their quality of living deteriorate further.

Kind Regards

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17/07/2023

Hello

I strongly would like to object to this licence.

It is [REDACTED] and will cause disruption and noise to our street.

Many of [REDACTED] Parcels building and Im certain this would cause so much sleep depriving noise at night when a lot of the residents work and study hard and need to get a good nights sleep including myself.

It will bring smokers out in to the street , causing smoke in our windows and the hollow street

magnifies any sounds especially late at night.
Please do not allow this.

Thank you

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]
[REDACTED]
[REDACTED]

Received:

25/07/2023

I write in my capacity as a [REDACTED]

Our [REDACTED] so any noise, smells or traffic have a direct and immediate impact on the quality of life of a great number of residents.

As we have lived in the flat for 3 years we have had constant disturbance because of the Parcels building, that started because of the construction work there, and now because of a large amount of deliveries and reversing vehicles that cause a lot of noise. In addition to this noise, a large number of people from that building smokes during breaks in front of the entrance to the Phoenix building, which causes disturbance as well.

As this new that they are seeking right now may lead to even more disturbance and noise as it will lead to more people staying in the Parcels building until later at night, and as those people will be drinking alcohol it will inevitably lead to more noise and disturbance on the Bird Street.

As our building is already suffering from disturbance from nearby Oxford Street, street tables of Busaba restaurant that block half of the street, adding even more noise and disruption will damage the quality of life of the [REDACTED].

Please do not grant this licence.

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Received:

17/07/2023

Dear Sir/Madam,

It was brought to our attention that the Parcels building next door to our apartment building applied for a premises license. We hereby object on the basis of noise and smoke pollution that this would cause so close to our residents.

The licence is sought so that films may be shown, alcohol supplied, music played until well into the night. Clearly, this is a massive change in the use of this space which does not fit well in a quiet residential street. All of the disturbance we already have to tolerate will inevitably increase and be extended into the night time.

The shift from office building to shared space to entertainment venue is, in reality, going to have far too detrimental on the quality of life of those living in the street.

Please do not grant this licence.

3. Policy & Guidance

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

Policy HRS1 applies

- 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.
- 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:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
 5. The proposed hours when any music, including incidental music, will be played.
 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
 9. The capacity of the premises.
 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation

	applications.
Policy COMB1 applies	<p>A. Applications outside the West End Cumulative Impact Zone for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant use being within the council's Core Hours Policy HRS1. 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. 4. The applicant has taken account of the Special Consideration Zone policy SCZ1 if the premises are located within a designated zone. <p>B. Applications inside the West End Cumulative Impact Zones for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant premises use being within the council's Core Hours Policy HRS1. 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. 4. The applicant demonstrating that they will not add to cumulative impact within the Cumulative Impact Zone. <p>C. When considering what weight is to be given to the relevant uses and policies the Licensing Authority will take into account:</p> <ol style="list-style-type: none"> 1. Whether it will undermine the licensing objectives. 2. The current and proposed use of the premises. 3. When those uses will take place. 4. What the primary use of the premises is or the uses that will take place in different parts of that premises. 5. Whether there would normally be a presumption to refuse an application for that use if it was operating as that premises type and not a combined use premises. 6. Whether the hours sought for the all or parts of the premises are within or outside the Core Hours. <p>D. The Licensing Authority will take into account, when considering the application, the relevant considerations from each of the appropriate premises uses policies within this statement</p> <p>E. For the purpose of this policy a Combined Use Premises means premises which require a premises licence and where there is more than one premises use, and where the uses are not dependent on/ or part of the other uses i.e. are not ancillary to the other uses.</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.

5. Appendices

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

Report author:	Miss Roxsana Haq
Contact:	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health representation	July 2023
5	Interested Party 1	July 2023
6	Interested Party 2	July 2023
7	Interested Party 3	July 2023
8	Interested Party 4	July 2023
9	Interested Party 5	July 2023
10	Interested Party 6	July 2023
11	Interested Party 7	July 2023
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21	Interested Party 17	July 2023
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26	Interested Party 22	July 2023
27	Interested Party 23	July 2023
28	Interested Party 24	July 2023

