



City of Westminster

# Licensing Sub-Committee Report

Item No:

Licensing Ref No:

**15/03928/LIREVP**

Date:

**17<sup>th</sup> September 2015**

Classification:

**For General Release**

Title of Report:

**The London Edition  
10 Berners Street  
London  
W1A 3BE**

Report of:

**Director of Public Protection and Licensing**

Policy context:

**City of Westminster Statement of Licensing Policy**

Financial summary:

**None**

Report Author:

**Miss Yolanda Wade  
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 1884  
E-mail: [ywade@westminster.gov.uk](mailto:ywade@westminster.gov.uk)**

## APPLICATION DETAILS

<b>Application Type:</b>	Review of a Premises Licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Mr Zafar Khalid	<b>Date Application Received:</b>	22 May 2015
<b>Premises Name and Address:</b>	The London Edition 10 Berners Street London W1A 3BE		
<b>Ward Name:</b>	West End	<b>Stress Area:</b>	West End
<b>Description of Premises:</b>	The premise operates as a hotel with ancillary restaurant and bar open to hotel residents and members of the public.		
<b>Please Note:</b>	The application was previously scheduled for a hearing on 23 <sup>rd</sup> July 2015 but was adjourned to 17 <sup>th</sup> September 2015 following an adjournment request that was made by the Licensee.		

### 1. SUMMARY OF APPLICATION

- 1.1 An application submitted by Mr Zafar Khalid for a review of the premises The London Edition, 10 Berners Street, London W1A 3BE, was received on 22<sup>nd</sup> May 2015 on the grounds of Prevention of Public Nuisance. Mr Khalid states that his concerns relate to the basement 'function room' of the premises. Please see **Annex A**.
- 1.2 Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 1.3 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.
- 1.4 The premises currently benefits from a premises licence (13/06844/LIPDPS, attached at **Annex B**) that permits:

#### **Performance of Dance**

Monday to Sunday: 09:00 to 01:00 (Subject to conditions 41, 45, 47 & 51)

Non-standard Timings: 24 hours for residents and their bona fide guests

**Exhibition of a Film**

Monday to Sunday: 09:00 to 01:00 (Subject to conditions 41, 45, 47 & 51)

Non-standard Timings: 24 hours for residents and their bona fide guests

**Performance of Live Music**

Monday to Sunday: 09:00 to 01:00 (Subject to conditions 41, 45, 47 & 51)

Non-standard Timings: 24 hours for residents and their bona fide guests

**Playing of Recorded Music**

Monday to Sunday: 09:00 to 01:00 (Subject to conditions 41, 45, 47 & 51)

Non-standard Timings: 24 hours for residents and their bona fide guests

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

Monday to Sunday: 09:00 to 01:00 (Subject to conditions 41, 45, 47 & 51)

Non-standard Timings: 24 hours for residents and their bona fide guests

**Performance of a Play**

Monday to Sunday: 09:00 to 01:00 (Subject to conditions 41, 45, 47 & 51)

Non-standard Timings: 24 hours for residents and their bona fide guests

**Late Night Refreshment**

Monday to Sunday: 23:00 to 01:00 (Subject to conditions 41, 45, 47 & 51)

Non-standard Timings: 23:00 to 05:00 for residents and their bona fide guests

**Sale by Retail of Alcohol**

Monday to Sunday: 06:00 to 01:00 (Subject to conditions 41, 45 to 47 & 51)

Non-standard Timings: 24 hours for residents and their bona fide guests

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

- 1.5 These review proceedings are brought under the licensing objectives on the grounds of the Prevention of Public Nuisance. The concerns raised refer to:

Noise from patrons entering and exiting the premises late at night (usually between 10pm and 2:45am) which is a breach of condition 28 of their licence.

Noise from patrons smoking outside. It is asserted which is a breach of condition 27 of their licence.

Noise from taxis and cars picking up or dropping off patrons outside the premises.

Noise from music, horns and door slamming from cars parked outside the bar.

- 1.6 The applicant is seeking to strengthen existing conditions by proposing amendments to:

- condition 41 (relating to the function room- basement) ,
- condition 45 (relating to ground/mezzanine floors),

- condition 47 (relating to the ground floor) and
- condition 55 (relating to the entire premises)

and additional conditions to better promote the licensing objectives so as not to cause a nuisance. The proposed amendments to existing conditions and additional conditions are set out within **Annex H**

## **2. REPRESENTATIONS:**

- 2.1 The Police Licensing Team responded to consultation stating they have no representation. **See Annex C**
- 2.2 The Environmental Health Service, as a responsible authority supports the review application in regards to the prevention of public nuisance licensing objective. An additional statement was supplied on 1<sup>st</sup> July 2015 summarising noise complaints received by WCC noise team **See Annex B2**
- 2.2.1 The Environmental Health Service has advised that they wish to call Mr Heath Richards (City Inspector) as a witness and have provided a copy of an email exchange between the Licensing inspector Kay Cummings and Dominik Prosser (the London Edition) following a visit to the premises on the 31<sup>st</sup> January 2015. **See Annex B2**
- 2.3 15 residents made representations in support of this review on the grounds of public nuisance. **See Annex E**  
1 resident has not made representation in support of the review application.