FORA

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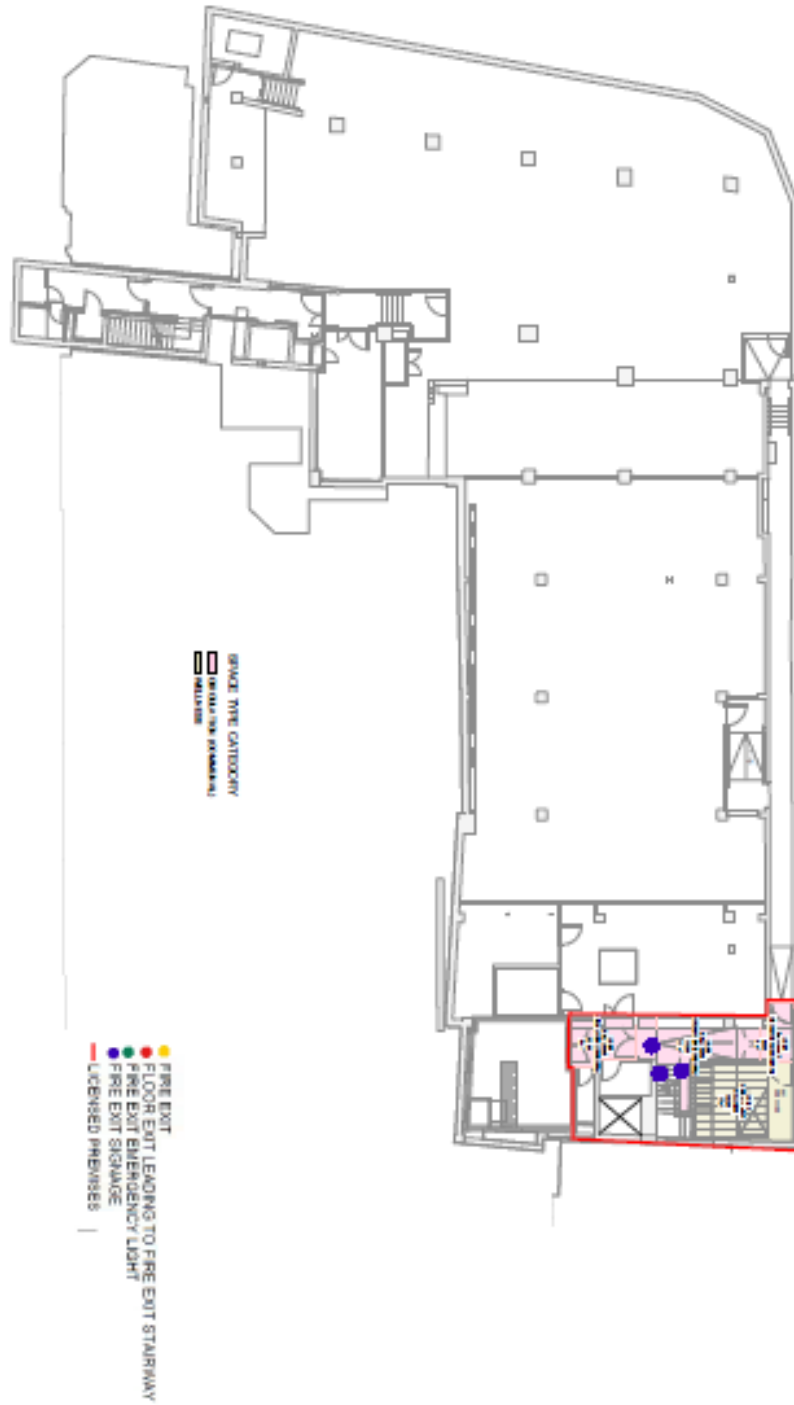
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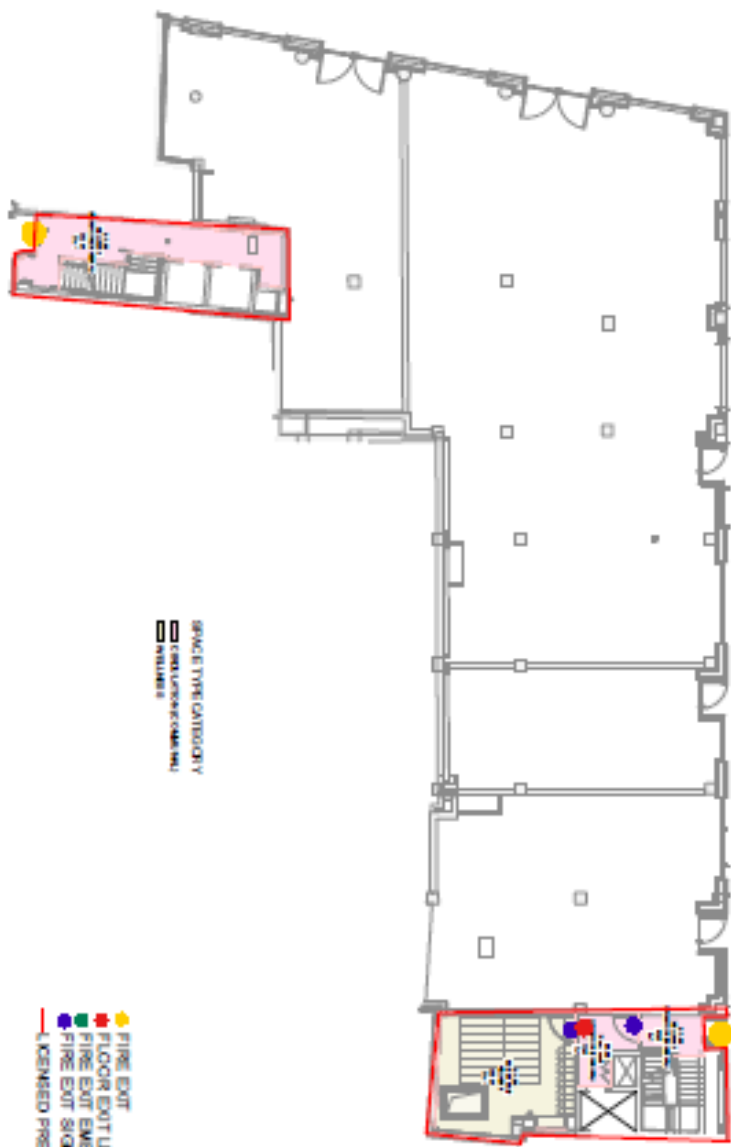
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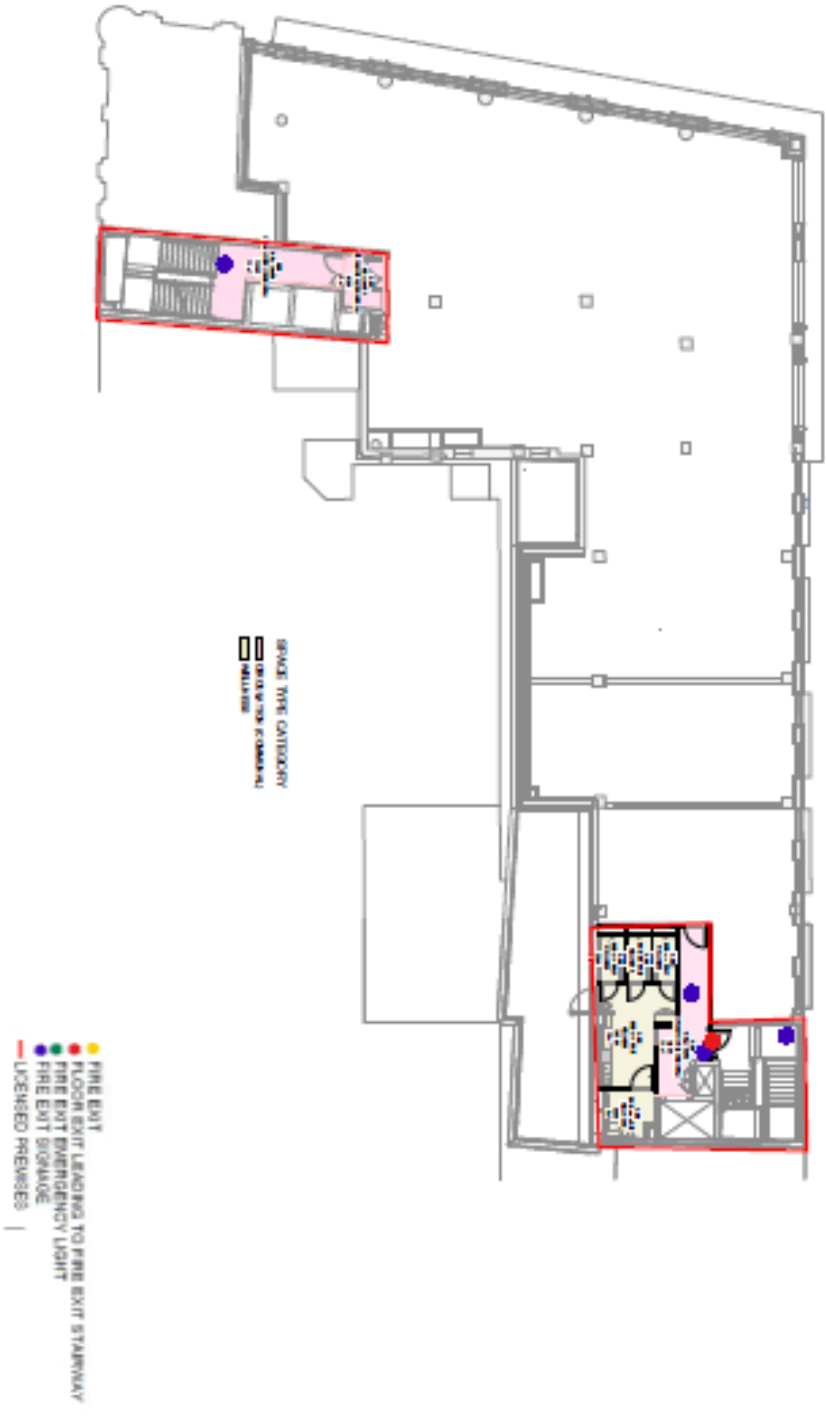
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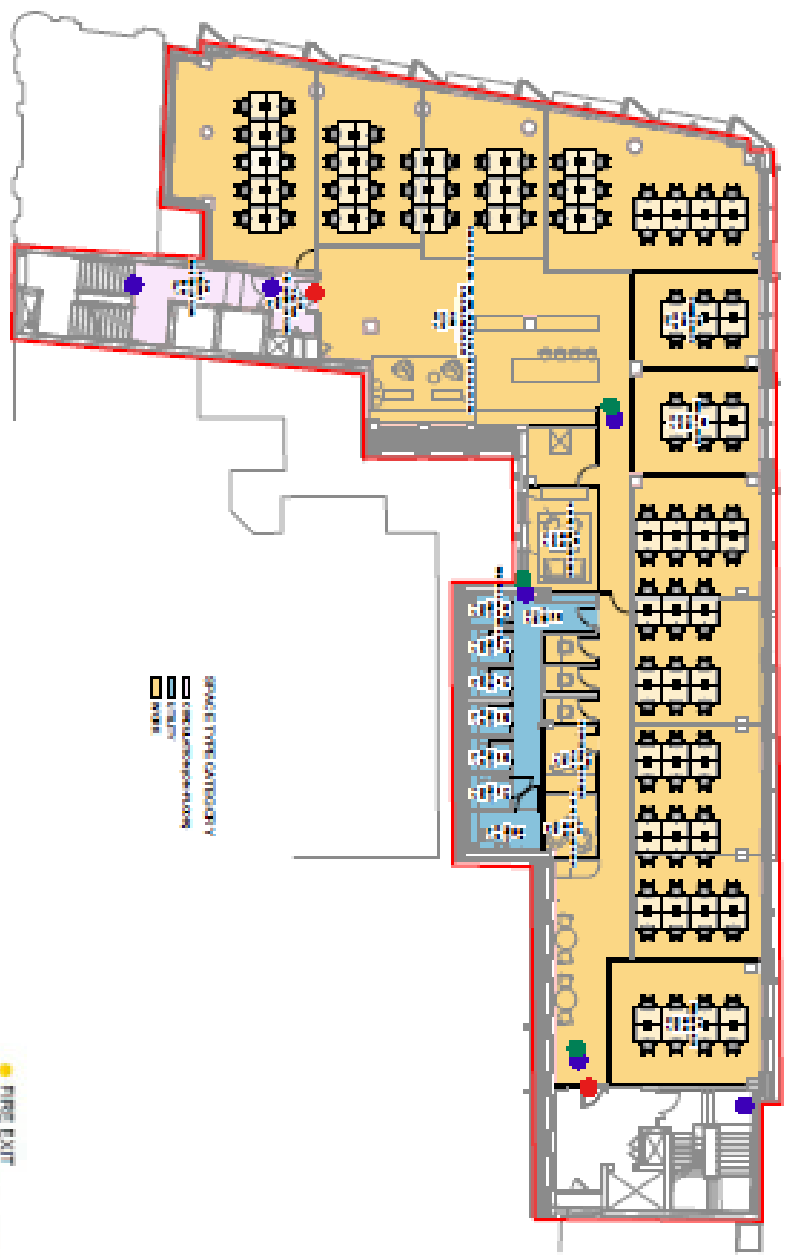
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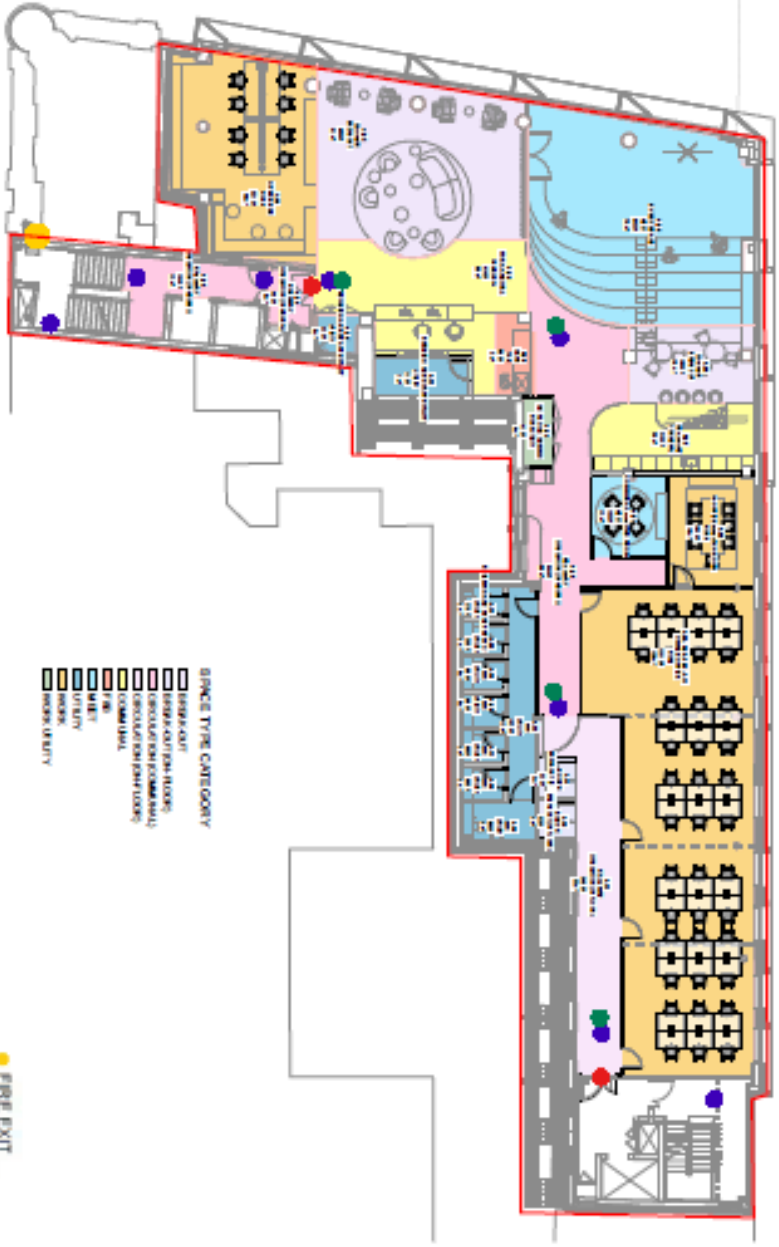
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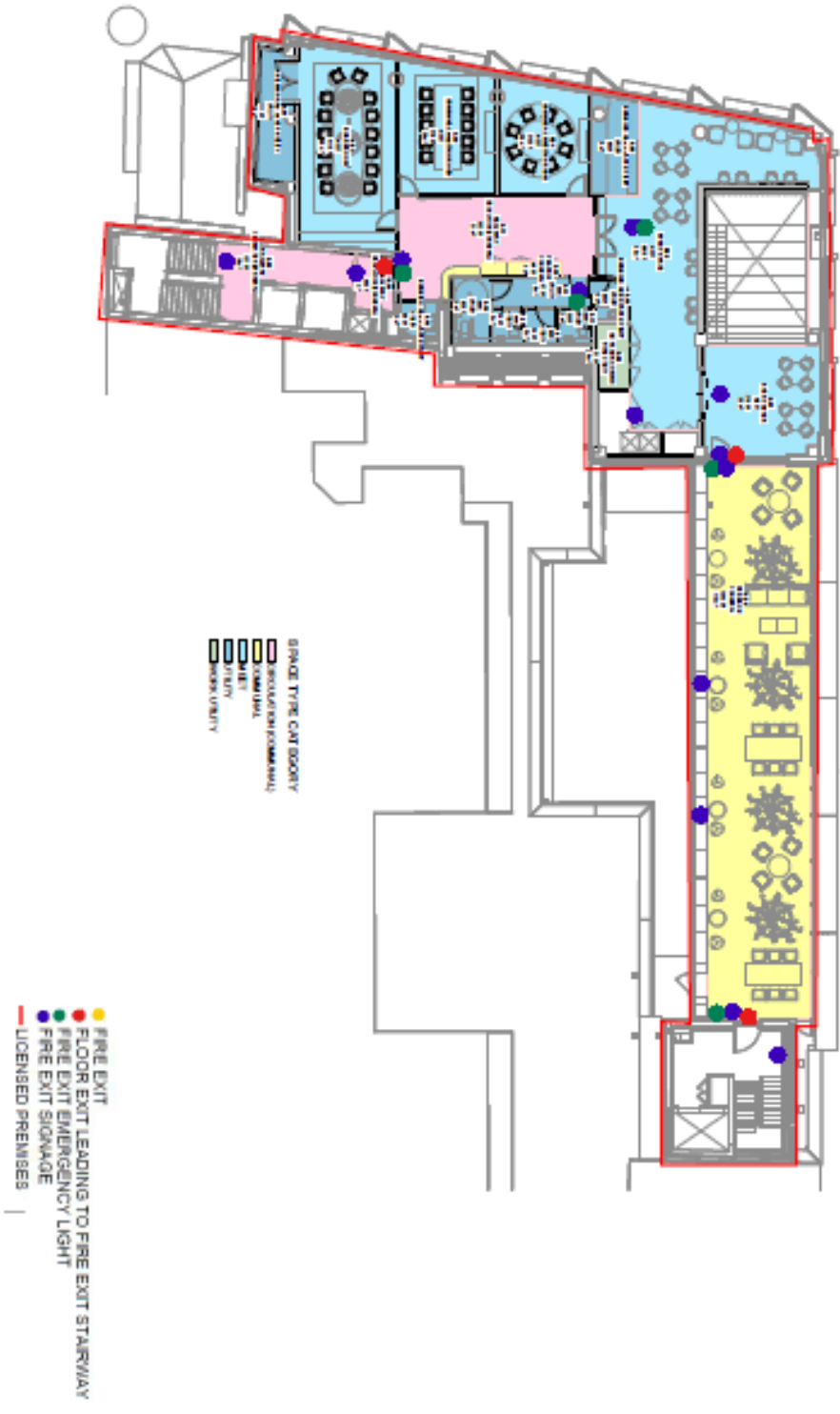
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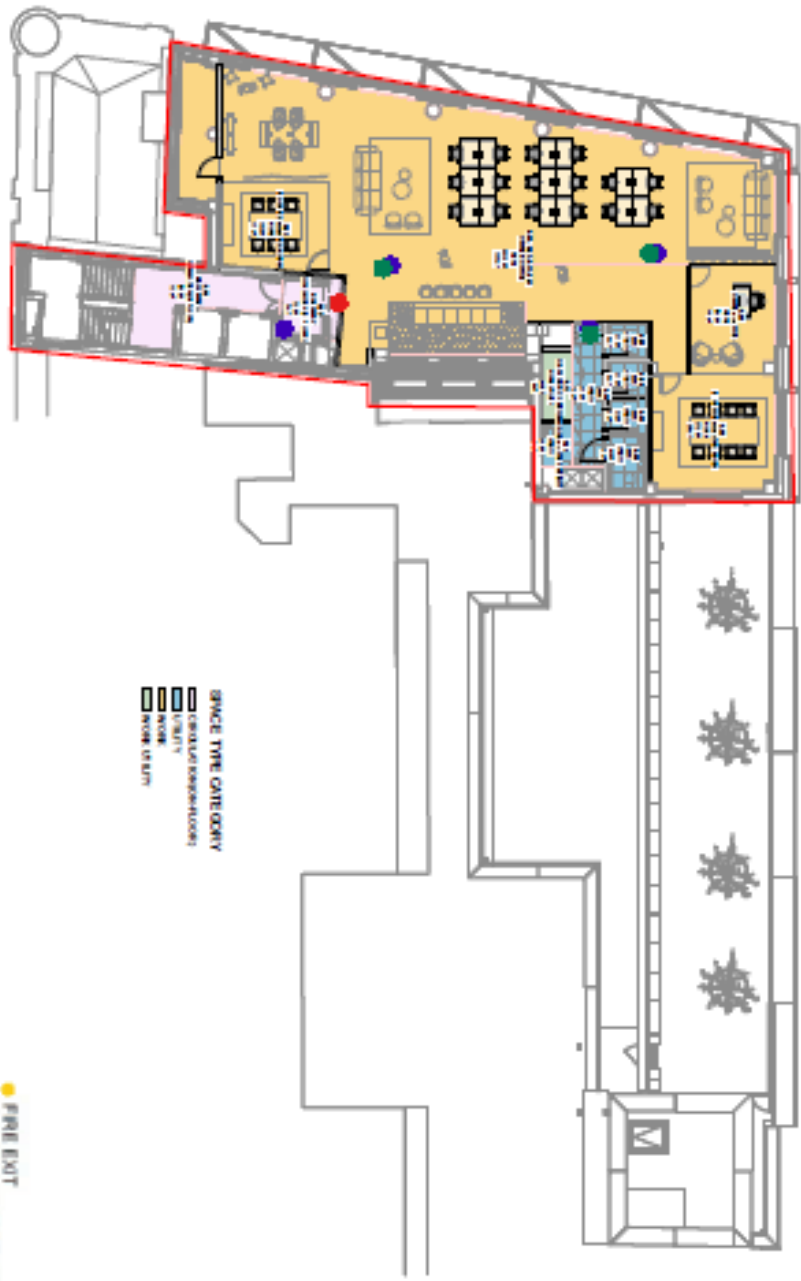
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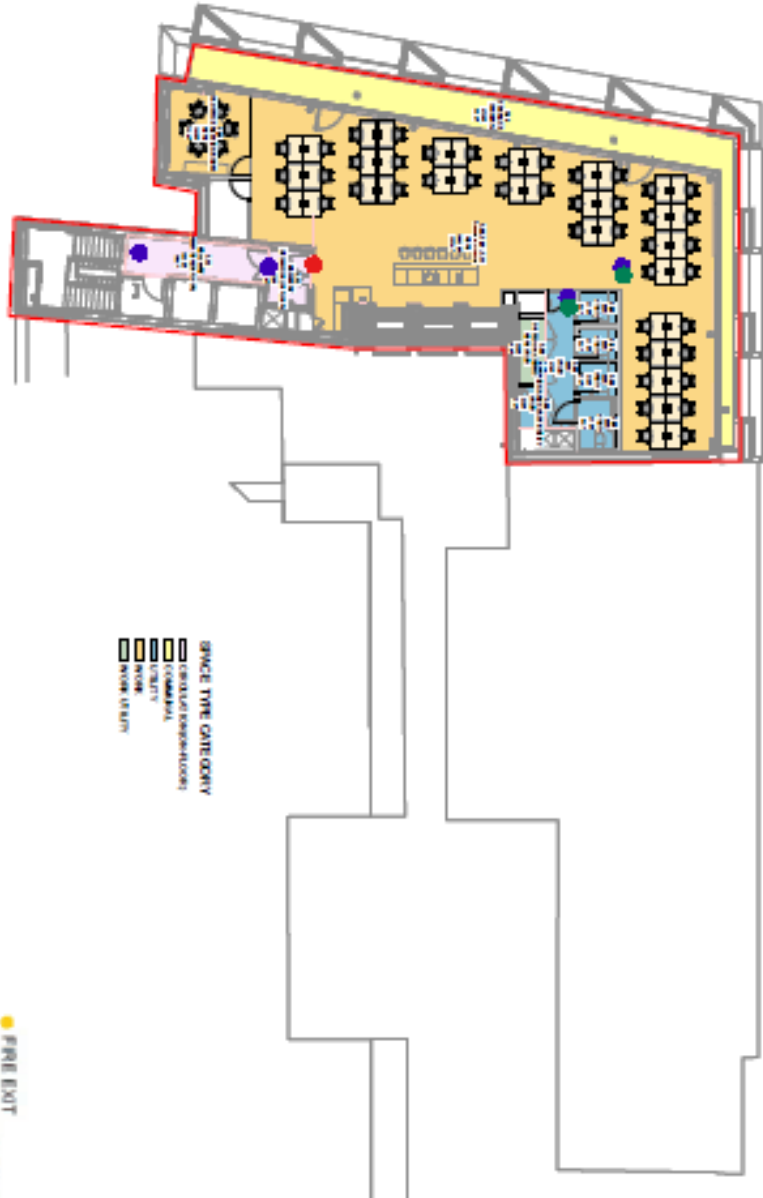
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- FIRE EXIT
- FLOOR EXIT LEADING TO FIRE EXIT STAIRWAY
- FIRE EXIT EMERGENCY LIGHT
- FIRE EXIT SIGNAGE
- LICENSED PREMISES