## **3 APPLICANT FURTHER SUBMISSIONS:**

- 3.1 The applicant has submitted documents as detailed in **Annex A, Annex A1 to A6**, in support of the review application.

## **4. LICENSEES SUBMISSIONS:**

- 4.1 The licence holders have submitted documents as detailed in **Annex F (Annex F1 to F5)**

## **5 OPTIONS**

- 5.1 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence;
  - (b) to exclude a licensable activity from the scope of the licence;
  - (c) to remove the designated premises supervisor;
  - (d) to suspend the licence for a period not exceeding three months;
  - (e) to revoke the licence;
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition added.
- 5.2 In accordance with section 52(6) of the 2003 Act, if the authority takes measures to modify conditions or exclude licensable activities from the licence, it may stipulate that

the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

- 5.3 The licensing authority's determination of this application does not have effect until the 21 day appeal period has expired or if the decision is appealed the date the appeal is determined and / or disposed of.

## 6 LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

6.1 Any applications under the Licensing Act 2003 are set out in **Appendix G**.

6.2 The chronology relating to appeals and applications is set out in **Appendix G**.

<p><b>List of Appendices:</b></p>	<p><b>Annex A – Application for Review</b></p> <ul style="list-style-type: none"> <li>• <b>Annex A1</b> – Supporting statements for the review application</li> <li>• <b>Annex A2</b> – Noise log of applicant</li> <li>• <b>Annex A3</b> – Map of area and photographs of premises</li> <li>• <b>Annex A4</b> – Video footage/Video notes</li> <li>• <b>Annex A5</b> – List of noise complaints made by Applicant</li> <li>• <b>Annex A6</b> – Relevant Correspondence</li> </ul> <p><b>Annex B</b> – Current Premises Licence (13/06844/LIPDPS)</p> <p><b>Annex C</b> – Police Licensing Team; no representation</p> <p><b>Annex D</b> – The Environmental Health Service representation in support of the review</p> <p><b>Annex E</b> – Local residents representations in support of the review</p> <p><b>Annex F - Licensee Submissions</b></p> <ul style="list-style-type: none"> <li>• <b>Annex F1-</b> Witness Statement of Lance Perkins</li> <li>• <b>Annex F2</b> – Witness Statement of Dominik Prosser</li> <li>• <b>Annex F3</b> – Communications between The Edition Hotel and the Applicant</li> <li>• <b>Annex F4</b> – Letters of support for The Edition Hotel</li> <li>• <b>Annex F5</b> - Measures taken by The Edition in relation to smoking</li> </ul> <p><b>Annex G</b> – Licence and Appeal History</p> <p><b>Annex H</b> – Conditions on the current licence and proposed conditions</p> <p><b>Annex I</b> – Residential Map and list of premises in the vicinity</p> <p><b>Annex J</b> – Photograph of premises</p>
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### Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)

22 MAY 2015

(2)



# City of Westminster

## APPLICATION FOR REVIEW

Please forward one copy of your completed application and any supporting documentation to:

Licensing Service  
Westminster City Council  
Westminster City Hall  
4th Floor  
64 Victoria Street  
London  
SW1E 6QP

### AND

You must give one copy of your application and any supporting documentation to the Holder of the Premises Licence and each of the following responsible authorities on the same day that the application is served on the Licensing Service:

1. **The Chief Officer of Police**  
Westminster Police Liaison Team  
4<sup>th</sup> Floor, Westminster City Hall  
64 Victoria Street, London, SW1E 6QP
2. **Fire Safety Regulation:**  
South West Area 4  
169 Union Street London SE1 0LL
3. **Premises Management (Environmental Health; Health & Safety; Weights and Measures)**  
Westminster City Council  
Environmental Health Consultation Team  
4<sup>th</sup> Floor, Westminster City Hall  
64 Victoria Street, London, SW1E 6QP

Continued.....