- SPACE TYPE CATEGORY
- ▭ Corridor/Passageway
 - ▭ Common
 - ▭ Utility
 - ▭ Kitchen
 - ▭ Storage Room

Thomas & Thomas
Partners LLP

**FORA
14 Bird Street
London W1U 1BU**

SUMMARY OF PROPOSALS

**THOMAS & THOMAS PARTNERS LLP
38A MONMOUTH STREET
LONDON
WC2H 9EP**

**Reference: AT/FOR.37.1
Solicitors for the Applicant**

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Introduction

1. FORA Space Limited ("FORA") – part of The Office Group – are applying for ancillary licensable activities at a modern, flexible workspace at 14 Bird Street, just off Oxford Street (the "Premises"), with the entrance being on the junction of Oxford Street.
2. The Premises is already in operation as a workspace, having launched earlier this year – with the office facilities split across the second to seventh floors. It is one of many sites FORA operates across Westminster and London more broadly, including prime locations in Soho, Fitzrovia, Clerkenwell, Borough and Shoreditch.
3. FORA provide design-led working environments, with individual offices, meeting rooms, co-working spaces, lounges and café facilities. The concept allows companies regardless of their size to benefit from curated facilities that they might not otherwise have access to, helping them maximise productivity, wellbeing and overall satisfaction.



Pictures of the office spaces at the Premises

4. As with many of FORA's sites, 14 Bird Street also has an event space, designed and fitted seamlessly into the office environment. Split across the fourth and fifth floors, the space is centred around a display screen, with tiered seating in a mini-"theatre" setting, as shown in the pictures below. The seating leads up to a communal social space on the fifth floor, with a small external roof terrace at the back.



Pictures of the event space and terrace at the Premises

The application and the use proposed

5. The application seeks authorisation for alcohol, recorded music, film and late-night refreshment 10am to 11.30pm Monday to Thursday, 10am to midnight Friday & Saturday and 11am to 10.30pm Sunday (Core Hours).

6. The opening hours are specified as 24 hours only because it is necessary for office tenants to have access to the building outside of normal hours. There will no licensable activities outside of Core Hours, and no access to the building for the general public at any time.
7. FORA is asking for the licence because their concept includes the hosting of periodic events in the carefully designed event space, some of which will involve the service of alcohol and food, and the display of film. These events will include networking events, industry presentations, panel discussions and team training sessions – always stringently vetted and curated. Access is strictly controlled.
8. The licensable activities will at all times be ancillary to the main use of the building as a serviced office - the events facilitated by the licence will simply be one piece of the overall business-led environment on site.

Westminster's City Plan 2019-2041 and the regeneration of Oxford Street

9. This type of investment and use is precisely what Westminster's City Plan 2019-2041 envisages for the regeneration of the Oxford Street area. In particular, the Spatial Development Priority policy 2 sets out in general terms:

"The intensification of the West End Retail and Leisure Special Policy Area (WERLSPA) over the Plan period will deliver the following priorities:

A. Significant jobs growth through a range [of] commercial-led development including retail, leisure, offices and hotel use. Additional commercial floorspace will be provided in a manner that respects its setting, through:

[...]

2. The sensitive refurbishment and extension, or replacement of existing buildings across the WERLSPA. [emphasis added]"

10. And paragraph 2.8 in the City Plan provides detail on this policy in relation to Oxford Street specifically:

"[...] Along with an improved public realm, the built form of Oxford Street offers scope for increased height to deliver a range of commercial floorspace that complements the retail offer and provides

modern workspace - reinforcing its role as a key commercial centre. [emphasis added]"

11. FORA's Premises does precisely this – they are providing a modern, flexible workspace in the area, helping to reinforce and reinvigorate Oxford Street's role as a key commercial centre.

The responsible authorities

12. The Police visited the site during the consultation period, and confirmed they were comfortable with the proposals. An additional condition was agreed requiring that a full risk assessment is completed for all pre-booked events in the event space (see condition 1 in the Appendix). This reflected FORA's intentions and existing practices in any event – as noted, events are always meticulously vetted and planned, across all of their sites.
13. Environmental Health submitted a protective representation, following which further conditions were agreed, providing additional safeguards for the licensing objectives (see conditions 2 – 7 in the Appendix). These extra conditions are all targeted at ensuring that the building is run smoothly, without causing a disturbance to residents. Again, FORA was happy to agree to these, as they are fully aligned with FORA's plans.
14. The EHO was also accommodated on a site visit on 17 October, following which further conditions were agreed (see conditions 8 – 10 in the Appendix), adding further controls in relation to the sale of alcohol.
15. FORA are also open to having the capacity of the event space during events conditioned on the licence.

Interested parties

16. Representations from residents were focused on uncertainty about FORA's plans for the premises, and the possibility of disturbance later at night. FORA sought to reassure the interested parties about the measured, office-focused nature of its plans in a letter circulated via the Licensing Authority. A copy of that letter is enclosed for the Sub-Committee.

Licensing policy

17. Office use is not specifically covered by any premises use policy within the licensing policy, given that it is such a low-risk use profile. In those circumstances, the licensing policy makes clear (on page 5)

that “If the proposed operation of a premises does not meet all or part of the definition within the premises use policies the Licensing Authority will have regard to the policy that most closely relates to that operation.”

18. Applying that principle, the Sub-Committee is invited to apply the logic of the hotels policy HOT1 here – on the basis this is a space with 24/7 access for office “residents” (and their guests), with licensable activities only authorised during a shorter window (within Core Hours), but with no general access to the public at any time (and with a list of attendees kept on the premises at all times, secured by condition).
19. The premises are outside the Cumulative Impact Zone or any Special Consideration Zone.

The primary purpose of the premises

20. The licensable activities here will be completely ancillary to the main use of the building as a serviced office. This will be guaranteed by conditions on the licence – and by the nature of FORA’s business and the events it will be hosting.

The licensing objectives

21. As an experienced operator with an established reputation across London, the Applicant takes the promotion of the licensing objectives extremely seriously - and this is reflected in the comprehensive list of conditions proposed and agreed. Beyond the low-risk nature of the use and type of events, residential amenity in particular will be further safeguarded by the fact that:
 - 21.1 there will be a list of attendees maintained at all times, ensuring accountability;
 - 21.2 the external terrace cannot be used after 11pm in any circumstances;
 - 21.3 there are prescriptive controls on the sale of alcohol, as to where it may be consumed and by whom;
 - 21.4 attendees will not be permitted to take glass containers outside the premises;
 - 21.5 deliveries and waste collections later than 11pm or earlier than 7am will be prohibited, and waste will only be placed outside within 30 minutes of the scheduled collection time;
 - 21.6 all windows and external doors will be kept closed after 11pm, or whenever regulated

entertainment is taking place; and

21.7 notices will be displayed requesting people to leave quietly and respect the needs of local residents.

Conclusion

22. This application is for ancillary, low-risk licensable activities within Core Hours at a flexible workspace, by a hugely experienced operator, with a proven track-record across Westminster, London and beyond. The low-risk, office-centred use is guaranteed by condition, and a suite of model and tailored conditions have been proposed and agreed to safeguard the licensing objectives. The proposals for the premises are supported by licensing policy - and by planning policies for the development and regeneration of the area.

Thomas & Thomas Partners
October 2023

Appendix – Additional Licence Conditions

1. The Licence holder will ensure a full risk assessment is completed for all pre-booked events in the event space. This risk assessment will be available to the licensing authority and Police upon request.
2. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices/workspace.
2. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
3. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 hours on the following day.
4. No deliveries to the premises shall take place between 23.00 and 07.00 hours on the following day.
5. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
6. 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.
7. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
8. The sale of alcohol shall be restricted to the fourth and fifth floors only.
9. The use under this licence shall be ancillary to the office use of the premises and alcohol may only be sold to:
 - a) Office tenants - those persons with a minimum three month contract to occupy office space at these or other Fora Spaces / Office Group premises;
 - b) Club Room members - those persons who pay a minimum membership of £150 per calendar month;
 - c) Virtual office members - those persons who pay a minimum of £30 per calendar month and who pay a minimum charge of £10 per admission to the premises;
 - d) Persons attending a private pre-booked event or function, a list of functions to be kept at reception for inspection by the relevant authorities;
 - e) Directors and employees of the licence holder and its affiliated companies;
 - f) Persons who have pre-booked a meeting room and paid a minimum charge of £20 per visit;

g) Any guests of the above.

10. The consumption of alcohol shall be restricted to the premises and terraces at address 14 Bird Street, as shown on the plans.

Your ref: 23/04507/LIPN
Our ref: AT/FOR.37.1

Licensing Authority
Westminster City Council
64 Victoria Street
London SW1E 5QP

C/O: residents who have submitted representations

By email: licensing@westminster.co.uk

4 October 2023

Dear all

Premises licence application for 14 Bird Street – reference 23/04507/LIPN

We are writing on behalf of the applicant – FORA Space Limited – in order to respond to the concerns raised by local residents in the course of representations in relation to the above licence application. Please could this letter be forwarded to the residents who have submitted representations.

We thought it would be helpful first to set out some background to the FORA concept, and what the business is about, before addressing some of the specific concerns raised in the representations.

Introduction to the FORA business

1. FORA was founded by Enrico Sanna and Katrina Larkin in 2015 with the aim of reimagining the workplace experience to offer flexible, carefully designed spaces, with premium amenities. The concept allows companies regardless of their size to benefit from curated facilities that they might not otherwise have access to, helping them maximise productivity, wellbeing and overall satisfaction.

2. FORA are hugely experienced at this – they have locations across London, Reading and Cambridge, including prime locations in Soho, Fitzrovia, Clerkenwell, Borough and Shoreditch. They also recently merged with The Office Group, who bring even more experience to the table, as they have been operating in London since opening their first space on City Road in 2004.
3. The concept includes the hosting of periodic events in carefully managed communal spaces within the buildings, some of which involve the service of alcohol - hence the need to apply for a premises licence for 14 Bird Street. These will include things like networking events, industry presentations, panel discussions and team training sessions.



Pictures of the office space at 14 Bird Street

14 Bird Street - representations

4. The representations were focused on uncertainty about FORA's plans for the premises, and the possibility of disturbances later at night – we address each of these below.
5. As an initial point, we should flag that FORA has agreed to eight further licence conditions, following suggestions by the Police and Environmental Health. These are listed in full in the Appendix to this letter. These are in addition to the conditions included in the original application.
6. These extra conditions are all targeted at ensuring that the building is run smoothly, without causing a disturbance to residents. FORA was happy to agree to these, as they are fully aligned with FORA's plans.

The nature of the use

7. As we describe above, the licensable activities here will be completely ancillary to the main use of the building as an office. This will be guaranteed by conditions on the licence – and by the nature of FORA's business and the events it will be hosting. There is no risk of the premises morphing into something other than a flexible workspace.
8. The event space itself is very much in keeping with the office environment, and is centred around a screen with tiered seating, as shown below. Exhibition of film has been included in the application so that this screen can be used for things like screenings, presentations and panel discussions.
9. There will be a full risk assessment completed before any pre-booked event is held in the event space, as agreed with the Police (see condition 1 in the Appendix).



Pictures of the event space at 14 Bird Street

The hours

10. This is not a late night application – FORA is only seeking authorisation for licensable activities within Westminster Council's policy "core hours", which are 11.30pm Monday to Thursday, midnight on Friday and Saturday, and 10.30pm on Sunday.
11. FORA would like to reassure residents that the application only specifies a 24 hour opening time because the office building needs to be accessible for the office tenants. FORA will absolutely not be serving alcohol 24/7; the application does not ask for permission to do that, as it would be completely contrary to FORA's business and its intentions for the space.
12. The external terrace also cannot be used after 11pm in any circumstances. This is also protected by condition.

13. As additional safeguards for residents' amenity, further conditions have been agreed with Westminster's Environmental Health team:
- a) prohibiting deliveries and waste collections later than 11pm or earlier than 7am (see conditions 4 and 5 in the Appendix); and
 - b) requiring all windows and external doors to be kept closed after 11pm, or whenever regulated entertainment is taking place (see condition 5 in the Appendix).

We hope this is helpful in alleviating your concerns in relation to this application, but please do not hesitate to contact us if you have any queries in the meantime.

Yours sincerely,

Thomas and Thomas

Thomas and Thomas Partners LLP

Appendix – Additional Licence Conditions

1. The Licence holder will ensure a full risk assessment is completed for all pre-booked events in the event space. This risk assessment will be available to the licensing authority and Police upon request.
2. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices/workspace.
2. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
3. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 hours on the following day.
4. No deliveries to the premises shall take place between 23.00 and 07.00 hours on the following day.
5. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
6. 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.
7. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule

9. The premises shall be operated as a serviced office space only (to include drop-in/co-working shared workspace, meeting rooms, and private offices on flexible agreements, along with meeting rooms, and uses ancillary to this main use).
10. A list of the names of persons attending shall be kept on the premises at all times . The list shall be produced on demand for inspection by the police or an authorised officer of the Council.
11.
 - 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.
12. A staff member from the premises who is conversant with the external management company who operate 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 access to the recordings of recent CCTV images or data with the absolute minimum of delay when requested.
13. There shall be no advertising displayed on the building of the licensed facilities save for the name and nature of the business.
14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
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. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. 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.
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

19. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
20. 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.
21. 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.
22. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
23. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
24. 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.
25. No regulated entertainment in any external area.
26. External areas shall not be used after 23:00.

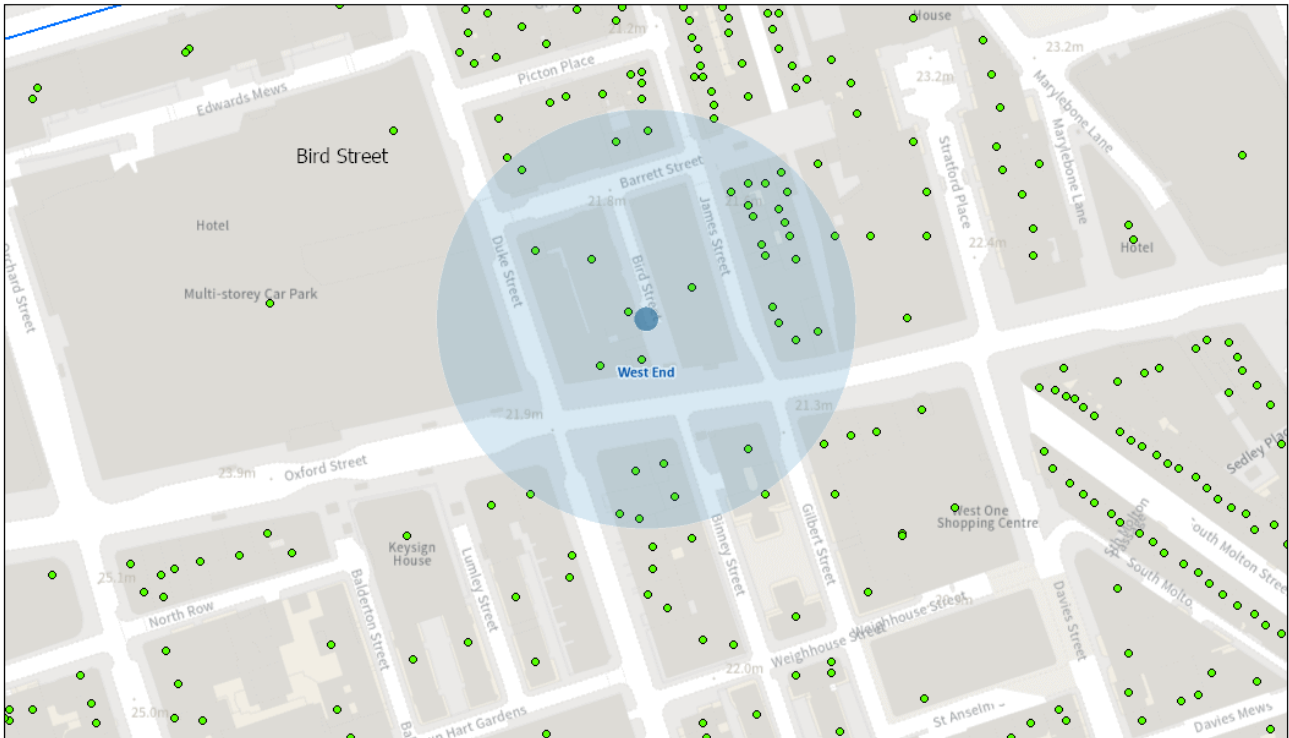
Conditions proposed by the Metropolitan Police Service and agreed by the applicant.

27. The Licence holder will ensure a full risk assessment is completed for all pre-booked events in the event space. This risk assessment will be available to the licensing authority and Police upon request.

Conditions proposed by the Environmental Health Service.

28. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices/workspace.
29. There shall be no sales of alcohol for consumption off the premises after 23:00 hours
30. 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.
31. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
32. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
33. 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
34. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

14 Bird Street London W1U 1BU



13/10/2023, 13:07:19

- Property Mailing List
- Ward Boundaries
- Ward Labels

Resident Count: 101

Licensed premises within 75 metres of 14 Bird Street London W1U 1BU				
Licence Number	Trading Name	Address	Premises Type	Time Period
22/04262/LIPDPS	Busaba Eathai	8 - 13 Bird Street London W1U 1BU	Restaurant	Sunday; 08:00 - 00:30 Monday to Saturday; 08:00 - 01:00
22/05336/LIPCH	Duchess	39 Duke Street London W1U 1LP	Public house or pub restaurant	Thursday; 10:30 - 00:30 Sunday; 11:00 - 23:00 Monday to Wednesday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30

23/01123/LIPN	Mildreds	Basement And Ground Floor Woodstock House 10-12 James Street Marylebone London W1U 1EE	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
23/03975/LIPDPS	Nandos, St Christophers Place	Basement And Ground Floor 16- 18 James Street Marylebone London W1U 1EG	Restaurant	Monday; 07:00 - 00:30 Tuesday; 07:00 - 00:30 Wednesday; 07:00 - 00:30 Thursday; 07:00 - 00:30 Friday; 07:00 - 00:30 Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:30
21/01529/LIPT	Not Recorded	20 James Street Marylebone London W1U 1EH	Restaurant	Monday; 11:00 - 21:30 Tuesday; 11:00 - 21:30 Wednesday; 11:00 - 21:30 Thursday; 11:00 - 21:30 Friday; 11:00 - 21:30 Saturday; 11:00 - 21:30 Sunday; 11:00 - 21:30
23/05554/LIPN	Not Recorded	22 James Street Marylebone London W1U 1EJ	Not Recorded	Monday to Sunday; 10:00 - 23:00
22/09755/LIPDPS	Lamb And Flag Public House	24 James Street Marylebone London W1U 1EL	Public house or pub restaurant	Sunday; 07:00 - 23:00 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00
22/01691/LIPDPS	Pizza Express	21-22 Barrett Street London W1U 1BD	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30

18/00636/LIPDPS	Burger & Lobster	Maranda House 26 - 28 Binney Street London W1K 5BN	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
06/10991/WCCMAP	Silvio's Quality Sandwich Bar	Ground East 37 Duke Street London W1U 1LN	Shop	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
23/01411/LIPDPS	Blanca	Ground Floor Front 37 Duke Street London W1U 1LN	Wine bar	Sunday; 09:00 - 03:00 Monday to Saturday; 09:00 - 06:00
21/06966/LIPT	Attendant	55 Duke Street London W1K 5NR	Restaurant	Saturday; 10:00 - 21:00 Sunday; 12:00 - 21:00 Monday to Friday; 09:30 - 21:00



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

26 October 2023

23/01819/LIPV - Premises Licence Variation

Chicken Cottage
135 Praed Street
London
W2 1RL

Director of Public Protection and Licensing

Hyde Park

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

Telephone: 0207 641 6500
Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	22 March 2023		
Applicant:	Hasan Syed		
Premises:	Chicken Cottage		
Premises address:	135 Praed Street London W2 1RL	Ward:	Hyde Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises are a chicken restaurant		
Variation description:	<p>To vary the existing premises licence so as to:-</p> <p>1) Remove the following two conditions:- 16. There shall be no sales of hot food or hot drink for consumption off the premises after 00:00; and 17. There shall be no home delivery service of any kind from the premises. and</p> <p>2) Include model condition 98 to promote the licensing objectives:- MC98 Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.</p>		
Premises licence history:	<p>The premises have had the benefit of a premises licence since February 2017. The current premises licence reference is 23/00479/LIPRW, a copy of which is attached as Appendix 1 of this report.</p> <p>Please see Appendix 4 of the report for a full licence history</p> <p>The application was before the Licensing Sub Committee on 17th August 2023 and was adjourned at the request of the applicant.</p>		
Applicant submissions:	The application follows recent successful trading by way of temporary event notices. There are no proposed changes to the existing permitted hours.		
Applicant amendments:	None		

1-B	Current and proposed licensable activities, areas and hours					
Regulated Entertainment						
Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	02:00	No change in hours is proposed		Ground floor and basement	No change
Tuesday	23:00	02:00				
Wednesday	23:00	02:00				
Thursday	23:00	02:00				
Friday	23:00	02:00				
Saturday	23:00	02:00				
Sunday	23:00	01:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	02:00	No change of hours is proposed		Ground floor and basement	No change
Tuesday	10:00	02:00				
Wednesday	10:00	02:00				
Thursday	10:00	02:00				
Friday	10:00	02:00				
Saturday	10:00	02:00				
Sunday	12:00	01:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None			No change	

1-C	Layout alteration
No change of layout is proposed	

1-D	Conditions being removed	
Conditions		
16. There shall be no sales of hot food or hot drink for consumption off the premises after 00:00		
17. There shall be no home delivery service of any kind from the premises		
1-D	Conditions being added	
Condition	Proposed variation	
Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.		
Adult entertainment:	Current position:	Proposed position:
	None	No change

2.	Representations	
2-A	Responsible Authorities	
Responsible Authority:	Environmental Health	
Representative:	Anil Drayan	
Received:	19 April 2023	
<p>I refer to the application to vary the Premises Licence for the above premises.</p> <p>The applicant is seeking the following:</p> <ol style="list-style-type: none"> 1. Remove condition 16: <i>'There shall be no sales of hot food or hot drink for consumption off premises after 00:00'</i> 2. Remove condition 17: <i>There shall be no home delivery service of any kind from the premises</i> <p>I wish to make the following representations based on the operating schedule submitted:</p> <ol style="list-style-type: none"> 1. The removal of condition 16 may increase Public Nuisance in the area. 2. The removal of condition 17 may increase Public Nuisance in the area. <p>Environmental Health also makes the following further comments and representations:</p> <ul style="list-style-type: none"> • An additional condition has been offered in place of the conditions to be removed – this is considered to be insufficient to allay Environmental Health concerns. • The Council revised its Statement of Licensing Policy in 2021. One of the new requirements under the Policy is that greater emphasis has been placed on licensed premises demonstrating compliance with policy CH1, Protection of Children from Harm. Free advice on complying with this can be found at page 36 of the Policy <p>The applicant is therefore requested to contact the undersigned to discuss the above and arrange a site after which Environmental Health may propose additional conditions for the proposed changes.</p>		

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	18 April 2023
<p>The late night opening hours are causing the residents extreme nuisance at night already. Large numbers of delivery riders (motor and push bikes) congregate around the premises most nights until 3AM - playing music on their devices and shouting loudly until 3AM. They keep revving their bikes and often have loud arguments. The staff at the premises make absolutely no effort in trying to stop this behaviour.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	Hyde Park Association
Received:	15 April 2023
<p>On behalf of the Hyde Park Estate Association we would like to strongly object to the above application on the grounds that it will not promote WCC Licensing Authority objectives: namely the Prevention of Public Nuisance, Prevention of Crime and Disorder and Prevention of Children from Harm and Public Safety.:</p> <p>The application is TO REMOVE the following two conditions:-</p> <p>16. There shall be no sales of hot food or hot drink for consumption off the premises after 00:00; and</p> <p>17. There shall be no home delivery service of any kind from the premises;</p> <p>I note the inclusions of MC 98 but in reality this is a small shop so we are not encouraged by how this will be managed - it would depend on the amount of staff available so it would be interesting to hear from the premises management how the staff would manage delivery bikes outside using these premises ? How many staff would be on duty at all times ? Would they go out every hour and tell the take away deliveries to stop making a noise; stop parking bikes on the pavement etc. etc. ??</p> <p>As always these conditions are only put on by the original Licensing Committee after serious consideration of all the evidence presented and listed to. I know I used to sit on Licensing committees.</p> <p>Unfortunately we are not able to see any detail of the existing trading hours. However Praed street; even at 00.30 hours is still quite busy with traffic. Many cars parked along the southern side by the fast food premises and a fair amount of buses. Even at this time 30 minutes after midnight I note a hold up due to buses over taking stationary cars close to traffic lights and no one able to move forward until the traffic lights changed.</p> <p>Unfortunately we are not able to see any detail of the existing trading hours. However Praed street; even at 00.30 hours is still quite busy with traffic. Many cars parked along the southern side by the fast food premises and a fair amount of buses. Even at this time 30 minutes after midnight I note a hold up due to buses over taking stationary cars close to traffic lights and no one able to move forward until the traffic lights changed.</p> <p>There are many cafes restaurants here but all closed (at 00.30hrs) including Mc Donalds. The only food related shops I saw open on Praed Street (on my 00.30 hour visit) were a couple of</p>	

small supermarkets and:- a) Cottage Chicken, no opening hours displayed; b) Subway; hours display Thurs Fri. Sat. 08.00-02.00 Sunday 9-12, Mon-Wed. 08.00-01.00 and c) KFC opening hours displayed in window: daily 10.30-02.00.