**4. Development Planning Services**

Westminster City Council  
64 Victoria Street  
London  
SW1E 6QP

**5. Area Child Protection Committee**

Head of Commissioning – Child Protection & Quality, Social and Community  
Services – Children and Families  
4 Frampton Street  
NW8 8LF

**6. Public Health**

Estates Lead  
NHS Central London Clinical Commissioning Group  
15 Marylebone Road  
London  
NW1 5JD

**For boats only:**

The Navigation Authority (for vessels not permanently moored)

Tidal Thames  
The Harbour Master  
The Port of London Authority, 7 Harp Lane, London EC3R 6LB

Non Tidal Thames  
The Environment Agency Recreation and Navigation, Thames Region, Kings  
Meadow House, Kings Meadow Road, Reading, RG1 8DQ

Canals  
The Leisure Manager  
British Waterways Board  
1 Sheldon Square, Paddington Central, London W2 6TT

And

The Surveyor General  
The Maritime & Coastguard Agency, Orpington Marine Office, Central Court, 1 Knoll  
Rise

## Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I Zafar Khalid

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

#### Part 1 – Premises or club premises details

Postal address of premises or, if none, Ordnance Survey map reference or description The London Edition 10 Berners Street	
Post town London	Post code (if known) W1T 3NP
Name of premises licence holder or club holding club premises certificate (if known) BHL Hotel Company Limited, Le Masurier House, La Rue Masurier, St Helier, Jersey JE2 4YE	
Number of premises licence or club premises certificate (if known) 13/06844/LIPDPS Original reference: 12/00691/LIPN	

#### Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below) ✓

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)



**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

Khalid

**First names**

Zafar

Please tick ✓ yes

I am 18 years old or over

✓

**Current postal  
address if  
different from  
premises  
address**

Flat 2 York House  
12 Berners Street

**Post town**

London

**Post Code**

W1T 3LG

**Daytime contact telephone number**

07956503129

**E-mail address (optional)**

zkhalid@yahoo.com

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance ✓
- 4) the protection of children from harm

**Please state the ground(s) for review (please read guidance note 2)**

The purpose of the review is to request that the licensing authority amends the conditions of the licence for the 'London Edition' (" the premises"), in order to promote the licensing objectives. The review application is focused on the basement 'function room'. The review application is made in connection with the licensing objective of 'prevention of public nuisance'. The premises is located partly in the West End Stress Area.

Prevention of public nuisance -

- Guests of the premises arriving and leaving late at night (usually between 10pm and 2.45am) in a noisy manner and loitering in the immediate vicinity of the premises. This frequently wakes residents.
- Guests of the premises smoking outside and making noise in the immediate vicinity of the premises.
- Guests and staff smoking in the Mews behind York House
- Guests waiting outside for taxis late at night.
- Guests parking in spaces outside residents' flats and waking residents up when they return to their cars late at night shouting, playing music, slamming doors and associated disturbance.
- Anti-social behaviour by guests of the premises
- Horns and slamming doors from cars/taxis picking people up from the premises late at night
- Cars and taxis parking up outside York House on the corner of Berners Street and Eastcastle Street, picking up passengers, with doors slamming, use of horns, waiting with engines running causing noise and congestion. When there are several cars parked in different areas the drivers talk to each other loudly, while standing in the street waiting for passengers.

These issues tend to wake residents up or otherwise disturb us.

Please provide as much information as possible to support the application (please read guidance note 3)

#### **Introduction and overview**

I am a local resident who lives in York House, directly opposite the Edition Hotel ("the premises"). I have lived here for 4 years. I live with Dovile Klipstaite.

York House is a large residential block on the corner of Eastcastle Street and Berners Street. Eastcastle Street intersects with Berners Street. There is a map on the attached USB stick of the local area and photos of York House and the premises. Some flats front on to Berners Street, some on to Eastcastle Street. The premises is situated on the opposite side of the Berners Street/Eastcastle Street cross roads. The premises' entrance is on Berners Street, but very close to the crossroads with Eastcastle Street.

My flat fronts on to Eastcastle Street, directly opposite to the premises. My living room, kitchen and bedroom windows face Eastcastle Street. I therefore directly experience the nuisance I have set out above, and it regularly wakes me up. I have experienced nuisance since July 2014.

The premises was refurbished a few years ago to a very high standard, as a five star hotel under the auspices of the Marriott Group. Previously the premises had remained empty for a number of years. I welcomed the refurbishment and the opening of the new hotel, 'Edition Hotel', as a benefit to the area.

A premises licence under Licensing Act 2003 was applied for in 2012, ref: 12/00691/LIPN. I considered the application carefully, and decided not to object as my view was that the proposals would benefit the area and would not lead to an adverse effect on the licensing objectives. I am aware that a number of residents did object, raising issues such as the late night dispersal of members of the public from the premises. A hearing took place on 21 June 2012, when a licence was granted.