Everyone is fully aware of the continuing begging issues on this street and along with rough sleeping something we have spoken frequently about and still the problems continue with little change.

Praed Street has many residential properties (above the shops) and many narrow side streets to the south off Praed Street which are nearly almost residential. We also have: a major hospital with many ambulances (but wanting some peace and quiet at night) and Paddington Station. Then there is the ongoing regeneration of the PSPA with "The Cube" so it makes this area hugely busy with traffic issues such as taxi pick ups and drop offs and private pick ups and drop offs which holding traffic up and a main bus route and a main ambulance route etc. etc. Even the underground tubes stop shortly after midnight.

This very busy road has only two large single lanes for traffic !! and hold ups are common here and adding parked delivery bikes (which are often known to cause of hold ups) outside the fast food shops and with only narrow pavements this we see as just adding to the problems on this narrow street.

We need to keep the balance between business and residents. We do not want to create a street with many restaurants converting to fast food and deliveries throughout the night. This is not Edgware Road.

The premises want to provide hot food and hot drink after 00.00 midnight. The Council considers that premises which serve cold food and drink and are not subject to Licensing not so problematic however people who have been drinking usually prefer hot food. HPEA do not want this area to become a destination venue for those who have been drinking so they can come here to eat late at night or buy take away before travelling on home after midnight.

We ask that conditions 16 and 17 are not removed from the present Licence and REMAIN in PLACE

If the committee feel the need to grant we ask that take-away/off-sales are limited to no later than 02.00 hours Friday-Saturday and 01.00 hrs Monday-Thursday and non after midnight on Sunday.

BUT NO home deliveries so keeping condition 17. We do have local residents who have been woken up when the door bells have been rung by mistake; after midnight for a home takeaway.

Name:	██████████
Address and/or Residents Association:	Paddington Waterways And Maida Vale Society
Received:	12 April 2023

Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).

We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.

Introduction

Our representation is made on the basis that the likely impact of the application, if granted as applied for, would be to harm the licensing objectives, particularly that of prevention of public

nuisance.

Background

These premises are located in a very busy road, served by many buses, very close to Paddington Station and St Mary's Hospital. There are also many residential units nearby. We believe the activities proposed will add significantly to the nuisance and noise late at night.

The application is for takeaway food by home delivery, which is currently not permitted, to be permitted until 2am (1am Sunday), and for takeaway food by customers attending the premises to be extended from midnight to 2am (1am Sunday). The footfall and delivery scooters will exacerbate the situation and potentially add to anti social behaviour.

If a hearing takes place, we will endeavour to attend. Or appoint Richard Brown to represent us.

Name:	██████████
Address and/or Residents Association:	South East Bayswater Residents Association (SEBRA)
Received:	12 April 2023

I am writing on behalf of the South East Bayswater Residents' Association (SEBRA) to make a relevant representation objecting to this licence application on the basis of the likely impact on the licensing objective of 'prevention of public nuisance'.

Introduction

SEBRA was formed in 1970 and works to protect the special character of our area. A non-profit, non party-political, voluntary organisation, we represent more than 1,000 people. SEBRA is consulted by Westminster Council on both major developments and all Council activities which affect the daily lives of residents.

As a recognised amenity society we often engage in consultations with licence applicants both before and during the application process and note with some disappointment that we have not been contacted by the applicant in this case.

Background

The premises is located at the middle section of Praed Street, mixed retail units on ground floor with residential units above and the hinterland is predominantly residential.

SEBRA's position

We do have concerns with the premises applying remove Conditions 17 &18 that issues in the area are at present not adequately mitigated by the application, and we believe that nuisance, litter, noise, waking up residents when making deliveries etc will be detrimental to the area.

We note application is for takeaway food by home delivery, which is currently not permitted, to be permitted until 2am (1am Sunday), and for takeaway food by customers attending the premises to be extended from midnight to 2am (1am Sunday).

We cannot see any sale of takeaway food by delivery service being able to run without problems as premises are a busy thoroughfare, outside a run of Double Yellow lines with a very busy bus stop and bus gage immediately opposite.

When delivery scooters, bikes etc stop and wait for collection, they are bound to cause blocking road, especially when buses stop to discharge or pick up passengers.

On non delivery take away, we believe reasons why extended hours were refused last time have not changed and since then matters have got worse in terms of nuisance, noise, litter etc from premises offering take away services.

WCC Statement of Licensing Policy

Regrettably the application does not appear to address the clear statements in the Policy

highlighting potential problems which ought to be mitigated by applicants and for this mitigation to be set out in the Operating Schedule. We do not consider the sole additional condition proposed to be effective and/or enforceable and note that in any event this deals only with deliveries, not with walk-up takeaway.

The premises already benefits from hours beyond core hours for takeaway (albeit not delivery) and there is no justification in the application to extend this. WCCs concerns with fast food premises operating late at night are clear from the FFP1 policy, eg:

F56. Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour.

Likewise, the city-wide issue of deliveries of late night refreshment are set out clearly in policy DEL1, for instance:

G4. The Licensing Authority is concerned with the growing levels of residential complaints and issues associated with public nuisance that is either generated at or in the general vicinity of the licensed premises where deliveries are collected or at the end destination where the delivery is made. Complaints often relate to noise from delivery personnel waiting around the licensed premises or from their delivery vehicles. Applicants must consider the potential impact of noise nuisance from delivery personnel and their vehicles at the licensed premises or at the end destination. Appropriate waiting areas inside the licensed premises must be provided to prevent delivery personnel congregating outside the venue.

The criteria and considerations set out in DEL1 simply have not been addressed – for instance are the delivery drivers to be 3rd parties? If so, the policy is much stricter on what hours may be granted.

As no delivery service is currently permitted from the premises, what experience of operating delivery services elsewhere does the applicant have?

Conclusion

We are aware of course that applications can be amended, and as ever, SEBRA is always very happy for our contact details, including mobile number, to be passed to the applicant/their solicitors, and to discuss the operation and application with them.

We reserve the right to make further comments /proposals /conditions in due course when we have more information about the application/operation.

3.	Policy & Guidance
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days

	<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 This application as defined within this policy is: 8. Restaurants: 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.</p>
<p>Policy FFP1 (A) applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a fast food premises in Clause D. <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> 1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption. 2. Food and drink are: a. Available on the premises for self-selection. b. Prepared on the premises. c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers. 3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption. 4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.
<p>Policy DEL1 applies</p>	<p>A. Applications for premises that intend to sell alcohol and/or late-night refreshment for delivery to customers at a residential or workplace address, which is ancillary to the main use of the premises, will generally be granted subject to not being contrary to other policies within this Statement of Licensing Policy and that it meets the criteria below:</p> <p>Criteria:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1 2. The hours when delivery will take place is within the relevant Core Hours for that premises use, 3. The delivery of alcohol and/or late-night refreshment to customers at their residential address or workplace will be ancillary to the main premises use, 4. The applicant has demonstrated that they will not add to cumulative impact if the premises are located within the West End Cumulative Impact Zone. 5. The applicant has demonstrated that they have taken account of the Special Consideration Zone Policy SCZ1 if the premises are

	<p>located within a designated zone.</p> <p>6. That the applicant will, a. Implement their own age verification procedures for the sale and supply of alcohol for their delivery staff and ensure that they receive regular training in the company's age verification procedures, and/or b. ensure that any third party, to which they have contracted the delivery of alcohol and/or food has sufficient age verification procedures in place for the sale of alcohol and has regular training for its delivery personnel on their age verification procedures.</p> <p>7. That the applicant will, a. implement their own procedures and provide mitigation to reduce the risk that their delivery service and delivery personnel will create public nuisance either at the premises where the delivery originates and at the delivery destination, and/or b. ensure that any third party, to which they have contracted their delivery service to have sufficient procedures and mitigation in place to ensure that their delivery personnel do not create public nuisance either at the premises where the delivery originates and at the delivery destination.</p> <p>B. Applications that do not meet the criteria in Clause A will be considered on their own merits, subject to other relevant policies within this statement and the following considerations:</p> <p>Considerations:</p> <ol style="list-style-type: none"> 1. The likelihood of the effect of the grant of the licence for the delivery of alcohol and/or late-night refreshment on the licensing objectives and whether the applicant has demonstrated that they will meet the criteria and considerations within policies CD1, PS1, PN1 and CH1. 2. The proposed hours for the operation of the delivery service, whether they are beyond the Core Hours as set out in Policy HRS1 and if so, what are the reasons for the additional hours and what has the applicant proposed as measures that will mitigate or eliminate any potential impact on the licensing objectives. 3. If the application is located within: <ol style="list-style-type: none"> a. the West End Cumulative Impact Zone, have they demonstrated that they will not add to cumulative impact, or, b. a designated Special Consideration Zone, have they demonstrated that they have taken account of the issues identified in that area and put forward proposed mitigation measures in relation to those issues in accordance with Policy SCZ1, 4. Whether the premises are located within an area of residential accommodation and/or in close proximity to residential accommodation, 5. Whether the delivery personnel are directly employed by the applicant or whether the delivery service will be provided by a third party, 6. How will the applicant ensure that the operation of the delivery service, operated directly by them with their own staff does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act. 7. If a third party will provide the delivery service on behalf of the applicant what are the contractual arrangements with that third party to ensure that the operation of the delivery service does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act, 8. The operation and management of the proposed delivery service from the premises, 9. The types of vehicles that will be used for the delivery of alcohol
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	<p>and/or late-night refreshment and whether they will likely create public nuisance,</p> <p>10. The history of the applicant's operation of licensed premises and the premise's operation in relation to any impact on the licensing objectives, breaches of any terms and conditions of a licence, any reviews of a licence or offences committed under the Act,</p> <p>11. In addition to Sub-clause 6 and 7 above what measures the applicant or the third party providing the delivery service has put forward to mitigate the specific risk of public nuisance by the operation of the delivery service at the premises or at the end point of delivery,</p> <p>12. In addition to sub-clause 6 and 7 above what specific measures and processes the applicant or the third party providing the delivery service has put forward to mitigate the risk from the delivery of alcohol to children to ensure that they are protected from harm.</p> <p>C. For the purposes of this policy premises uses are defined within the relevant premises use policies within this statement.</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.