The licence provides for what is termed a 'function room' in the basement of the premises. I was told and had thought that this area would be used for events such as weddings and conference dinners etc – and perhaps it is used as such on occasion. However, its main use seems to be as a nightclub. It is this which I believe gives rise to the majority of the nuisance which I and others have suffered. The premises also has a well-known restaurant, and a bar. It is not believed that these areas give rise to any major issues when compared with the basement, although they could well contribute to number of smokers outside and customers dispersing as they have a late licence and relatively high capacity.

I have met and corresponded with management and staff to discuss and try to resolve the problems. The management and staff appear to have been sympathetic to the concerns I have raised, and have made proposals to reduce the issues. I consider that these suggestions were sensible and well-meaning, but they have proved to not be rigorously or consistently implemented, or have not, by themselves, resolved the issues.

Following a meeting on 18 March 2015, the management set out the measures they would be taking. Regrettably, nuisance has continued to occur, and indeed more serious incidents have occurred. I have therefore formed the view that a formal review of the licence is the appropriate step.

The following residents have confirmed that they support this review.

Flat 1 Prue Thompson and Edwina Thompson  
Flat 2 Dovile Klipstaite  
Flat 6 Mary Cox, LI Watson and AB Watson  
Flat 7 Patrick Smith  
Flat 8 Charlie Briscoe, James Briscoe and Edward Briscoe  
Flat 10 Sara Jaafar  
Flat 17 Carl Spencer  
Flat 19 Fernando Gonzalez  
Flat 22 Justin Kitson

#### **The current premises licence**

The licence holder is 'BHL Hotel Company Limited'. I cannot find any current details for this entity at Companies House. It appears that the company has changed name and registered office. This

that it is a nightclub. Although it states that entrance is by guestlist only, it seems that anyone can simply contact the promoter (not the hotel, it seems) and get on the guestlist. One can also buy tickets at mainstream ticket outlets.

It is not clear whether the licence holder exercises control over the running of 'Basement' or not. I note that the contact email address on the 'Basement' website, which is different to the Hotel website, is not an 'Edition Hotel' email address, and it seems from the website that the events are promoted events. Guestlist can also be obtained by emailing the promoters of the individual night.

'Basement' usually operates Wednesday-Saturday. It is on these days, especially Thursday-Saturday, that I experience nuisance. I set this out in more detail below.

The bar and restaurant, and other areas where licensable activities can take place, generally permit such activity to 1am for the public.

#### 1. Dispersal of customers late at night

- Guests of the premises arriving and leaving late at night (usually between 10pm and 2.45am) in a noisy manner and loitering in the immediate vicinity of the premises.
- Guests waiting outside for taxis late at night.

Between Wednesday and Saturday inclusive, and particularly Thursday-Saturday, there are large numbers of people at opening time at 10pm-10.30pm, who sometimes also queue and make noise. These people also cause a more serious noise nuisance, disturbing sleep, between 11.30pm - 12midnight up to 2.45-3am.

Guests loiter outside waiting for a taxi or for no obvious reason. Guests in the function room, as they are attending a pre-booked function, should be on the guest list hence they should all be known. This would allow for staff to assertively insist on guests leaving quickly and quietly. Staff can also ask guests to leave towards Oxford street or away from York House quickly and quietly. Staff can also before during and after the 2 hours of the closing be positioned on Eastcastle street and can proactively insist on guests keeping noise levels down.

In particular, recently there was an altercation on **Thurs 26<sup>th</sup> March 2015** at 1am which woke my girlfriend and other residents. There was lots of shouting and swearing. There was also disturbance on 28 March waking me up. There have been many such incidents, these two of the more recent while I write.

The security staff seem to change frequently, and this may impede a coordinated and consistent approach.

The premises can have at any one time in total, between 600-700 guests in the club, the restaurant and the bar, in addition to residents of the hotel itself. The restaurant and bar stop serving at 1am. Since the reopening of the hotel, the dispersal of members of the public, despite all conversations with the hotel management, has been ineffective. Just before and after 1am the first batch of customers disperses from the restaurant and bar. This may happen gradually but is often in larger numbers. Then after 2am the guests of the club leave in large numbers. They move in all four directions in a noisy manner when they leave the hotel. They cause significant disturbance for a lengthy period of time with the hotel staff usually only able to react when the disturbance has already been caused and residents woken up.

The hotel staff's efforts have had limited effect in that the guests have already left the premises and control cannot be and does not appear to be applied or enforced by any subsequent penalty.

It is instructive to make a comparison with the level of noise and disturbance on occasions when the hotel does not have a busier night or 'club night'. For example 1 January to 21 January there were no hotel events, and no associated disturbance. Also on other rare occasions when the premises does not have an event at weekends but other establishments are running normally, there has been no associated disturbance.