5.	Appendices
Appendix 1	Premises licence 23/00479/LIPRW
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Report author:	Kevin Jackaman
Contact:	Telephone: 020 7641 6500 kjackaman@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health representation	19 April 2023
5	Interested Party representation (1)	18 April 2023
6	Interested Party representation (2)	15 April 2023
7	Interested Party representation (3)	12 April 2023
8	Interested Party representation (4)	12 April 2023



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

Schedule 12
Part A

WARD: Hyde Park
UPRN: 100023476922

Premises licence

Regulation 33, 34

Premises licence number:	23/00479/LIPRW
Original Reference:	16/11887/LIPN

Part 1 – Premises details

Postal address of premises:

Chicken Cottage
135 Praed Street
London
W2 1RL

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment

Monday to Saturday:	23:00 to 02:00
Sunday:	23:00 to 01:00

The opening hours of the premises:

Monday to Saturday:	10:00 to 02:00
Sunday:	12:00 to 01:00

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

N/A

Part 2

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

Hasan Syed
Shaz And Co Limited T/A Chicken Cottage
135 Praed Street
Paddington
London
W2 1RL
Electronic Mail : shaz110_@hotmail.com
Business Phone Number : 0207 706 8874
Mobile Phone Number : 077 2589 3682

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

08037892

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

N/A

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

N/A

Date: 23 January 2023

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

Annex 1 – Mandatory conditions

None

Annex 2 – Conditions consistent with the operating Schedule

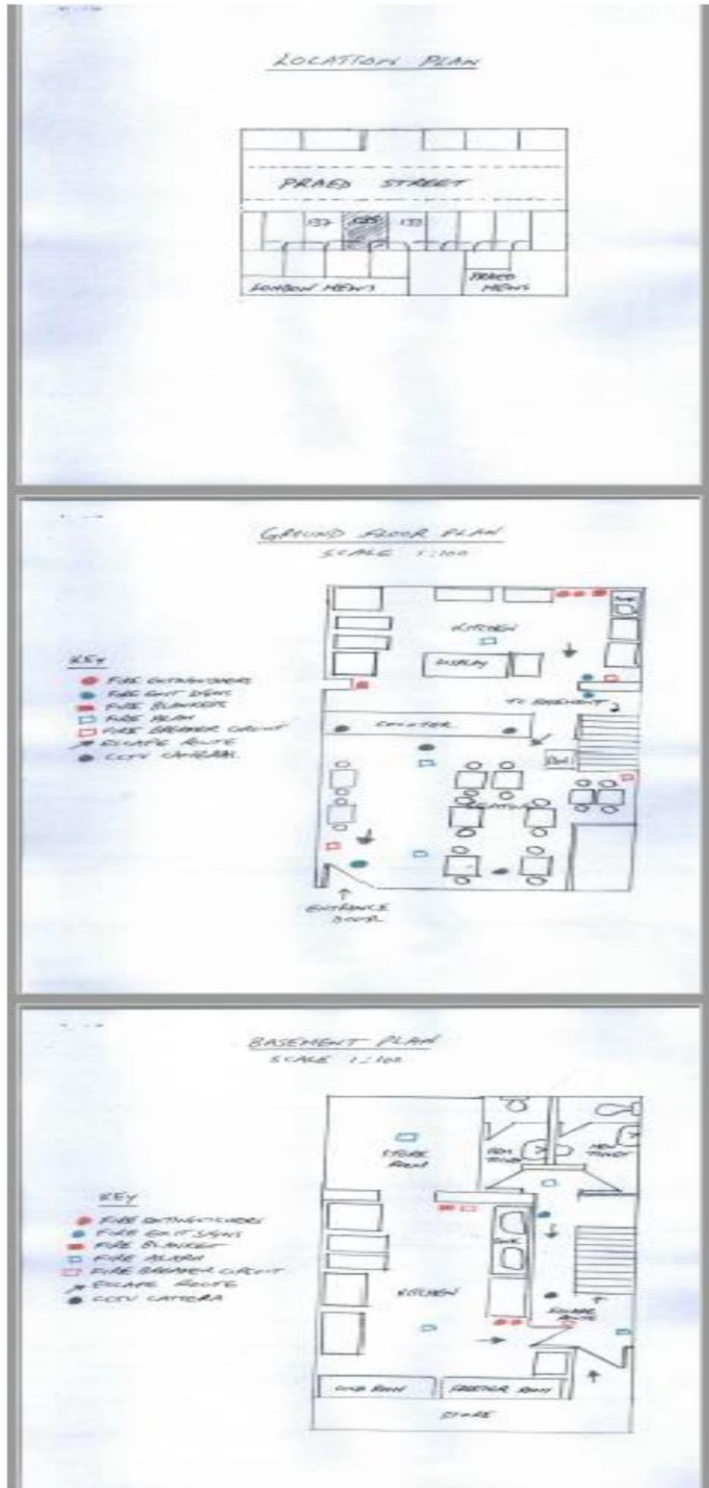
None

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

1. Staff will be trained on the importance of the Licensing objectives.
2. 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.
3. The external door shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
4. After 23:00 hours, the number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.
5. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
12. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any visit by a relevant authority or emergency service.
16. There shall be no sales of hot food or hot drink for consumption off the premises after 00:00.
17. There shall be no home delivery service of any kind from the premises.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Annex 4 – Plans





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

Schedule 12
Part B

WARD: Hyde Park
UPRN: 100023476922

Premises licence
summary

Regulation 33, 34

Premises licence number:

23/00479/LIPRW

Part 1 – Premises details

Postal address of premises:

Chicken Cottage
135 Praed Street
London
W2 1RL

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment

Monday to Saturday:	23:00 to 02:00
Sunday:	23:00 to 01:00

The opening hours of the premises:

Monday to Saturday:	10:00 to 02:00
Sunday:	12:00 to 01:00

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

N/A

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

Hasan Syed
Shaz And Co Limited T/A Chicken Cottage
135 Praed Street
Paddington
London
W2 1RL

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

08037892

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

N/A

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

N/A

Date: 23 January 2023

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

None

Licence & Appeal History

Temporary Event Notices	Date of Event	Activities/Hours	Decision
23/01892/LITENN	18.02.2023 to 19.02.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/00719/LITENN	18.02.2023 to 19.02.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/00720/LITENN	04.03.2023 to 05.03.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/00721/LITENN	11.03.2023 to 12.03.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/00722/LITENN	18.03.2023 to 18.03.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/01471/LITENN	25.03.2023 to 26.03.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/01472/LITENN	01.04.2023 to 02.04.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/01473/LITENN	08.04.2023 to 09.04.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/01474/LITENN	15.04.2023 to 16.04.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted
23/01475/LITENN	22.04.2023 to 23.04.2023	TEN to disapply conditions 16 and 17 on Friday and Saturday nights.	Event permitted

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:

None

Annex 2 – Conditions consistent with the operating Schedule

None

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

1. Staff will be trained on the importance of the Licensing objectives.
2. 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.
3. The external door shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
4. After 23:00 hours, the number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.
5. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
6. 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.
7. 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.
8. 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.

9. 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.
10. 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.
11. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
12. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any visit by a relevant authority or emergency service.
16. There shall be no sales of hot food or hot drink for consumption off the premises after 00:00.
17. There shall be no home delivery service of any kind from the premises.

The applicant is proposing to remove conditions 16 and 17

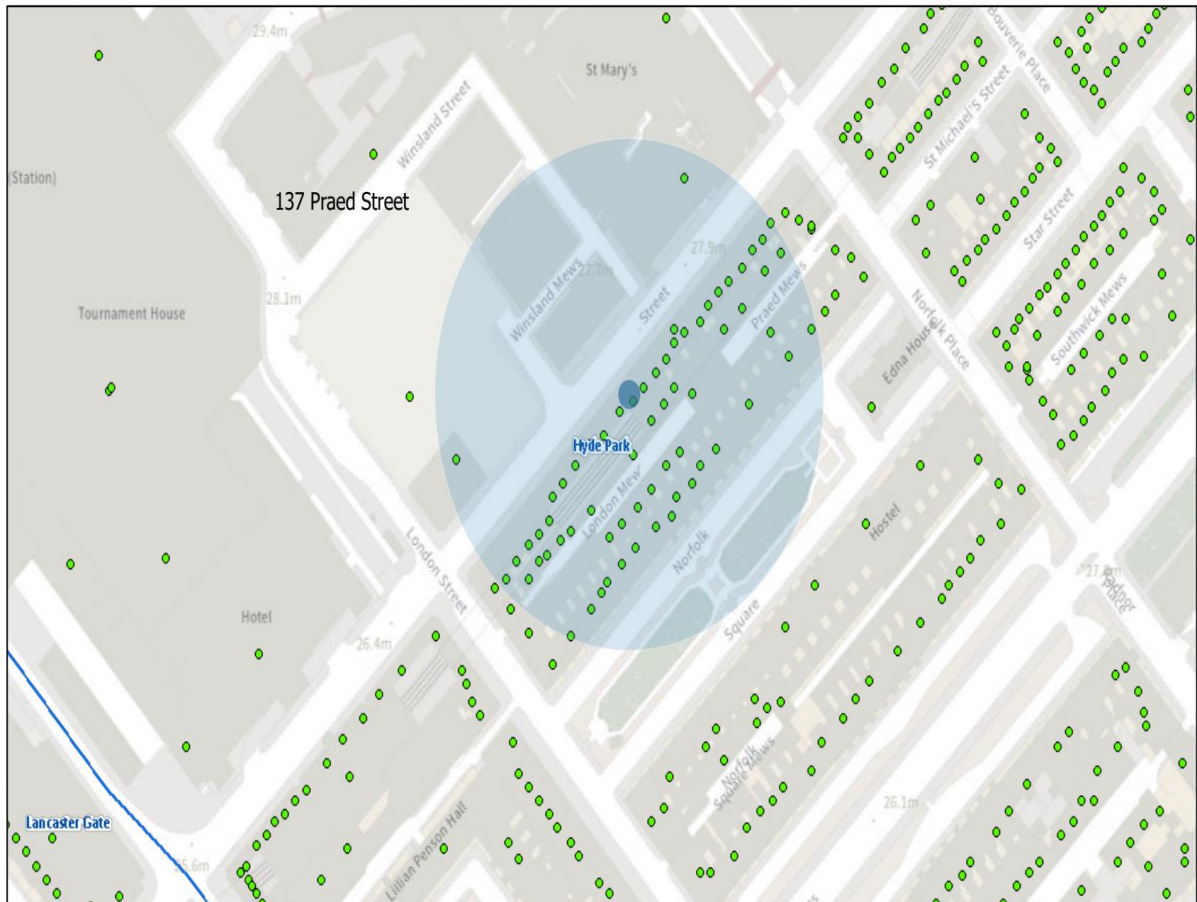
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Conditions proposed by the applicant

19. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside

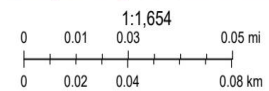
the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

135 Praed Street



14/06/2023, 11:41:24

- Property Mailing List
- Ward Labels
- Stress Areas
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries
- Special Consideration Zones



Resident count: 58

Licensed premises within 75m of 135 Praed Street London W2 1RL				
Licence Number	Trading Name	Address	Premises Type	Time Period
23/00479/LIPRW	Chicken Cottage	135 Praed Street London W2 1RL	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 10:00 - 02:00
13/02699/LIPN	La Tazza Cafe	Basement And Ground Floor 143 Praed Street London W2 1RL	Cafe	Monday to Sunday; 07:00 - 23:00

12/03465/LIPN	Bonne Bouche	129 Praed Street London W2 1RL	Cafe	Sunday; 12:00 - 18:00 Monday to Saturday; 12:00 - 20:00
21/07443/LIPT	Subway	147 Praed Street London W2 1RL	Restaurant	Monday to Sunday; 00:00 - 00:00
19/06223/LIPCH	Kentucky Fried Chicken Express	149 Praed Street London	Restaurant	Monday to Sunday; 23:00 - 03:00
06/11309/WCCMAP	Supersave	125 Praed Street London W2 1RL	Shop	Sunday; 09:00 - 22:30 Monday to Saturday; 07:00 - 23:00
21/00824/LIPN	Units 36 & 42	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00817/LIPN	Restaurant At Units 34/35/41	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00848/LIPN	Restaurant Units 38 To 44	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00845/LIPN	Unit 1	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00851/LIPN	Bar At Units 2 And 46 And Rooftop Terrace At Paddington Squa	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Wine bar	Sunday; 09:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Thursday to Saturday; 10:00 - 00:00

21/00850/LIPN	17th And 18th Floors	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
21/00847/LIPN	Restaurant At Units 39 And 45	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00849/LIPN	Units 37 43	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
13/02856/LIPN	Tavolina	Basement And Ground Floor 159 Praed Street London W2 1RL	Cafe	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:30
12/10800/LIDPSR	St Marys NHS Lindo Wing	St Marys N H S Trust Praed Street London W2 1NY	Surgeries or Health Centres	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
22/07486/LIPN	Amazon - Unit 34, Tube Level One	144 Praed Street London W2 1HU	Shop	Monday to Sunday; 07:00 - 23:00
23/00280/LIPDPS	Frankie & Benny	Ground Front 144 Praed Street London W2 1HU	Hotel, 4+ star or major chain	Sunday; 08:00 - 00:00 Monday to Saturday; 08:00 - 00:30
21/07202/LIPN	McDonald's	161 Praed Street London W2 1RL	Restaurant	Monday to Sunday; 06:00 - 00:00
06/11392/WCCMAP	Paddington Gift Shop	Ground 161 Praed Street London W2 1RL	Restaurant	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
06/11378/WCCMAP	Peking-Seoul Restaurant	113-115 Praed Street London W2 1RL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30



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

26 October 2023

23/02223/LIPN - New Premises Licence

Urban Doner Kebab
Ground Floor
127 Praed Street
London
W2 1RL

Director of Public Protection and Licensing

Hyde Park

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

Telephone: 0207 641 6500
Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	6 April 2023		
Applicant:	Shaz Food Limited		
Premises:	Urban Doner Kebab		
Premises address:	Ground Floor 127 Praed Street London W2 1RL	Ward:	Hyde Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form the premises intend to trade as a fast food premises		
Premises licence history:	<p>This is a new premises licence application, and no premises history exists however the premises have been granted a number of Temporary Event Notices (TENs) have been applied for in respect of the premises.</p> <p>A schedule of the TENs granted for the premises appears at appendix 3</p> <p>The application was before the Licensing Sub Committee on 17th August 2023 and was adjourned at the request of the applicant.</p>		
Applicant submissions:	None		
Applicant amendments:	None		

1-B	Proposed licensable activities and hours						
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	02:00	02:00	02:00	02:00	03:00	03:00	02:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	02:00	02:00	02:00	02:00	03:00	03:00	02:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				
Adult Entertainment:			None				

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	Tom Stewart
Received:	03 May 2023
<p>I am writing to you on behalf of the Commissioner (The Chief Officer of Police) of the Metropolitan Police Service to make representations opposing the grant of a new premises licence for <u>Ground Floor 127 Pared Street London W2 1RL</u>.</p> <p>The applicant is seeking the following licensable activities at the premises:</p> <ol style="list-style-type: none"> 1. The provision of Late Night Refreshment 'indoors' Sunday to Thursday 23:00-02:00 hours and Friday and Saturday 23:00-03:00 hours. 2. To allow Late Night Refreshment from the end of permitted hours New Year's Eve to the start of permitted hours on New Year's Day. <p>The Metropolitan Police Service ("MPS") believe that the granting of this licence will likely undermine the <i>Prevention of Crime and Disorder</i> and <i>The Prevention of Public Nuisance</i> licensing objectives.</p> <p>The Police have concerns in regard to the potential crime and anti-social behaviour that may be caused as a result of the provision of late night refreshment, particularly in regard to deliveries from the premises. It is unclear from the application's operating schedule if the applicant will be utilising 3rd party delivery platforms for their deliveries or whether the delivery personal will be employed directly by the premises.</p> <p>The application seeks to be on the same terms of a neighbouring premises (as varied), however the variation to the neighbouring premises is undetermined and due to be heard at a licensing sub committee hearing.</p> <p>I would be happy to discuss the application and the Police's representation further with the applicant and/their representative.</p>	
Responsible Authority:	Environmental Health
Representative:	Sally Fabbriatore
Received:	21 April 2023
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>This representation is based on the Operating Schedule and the submitted plans, for the ground floor (drawing number N05).</p> <p>The applicant is seeking the following on the ground floor:</p>	

1. The provision of Late Night Refreshment 'indoors' Sunday to Thursday 23:00-02:00 hours and Friday and Saturday 23:00-03:00 hours.
2. To allow Late Night Refreshment from the end of permitted hours New Year's Eve to the start of permitted hours on New Year's Day.