The noise is significant even when the club does not operate and the restaurant and bar guests leave usually just before and after 1am. There are groups waiting outside the premises and continuing noise with little effort to ask leaving guests to keep the noise down.

application has therefore been served on the licence holder as detailed on the licence, and as detailed at Companies House.

The licence permits *inter alia* licensable activities 24 hours a day for hotel residents and their *bona fide* guests. It permits licensable activities to members of the public to 1am, but subject to a number of exemptions at conditions 41, 45, 47 and 51, when the terminal hour can be even later.

The licence is subject to a number of conditions. Conditions relevant to this application are:

27. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly

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

41. (relating to the Function Room- basement)

The hours for licensable activities shall be:

Regulated entertainment – Monday to Sunday 09.00 to 01.00  
Sale and Supply of Alcohol – Monday to Sunday 09.00 to 01.00  
Late Night Refreshment – Monday to Sunday 09.00 to 01.00

Except for:-

- a) Hotel residents and their guests, which shall be limited to 5 persons
- b) Persons on the proprietor's personal guest list up to a maximum of 30, a list of which shall be kept at the entrance to the function room for inspection by a police constable or authorised licensing officer
- c) Persons attending a pre-booked event on Thursday, Friday and Saturday when licensable activity is extended to 2.00am.

45. (relating to restaurant – ground floor/mezzanine floors)

The hours for Licensable Activities shall be:

Regulated Entertainment - Monday to Sunday 09:00 to 01:00  
Sale and Supply of Alcohol - Monday to Sunday 06:00 to 01:00  
Late Night Refreshment - Monday to Sunday 23:00 to 01:00

except to:-

- a) Hotel residents and their guests
- b) Persons on the proprietor's personal guest list up to a maximum of 30, a list of whom shall be kept at the entrance to the restaurant for inspection by a police constable or authorised licensing officer.

53. Staff shall not be allowed to smoke in Berners Street, Berners Mews, Berners Place, Eastcastle Street and shall be directed to Newman Street.

55. Valet parking will be available

57. Persons awaiting a cab or car shall be encouraged to wait in the Front Living Room area at all times

These conditions have not proved sufficient to promote the licensing objectives and to prevent public nuisance.

**Basis for the application: the licensing objectives**

**Prevention of public nuisance**

I believe that the nuisance I and others experience relates largely to the nightclub in the basement of the premises, called 'Basement.' It is clear from the website for 'Basement' <http://www.basementldn.com/>

The hotel staff do not appear to be acting as assertively as they could in keeping noise down. This may be due to not wanting to cause more disturbance or to protect the hotel residents from experiencing such disturbance.

Please see the Noise Log at **Appendix 2** for further details and specific incidents.

## 2. Noise from customers and staff smoking outside the premises

- Guests of the premises smoking outside and making noise in the immediate vicinity of the premises.
- Guests and staff smoking in the Mews behind York House

Guests have at times crossed the road and decided to smoke or congregate outside York House. Guests and or staff also gather to smoke in the mews behind York house. Smokers outside the premises during the course of the evening are usually talking very loudly or shouting and the sound travels. Guests are not told to keep the noise down. I have visited the hotel a few times and on no occasion have I seen or heard the staff asking guests outside to keep the noise down while smoking or talking.

As mentioned above, the hotel can have in total between 600-700 guests in the club, the restaurant and the bar and also residents of the hotel.

There are a number of guests who wish to smoke or go outside for another reason. I have had a number of conversations with the hotel to discuss the noise caused by the smokers and others outside but the noise and disturbance has continued.

The noise travels and it sounds like an outside sporting event with shouting and loud laughter. The hotel's efforts to control the noise have been ineffective.

I have been assured by the management that this would improve. I walk past the premises and the roped off area at times has no or very few smokers within it, but outside the roped area there are large numbers of smokers.

The hotel suggested that they would cut down on the number of smokers outside but this does not appear to have happened. Furthermore there is no control or enforcement and if the roped off area was full, guests can walk elsewhere and smoke freely often right next to the roped off area. They often walk across the road or around the corner often in front of York House to smoke. It does not appear they are told that they have to wait for some smokers to come back in from the roped off area before they can smoke. It appears there is little or no enforcement and guests are simply allowed back in. The multiple uses probably make it harder to control this issue than it would be for a normal restaurant or bar.

I believe this issue is fairly significant. Restaurant and bar guests and people using the 'function room' also will probably not be refused re-entry, especially if they have bills to pay.

This results in large numbers of smokers (and non-smokers) outside the premises and in the immediate area at different times behaving noisily and causing disturbance. The staff's efforts have limited effect and the noise and disturbance has continued. This happens whether the club is operating or not, although it is worse when the club is operating. There is a noticeable improvement when the premises is not busy, when we do not experience the noise and disturbance.