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

1. The provision of and proposed hours for Late Night Refreshment may cause an increase in Public Nuisance in the area and may impact on Public Safety.
2. The non-standard timings may cause an increase in Public Nuisance in the area.

Further information has been provided, which is 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 area and may impact on Public Safety.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	Paddington Waterways & Maide Vale Society (PWMVS)
Received:	03 May 2023
<p>Dear Sir/Madam,</p> <p>Urban Doner Kebab, 127 Praed Street, London W2 1RL Application ref: 23/02223/LIPN</p> <p>Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).</p> <p>We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.</p> <p>Introduction</p> <p>Our representation is made on the basis that the likely impact of the application, if granted as applied for, would be to harm the licensing objectives, particularly that of prevention of public nuisance.</p> <p>Background</p> <p>These premises are located in a very busy road, served by many buses, very close to Paddington Station and St Mary's Hospital. There are also many residential units nearby. We believe the activities and timings proposed will add significantly to the nuisance and noise late at night, in addition to impacting on anti-social behaviour.</p> <p>The premises is described in the application as a 'fast food premises'. The immediate area already has a number of these premises.</p> <p>The application seeks late night refreshment to 2am Sun-Thurs, 3am Fri-Sat. There is no mention of different timings for deliveries/eat in/takeaway so we can only assume that the applicant seeks each of these to those times. These hours are well beyond core hours and</p>	

stretch well into the night.

We are concerned that the conditions proposed are stated to be the same as 135 Praed Street 'as varied'. 135 Praed Street is a branch of 'Chicken Cottage' which is seeking an extension of hours for late night refreshment. We have objected to that application and trust that it has not been granted and the licence varied.

The City Council's Statement of Licensing Policy is clear that fast food premises can act as a 'honeypot' attracting people who have left nearby pubs and bars, or otherwise attract customers late at night who will cause a nuisance and disturb residents. This applied whether customers eat in at the premises (and so remain in the area longer) or take food away for immediate consumption inevitably in the surrounding streets, leading to noise, nuisance, anti-social behaviour and litter.

The application does not specify whether delivery of hot food after 11pm is sought, although there is but a single condition which refers to delivery drivers. It is not clear whether this refers to delivery drivers delivering to or from the premises? If it is intended to facilitate a delivery service from the premises, we would point out that it does not comply with policy DEL1. There is no indication whether delivery drivers would be employed directly by the applicant or not? We would also point out that the premises at 135 Praed Street has been forbidden from operating a delivery service.

If a hearing takes place, we will endeavour to attend. Or appoint Richard Brown to represent us.

Name:	██████████
Address and/or Residents Association:	South East Bayswater Residents Association (SEBRA)
Received:	02 May 2023

I am writing on behalf of the South East Bayswater Residents' Association (SEBRA) to make a relevant representation objecting to this licence application on the basis of the likely impact on the licensing objectives of 'prevention of public nuisance' and 'prevention of crime and disorder'.

Introduction

SEBRA was formed in 1970 and works to protect the special character of our area. A non-profit, non party-political, voluntary organisation, we represent more than 1,000 people. SEBRA is consulted by Westminster Council on both major developments and all Council activities which affect the daily lives of residents.

As a recognised amenity society we often engage in consultations with licence applicants both before and during the application process and note with some disappointment that we have not been contacted by the applicant in this case.

Background

The premises is located at the middle section of Praed Street, mixed retail units on ground floor with residential units above and the hinterland is predominantly residential.

SEBRA's position

We do have serious concerns with this application that we make amenity issues in the area worse than they are at present not adequately mitigated by the application, and we believe that nuisance, litter, noise, waking up residents when making deliveries etc will be detrimental to the area.

We note application is described as 'fast food premises' and seeks late night refreshment 2am Sun-Thurs, 3am Fri-Sat. There is no mention of different timings for deliveries/eat in/takeaway

so can only presume they want all three to those times.

The conditions are stated to be the same as 135 Praed Street 'as varied'. As far as we are aware, the 135 Praed Street licence has not been varied, and we have objected to a recent application to do so.

We cannot see any sale of takeaway food by delivery service being able to run without problems as premises are a busy thoroughfare, outside a run of Double Yellow lines with a very busy bus stop and bus gage immediately opposite.

When delivery scooters, bikes etc stop and wait for collection, they are bound to cause blocking road, especially when buses stop to discharge or pick up passengers.

On non delivery take away, we believe reasons why extended hours were refused last time have not changed and since then matters have got worse in terms of nuisance, noise, litter etc from premises offering take away services.

WCC Statement of Licensing Policy

Regrettably the application does not appear to address the clear statements in the Policy highlighting potential problems which ought to be mitigated by applicants and for this mitigation to be set out in the Operating Schedule. We do not consider the sole additional condition proposed to be effective and/or enforceable and note that in any event this deals only with deliveries, not with walk-up takeaway.

There is no justification in the application to extend hours later than those permitted under Policy, and indeed we are concerned with a licence being granted at all as applied for. WCCs concerns with fast food premises operating late at night are clear from the FFP1 policy, eg: F56. Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour. Likewise, the city-wide issue of deliveries of late night refreshment are set out clearly in policy DEL1, for instance:

G4. The Licensing Authority is concerned with the growing levels of residential complaints and issues associated with public nuisance that is either generated at or in the general vicinity of the licensed premises where deliveries are collected or at the end destination where the delivery is made. Complaints often relate to noise from delivery personnel waiting around the licensed premises or from their delivery vehicles. Applicants must consider the potential impact of noise nuisance from delivery personnel and their vehicles at the licensed premises or at the end destination. Appropriate waiting areas inside the licensed premises must be provided to prevent delivery personnel congregating outside the venue.

The criteria and considerations set out in DEL1 simply have not been addressed – for instance are the delivery drivers to be 3rd parties? If so, the policy is much stricter on what hours may be granted.

Conclusion

We are aware of course that applications can be amended, and as ever, SEBRA is always very happy for our contact details, including mobile number, to be passed to the applicant/their solicitors, and to discuss the operation and application with them.

We reserve the right to make further comments /proposals /conditions in due course when we have more information about the application/operation.

Name:	[REDACTED]
Address and/or Residents Association:	Hyde Park Estate Association
Received:	04 May 2023

On behalf of the Hyde Park Estate Ass. (WCC recognised amenity group) we are writing to strongly object to the above application on the grounds that it will not promote the Licensing Authority objectives: the Prevention of Public Nuisance; Prevention of Crime and Disorder; The Prevention of Children from Harm and Public Safety.

We totally concur with SEBRA objections.

Praed Street is a highly residential road on both sides of the street and what happens on one side of the road affects both sides. It is a hugely busy narrow street that needs careful consideration in order to maintain some form order.

The premise is applying for an LNR Licence beyond Core Hours Policy and we strongly believe this is likely to lead to Public Nuisance and increase in Crime and Disorder and Children from Harm and it therefore does not support the Licensing Objectives.

The Met Police advise us constantly that Public Nuisance and Crime and Disorder increase the later the time a LNR premises is open beyond Westminster City Council's Core Hours Policy, which this application seeks to gain. Patrons when leaving are more likely to increase noise and disturbance often talking on mobiles and parking in the residential side streets with car doors banging and loud voices. WCC must continue to balance residents needs with business. We also note the application is described as 'fast food premises' and seeking LNR 2am Sun-Thurs, 3am Fri-Sat. There is no mention of different timings for deliveries/eat in/takeaway so can only presume they want all three to those times.

The conditions are stated to be the same as 135 Praed Street 'as varied'. As far as we are aware. the 135 Praed Street licence has not been varied, and we have objected to a recent application to do so.

We cannot see any sale of takeaway food by delivery service being able to run without problems as premises are a busy thoroughfare, outside a run of Double Yellow lines with a very busy bus stop and bus gage immediately opposite.

When delivery scooters, bikes etc stop and wait for collection, they are bound to cause blocking road, especially when buses stop to discharge or pick up passengers.

On non delivery take away, we believe reasons why extended hours were refused last time have not changed and since then matters have got worse in terms of nuisance, noise, litter etc from premises offering take away services.

"The McDonalds "just along the street closes at 12 midnight. This achieves a reasonable balance for those residents on this very busy road and also; as I have recently witnessed traffic jams after midnight due to the narrowness of the road, the very many buses and the unsocial parking of many cars/bikes picking up takeaways. Recently we objected to 135 Praed to vary hours. It is very worrying for local residents who want a good nights sleep. It is also a concern for the free flowing traffic on this very narrow road which accommodates a Major Hospital and a Paddington station. Ambulances do not need badly parked traffic in order to speed up their emergencies. Lives matter. Delivery vehicles as we know in Westminster is a major problem for traffic hold-ups and residents due to the extra volume of vehicles, noise and extra rubbish that come hand in hand with fast food outlets.

As SEBRA commented:

WCC Statement of Licensing Policy

Regrettably the application does not appear to address the clear statements in the Policy highlighting potential problems which ought to be mitigated by applicants and for this mitigation to be set out in the Operating Schedule. We do not consider the sole additional condition proposed to be effective and/or enforceable and note that in any event this deals only with deliveries, not with walk-up takeaway.

There is no justification in the application to extend hours later than those permitted under Policy, and indeed we are concerned with a licence being granted at all as applied for. WCCs concerns with fast food premises operating late at night are clear from the FFP1 policy, eg: F56. Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour. Likewise, the city-wide issue of deliveries of late night refreshment are set out clearly in policy DEL1, for instance:

G4. The Licensing Authority is concerned with the growing levels of residential complaints and issues associated with public nuisance that is either generated at or in the general vicinity of the licensed premises where deliveries are collected or at the end destination where the delivery is made. Complaints often relate to noise from delivery personnel waiting around the licensed premises or from their delivery vehicles. Applicants must consider the potential impact of noise nuisance from delivery personnel and their vehicles at the licensed premises or at the end destination. Appropriate waiting areas inside the licensed premises must be provided to prevent delivery personnel congregating outside the venue.

The criteria and considerations set out in DEL1 simply have not been addressed – for instance are the delivery drivers to be 3rd parties? If so, the policy is much stricter on what hours may be granted.

We are aware that applications can be amended and we reserve the right to make further comments /proposals /conditions in due course when we have more information.

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

The late night opening hours at the neighbouring venue at 135 Praed street are causing the residents extreme nuisance at night already. Large numbers of delivery riders (motor and push bikes) congregate around the premises most nights until 3AM - playing music on their devices and shouting loudly until 3AM. They keep revving their bikes and often have loud arguments. Extending hours of this venue will only bring more nuisance and upset into the neighbourhood.