Please see the Noise Log at **Appendix 2** for further details and specific incidents.

## 3. Guests parking in spaces outside residents' flats and waking residents up when they return to their cars late at night.

When leaving the premises usually throughout the night up until 2.45-3am, the disturbance is significant. As you can imagine guests have been drinking and leave in all directions usually waiting outside for some time. Either they take taxis, walk to parked cars or walk but are very loud and tend to loiter.

A significant number of guests drive to the premises. They park at a number of different locations often in front of York House either on Eastcastle Street, Berners Street or elsewhere.

When returning to their cars late at night, often within 20-30 metres of the premises, the guests cause significant disturbance and disruption. They are usually in large numbers and will stand around their cars, talk loudly, with associated disturbance. They will often play music and on many occasions have been seen dancing on the pavement. The leaving guests will often stay in their cars for some time before leaving having caused disturbance. On one occasion three cars in the same area were approached by a large group of 15-20 people. I am unaware if they all got into the three cars but the cars were on Eastcastle street playing music and revving engines. The hotel staff were talking to the occupants maybe asking them to move on but the disturbance had been caused.

On most occasions the hotel staff do not get involved, leaving the dispersing guests to cause disturbance until they are ready to leave the area.

Please see the Noise Log at **Appendix 2** for further details and specific incidents.

#### 4. Other anti-social behaviour by guests of the premises

At least one guest has been seen relieving himself on the York House side of Eastcastle Street. This happened in mid-December 2014 and prompted me to formally complain to the hotel. There were three guests who had definitely left the premises as they were seen leaving and we're talking to a number of other leavers. They were parked on the corner of Eastcastle street and Berners Street on the hotel side. One individual decided to urinate on the York House side of Eastcastle street.

There has been another such incident although I am unaware if the individual was a guest of the hotel.

More recently on Saturday night 2nd May in the early hours of Sunday morning an individual approached from the premises and after urinating calmly walked back towards the hotel. I could not be certain that he was a guest of the hotel, so I went to the hotel to enquire. The staff were very uncooperative. There were several staff outside the hotel. I told them what happened and that I had footage of it. The security staff said 'we are not here for you'. I said that I knew that and the hotel positioned them at the locations for the hotel not for me.

The security told me to speak to reception. I mentioned what happened. One of the staff radioed control room and said they had not seen anything. I can accept that the individual may not have been a guest of the hotel but there was definitely someone who should be seen crossing the road and crossing back on the CCTV.

I went into the hotel, followed by someone who was outside who later said he was the manager on duty that night. He refused to give his name. I asked why, and he said because he did not want to. The hotel have previously said they aim to behave in a good neighbourly way and from the general managers to the night managers I have been told to contact the hotel if there is a problem. The Hotel management had previously been professional and courteous in their dealings, so I was very surprised and disappointed by this reaction.

The person who said he was the manager told me that as I lived 100 metres from Oxford street I should expect noise and that I was looking for an argument and that I should just go home. He said the person could have walked from Oxford street to which I said I wanted them to check as I agree he may have but he may have come from the premises.

I told him that there was no staff member on the corner at the time (there should have been, following previous discussions with the management). He said 'Do you not think we are doing a good job'. The previous day (May 1<sup>st</sup>), a licensing inspector from the Council had visited following a noise complaint. We witnessed what we believe were 3 guests, who I had witnessed as previously being sat in their car on Eastcastle street outside York House, standing in the York House doorway on Eastcastle street, smoking what appeared to be marijuana. The licensing inspector initially asked me if I could smell something. We saw them in the doorway and they appeared to be passing the marijuana to each other. Shortly after we moved on, they left.

The hotel will undoubtedly insist the individuals were not their guests. However, there were some clear incidents where I am reasonably certain that they were (I saw them coming out of the hotel, talking to hotel staff or other people coming out of the hotel).

There are other instances where individuals in question walk from the direction of the premises at a key time e.g. closing time just after 2am where other establishment in the area are either closed or run later

or are not from the direction of the hotel.

The incidents above I have asked the hotel to review their footage and they usually do not even acknowledge the incident. The hotel does not for instance say that they can see the individuals on camera but from their camera angles they can prove that the individuals came from elsewhere. They just say they didn't see anything.

#### 5. Car horns and slamming doors

There are many instances of horns and slamming doors from cars/taxis picking people up from the premises late at night. This has been partly covered above.

Cars and taxis parking up outside York House on the corner of Berners Street and Eastcastle Street, picking up passengers, with doors slamming, use of horns, waiting with engines running causing noise and congestion. When there are several cars parked in different areas the drivers talk to each other loudly, while standing in the street waiting for passengers. On one occasion a driver said he was there on behalf of Edition hotel. There have been many other occasions but I have not asked the driver why they were there.

This happens usually at key times e.g. closing time and is closest to the hotel itself so it is very unlikely they are there on behalf of any other establishment.

Please see the Noise Log at **Appendix 2** for further details and specific incidents.

I attach at **appendix 3** a USB stick with photographs and video footage which demonstrates some of the problems and why residents are asking for conditions to be imposed on the licence.

#### Effect of the issues

The issues have had a serious effect on my life due to lack of sleep and disturbance. I was very happy when the hotel opened and considered having such an establishment close by a great benefit. I have made every effort when the problem persisted talking to the hotel understanding that a reasonable process should be followed. Unfortunately this has not had the desired effect. I do not feel so good about the hotel due to the significant and consistent disturbance.

I have had many ups and downs after talking to either the hotel, or the council or to various others.

I have thought about renting or selling but renting would be unfair to any tenant and selling is something I really do not want as I am very happy here and wish to remain in this area.

I was at a meeting several years ago before the hotel opened where the function room was described as a room for weddings and birthdays. I thought that this would be fine, as most hotels probably have this. I was unaware, as I'm sure were others, that a club would open. I feel disheartened by this.

The hotel management has apologised numerous times in the past. Early on, they would say things like 'it is London Fashion Week, please bear with us'. More recently, they have been saying that they are so sorry we have been very busy we are doing all we can.

The approach seems to have changed recently with Lance Perkins denying most incidents or implying they came from elsewhere and the individual who said he was manager but refused to give his name referred to in section 4 being very uncooperative and unprofessional.

This has made me feel unwelcome in my own neighbourhood especially when I walk past the premises.

Despite the effect on me of lack of sleep, maybe at times stress, or the inability to do things feel I am supposed to be doing, I have also tried to remain balanced and focused following the process and I believe showing a greater degree of patience and allowing the hotel more time to improve things. Sadly this has not happened.

I have tried to remain organised and reasonable, talking to the management, various other people, Council officers, fellow residents etc, and understanding that I should give them the opportunity to correct the problems. Unfortunately, this has not happened.



### Efforts to resolve the problems

I and others have had to phone the City Council's Noise Team on numerous occasions. The enclosed USB stick has a list of calls I have made for which I have a record; please note that this does not reflect either the amount of calls made in total, or the number of times when noise has been an issue. It is extremely inconvenient to need to telephone the Noise Team late at night when one is trying to sleep or has been woken up, and then wait for a visit from an officer. I appreciate the visits and the assistance I have been offered.

I understand from conversations I have had with City Council officers that they have not been satisfied with the arrangements for dispersal and management of customers outside the premises. I hope that they will therefore support the review application.

I have corresponded with and met hotel employees. Relevant email correspondence is on the enclosed USB stick.

I met with Mr Kramer, a manager, on Friday 19<sup>th</sup> December. I explained how the noise nuisance had become very problematic in the last few months. See email dated **6 January 2015**. Mr Kramer responded by letter dated **21 January 2015** and was very apologetic. On behalf of the licence holder, he proposed a number of measures including that a member of security staff would patrol the Berners Street/Eastcastle Street junction. The full range of measures is set out in the letter. The steps mentioned have not resulted in a noticeable difference. One of the main measures was to station a member of the security team on the corner of Berners Street and Eastcastle Street. Unfortunately, although the individual is indeed stationed there, he is not proactive in stopping departing customers from causing a nuisance, whether leaving on foot or in cars parked on Eastcastle Street.

On **30 January 2015** I emailed Mr Kramer, after I had been disturbed on the night of 29 January (Thursday) by large numbers of people outside the hotel making noise. The person on the corner of Berners and Eastcastle streets was not asking people to keep the noise down. In fact I did not see him ask anyone to keep the noise down or move to a designated area all night notwithstanding the many opportunities he had.

I messaged another staff member, Dominik Prosser, at 12 after calling him and leaving a message. He mentioned that he had walked the perimeter of the hotel.

On **5 February 2015** a letter was sent by the CAB to the licence holder on my behalf. The letter suggested that the licence holder puts additional measures in place, focusing on location/extent/monitoring of smokers, and effective and robust management of customers arriving at and leaving the premises. At the time of the letter, I was hopeful that matters could be resolved without the need for a licence review. I now feel that a licence review is necessary and that formal conditions must be imposed.

On **16 February 2015**, the General Manager Mr Taylor responded to the letter with an assurance that the concerns are being taken very seriously and that a response would be forthcoming after a meeting with the hotel's lawyers which was due to take place that same week.

On **27 February 2015**, I emailed Mr Kramer to keep him updated as to the events of the previous week.