3.	Policy & Guidance
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding

	<p>Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for This application as defined within this policy is: 8. Restaurants: 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.</p>
<p>Policy FFP1 (A) applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a fast food premises in Clause D. <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> 1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption. 2. Food and drink are: a. Available on the premises for self-selection. b. Prepared on the premises. c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers. 3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption. 4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.
<p>Policy DEL1 applies</p>	<p>A. Applications for premises that intend to sell alcohol and/or late-night refreshment for delivery to customers at a residential or workplace address, which is ancillary to the main use of the premises, will generally be granted subject to not being contrary to other policies within this Statement of Licensing Policy and that it meets the criteria below:</p> <p>Criteria:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1 2. The hours when delivery will take place is within the relevant Core Hours for that premises use, 3. The delivery of alcohol and/or late-night refreshment to customers at their residential address or workplace will be ancillary to the main premises use, 4. The applicant has demonstrated that they will not add to cumulative impact if the premises are located within the West End Cumulative Impact Zone. 5. The applicant has demonstrated that they have taken account of

	<p>the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</p> <p>6. That the applicant will, a. Implement their own age verification procedures for the sale and supply of alcohol for their delivery staff and ensure that they receive regular training in the company's age verification procedures, and/or b. ensure that any third party, to which they have contracted the delivery of alcohol and/or food has sufficient age verification procedures in place for the sale of alcohol and has regular training for its delivery personnel on their age verification procedures.</p> <p>7. That the applicant will, a. implement their own procedures and provide mitigation to reduce the risk that their delivery service and delivery personnel will create public nuisance either at the premises where the delivery originates and at the delivery destination, and/or b. ensure that any third party, to which they have contracted their delivery service to have sufficient procedures and mitigation in place to ensure that their delivery personnel do not create public nuisance either at the premises where the delivery originates and at the delivery destination.</p> <p>B. Applications that do not meet the criteria in Clause A will be considered on their own merits, subject to other relevant policies within this statement and the following considerations: Considerations:</p> <ol style="list-style-type: none"> 1. The likelihood of the effect of the grant of the licence for the delivery of alcohol and/or late-night refreshment on the licensing objectives and whether the applicant has demonstrated that they will meet the criteria and considerations within policies CD1, PS1, PN1 and CH1. 2. The proposed hours for the operation of the delivery service, whether they are beyond the Core Hours as set out in Policy HRS1 and if so, what are the reasons for the additional hours and what has the applicant proposed as measures that will mitigate or eliminate any potential impact on the licensing objectives. 3. If the application is located within: <ol style="list-style-type: none"> a. the West End Cumulative Impact Zone, have they demonstrated that they will not add to cumulative impact, or, b. a designated Special Consideration Zone, have they demonstrated that they have taken account of the issues identified in that area and put forward proposed mitigation measures in relation to those issues in accordance with Policy SCZ1, 4. Whether the premises are located within an area of residential accommodation and/or in close proximity to residential accommodation, 5. Whether the delivery personnel are directly employed by the applicant or whether the delivery service will be provided by a third party, 6. How will the applicant ensure that the operation of the delivery service, operated directly by them with their own staff does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act. 7. If a third party will provide the delivery service on behalf of the applicant what are the contractual arrangements with that third party to ensure that the operation of the delivery service does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act, 8. The operation and management of the proposed delivery service from the premises,
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	<p>9. The types of vehicles that will be used for the delivery of alcohol and/or late-night refreshment and whether they will likely create public nuisance,</p> <p>10. The history of the applicant's operation of licensed premises and the premise's operation in relation to any impact on the licensing objectives, breaches of any terms and conditions of a licence, any reviews of a licence or offences committed under the Act,</p> <p>11. In addition to Sub-clause 6 and 7 above what measures the applicant or the third party providing the delivery service has put forward to mitigate the specific risk of public nuisance by the operation of the delivery service at the premises or at the end point of delivery,</p> <p>12. In addition to sub-clause 6 and 7 above what specific measures and processes the applicant or the third party providing the delivery service has put forward to mitigate the risk from the delivery of alcohol to children to ensure that they are protected from harm.</p> <p>C. For the purposes of this policy premises uses are defined within the relevant premises use policies within this statement.</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.

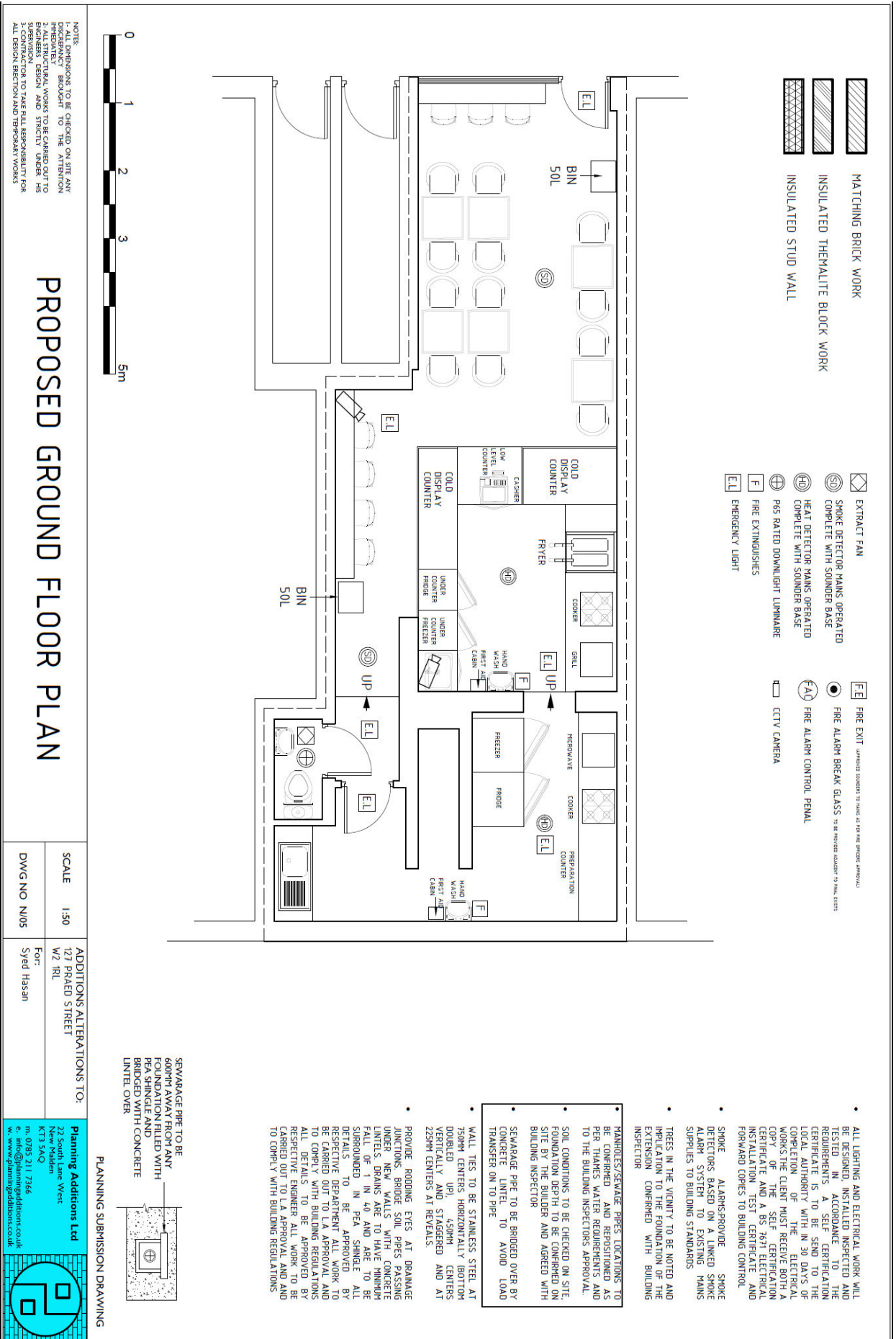
5.	Appendices
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police representation	03 May 2023
5	Environmental Health representation	21 April 2023
6	Interested Party representation (1)	03 May 2023
7	Interested Party representation (2)	02 May 2023
8	Interested Party representation (3)	04 May 2023
9	Interested Party representation (4)	18 April 2023



Applicant Supporting Documents

Appendix 2

None

Licence & Appeal History

Temporary Event Notices	Date of Event	Activities/Hours	Decision
23/00717/LITENN	11.04.2023 to 17.04.2023	Late night refreshment - Tuesday-Thursday to 02:00 Friday & Saturday to 03:00 Sunday to 02:00	Event permitted
23/01893/LITENN	18.04.2023 to 24.04.2023	Late night refreshment - Tuesday-Thursday to 02:00 Friday & Saturday to 03:00 Sunday to 02:00	Event permitted
23/01893/LITENN	25.04.2023 to 01.05.2023	Late night refreshment - Tuesday-Thursday to 02:00 Friday & Saturday to 03:00 Sunday to 02:00	Event permitted

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. Staff will be trained on the importance of the Licensing objectives.
10. 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.
11. The external door shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
12. After 23:00 hours, the number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
20. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
21. 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.

22. 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 are 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.
23. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any visit by a relevant authority or emergency service.
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
25. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

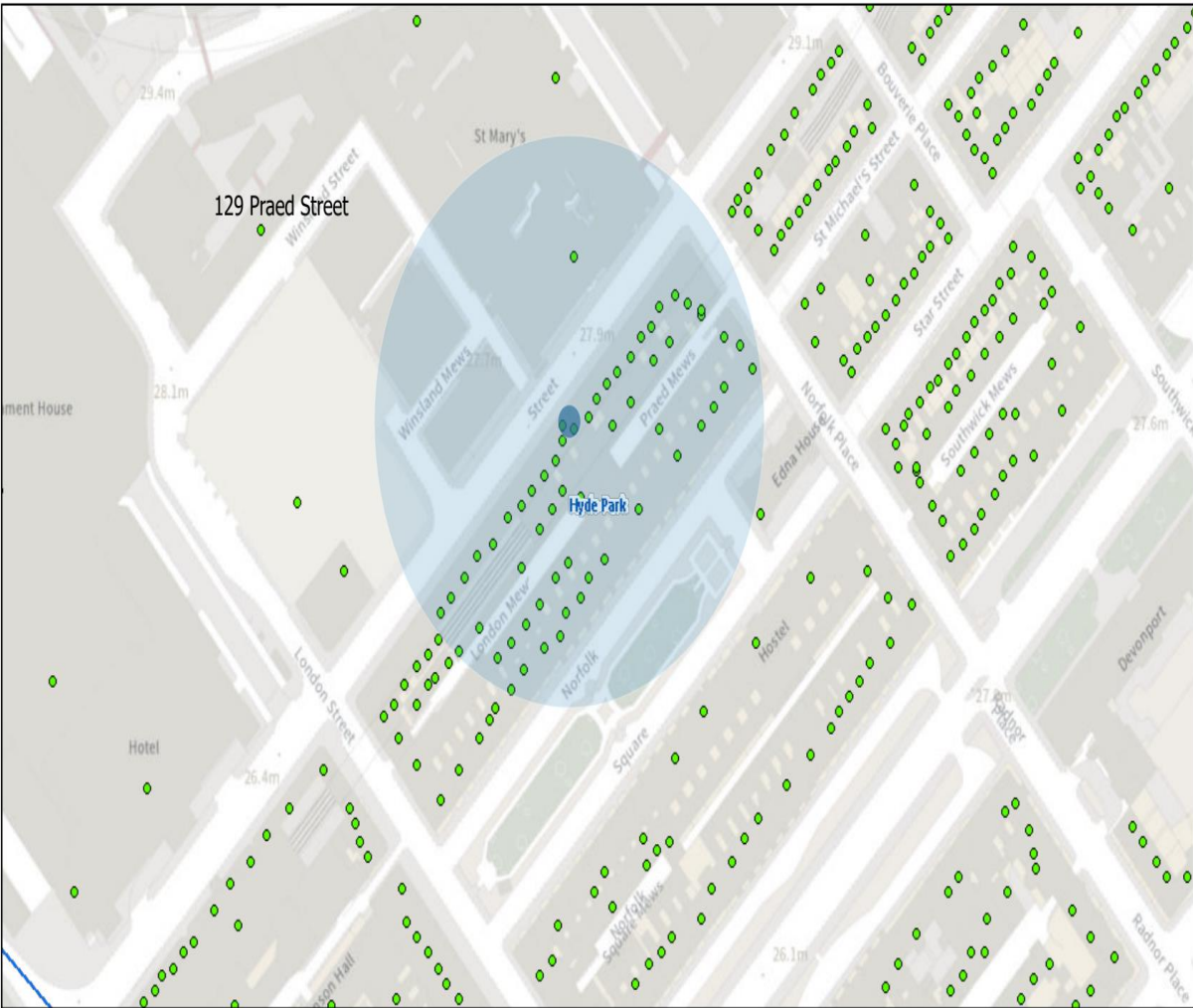
Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

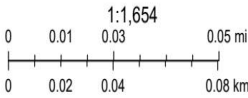
None

127 Praed Street



16/06/2023, 09:58:46

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



Resident count: 68

Licensed premises within 75m of 127 Praed Street London W2 1RL

Licence Number	Trading Name	Address	Premises Type	Time Period
12/03465/LIPN	Bonne Bouche	129 Praed Street London W2 1RL	Cafe	Sunday; 12:00 - 18:00 Monday to Saturday; 12:00 - 20:00
06/11309/WCCMAP	Supersave	125 Praed Street London W2 1RL	Shop	Sunday; 09:00 - 22:30 Monday to Saturday; 07:00 - 23:00
23/00479/LIPRW	Chicken Cottage	135 Praed Street London W2 1RL	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 10:00 - 02:00
12/10800/LIDPSR	St Marys NHS Lindo Wing	St Marys N H S Trust Praed Street London W2 1NY	Surgeries or Health Centres	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
13/02699/LIPN	La Tazza Cafe	Basement And Ground Floor 143 Praed Street London W2 1RL	Cafe	Monday to Sunday; 07:00 - 23:00
06/11378/WCCMAP	Peking-Seoul Restaurant	113-115 Praed Street London W2 1RL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/14197/LIPDPS	Fountains Abbey	Fountains Abbey 109 - 111 Praed Street London W2 1RL	Public house or pub restaurant	Sunday; 07:00 - 23:00 Monday to Wednesday; 07:00 - 23:30 Thursday to Saturday; 07:00 - 00:00
21/07443/LIPT	Subway	147 Praed Street London W2 1RL	Restaurant	Monday to Sunday; 00:00 - 00:00
19/11494/LIPDPS	Ground Floor	31 Norfolk Place London W2 1QH	Shop (large)	Monday to Sunday; 06:00 - 22:00
19/06223/LIPCH	Kentucky Fried Chicken Express	149 Praed Street London	Restaurant	Monday to Sunday; 23:00 - 03:00

06/11511/WCCMAP	Ryath Indian Restaurant	32 Norfolk Place London W2 1QH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/00824/LIPN	Units 36 & 42	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00851/LIPN	Bar At Units 2 And 46 And Rooftop Terrace At Paddington Squa	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Wine bar	Sunday; 09:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Thursday to Saturday; 10:00 - 00:00
21/00845/LIPN	Unit 1	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00817/LIPN	Restaurant At Units 34/35/41	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00850/LIPN	17th And 18th Floors	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
21/00848/LIPN	Restaurant Units 38 To 44	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00

21/00847/LIPN	Restaurant At Units 39 And 45	Development Site At 31 London Street, 9 Winsland Mews And 128- 144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00849/LIPN	Units 37 43	Development Site At 31 London Street, 9 Winsland Mews And 128- 144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00

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