Mr Kramer did not respond directly to that email, but did email me on **11 March 2015** asking to meet to view my video footage. Although I was not against doing so, I do not feel that arranging a meeting to do this gets to the nub of the matter, as I have already set out what the issues are.

I did then meet with members of the Hotel management and their legal advisors on **Wednesday 18<sup>th</sup> March**, and they subsequently wrote setting out their proposed measures. I was hopeful that these would have an immediate effect, but nuisance has continued on the weekends since then.

I have spoken and corresponded since then on a number of occasions with Lance Perkins. I have exchange texts messages and spoken with Dom Prosser. I have also spoken to other staff members (see section 4 'Other anti-social behaviour' section above). The communication with an individual who said he was a manager but refused to give his name was very uncooperative.

I have correspondence – text messages – which indicate that the hotel accepts that disturbance had occurred. Lately however, communication regarding a disturbance is usually followed by a denial or

attempts to lay blame elsewhere.

#### Westminster City Council's Statement of Licensing Policy 2011 ("SLP")

The premises is located partly within the West End Stress Area, and is therefore subject to the City Council's Stress Area policies.

**Policy STR2** relates to 'Reviews in areas of special policies relating to cumulative impact – Stress Areas' and states that 'In deciding what, (sic) steps, if any, are necessary\* to promote the licensing objectives in the determination of a review of a premises licence in a Stress Area, that the premises are in an area where special policies of cumulative impact apply and the need to reduce the cumulative impact of licensed premises within the Stress Area, will be taken into account.'

\*the test is now 'appropriate' rather than 'necessary'.

Also of relevance is **Policy STR1**, which sets out the Council's intention to refuse applications in the Stress Areas for *inter alia* new 'nightclub' style premises, except in 'genuinely exceptional circumstances'. From my reading of the papers relating to the application for a new premises licence in 2012, it does not seem that it was clear that the 'function room' would in fact be a nightclub.

The 'music and dancing' **Policy MD2**, is to refuse new applications, except in genuinely exceptional circumstances. **Para 2.5.39** states that '...the provision of music and dancing, especially with loud amplified music, and the large numbers of people attending venues and congregating outside them, can lead to concerns over public nuisance...'

One of the main reasons set out in the SLP for the 'core hours' **Policy HRS** is dispersal of customers. **Para 2.4.1** states that 'The retention of people late at night contributes to cumulative impact.' **Para 2.4.10** states that 'Hours later than the operation of London Underground services add to the pressure on the limited facilities for transport late at night...'

The 'public nuisance' **Policy (PN1)** states at **para 2.2.12** that 'Residents are often subjected to nuisance from the noise of people on their way to and from premises, and loitering in the streets after they have left the premises. This can affect residents even at some distance from the premises themselves, especially along routes to transport facilities, and to car parks and parking areas and on routes between late night premises of various types. The nuisance from noise depends on its nature and whether it is during the day, the evening or at night. Late night noise is often unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults but most of it is 'high spirits'. It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night. **The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.**' (my emphasis).

The considerations (p.19) state that 'Regard will be had to disturbance of people whether at home, at work, staying in, or visiting the vicinity. However, stricter conditions will be imposed on premises licences in areas that have denser residential accommodation or have residential accommodation close to them.'

The SLP therefore recognises the potential for these types of issues to arise in connection with an operation such as that in the basement of the premises.

#### Conclusion

The right for residents to review a premises licence under s51 Licensing Act 2003 is a 'key protection' (Para 11.1 of s182 Guidance) for the local community, where problems have occurred which are connected to the licensing objectives.

I and other residents have experienced nuisance from the basement nightclub of the premises for a lengthy period of time. I attach at **Appendix 1** supporting statements from other residents.

Although the management have largely been responsive, courteous and professional, the issues have continued. Measures that the management have put in to place have not proved sufficient to remedy the issues. I feel disappointed that a branded nightclub operates from the basement with a clientele seeking a different kind of entertainment to what one would usually associate with a high-class hotel. However, I

would like to make it clear that the Hotel itself is a welcome addition to the area, subject to these issues being resolved.

Therefore, I respectfully ask that the Licensing Sub-Committee imposes such conditions as it considers to be appropriate and proportionate, to promote the licensing objectives. I have thought carefully about what is a sensible balance which protects residents' interests while maintaining the Hotel's core less-problematic activities, and I have concluded that a combination of a reduction of hours for the 'function room' and a suite of additional/amended conditions would achieve a proportionate response to the issues. I suggest the following:

Conditions relating to the function room - basement

- Amend condition 41 from:

'The hours for licensable activities shall be:

Regulated entertainment – Monday to Sunday 09.00 to 01.00  
Sale and Supply of Alcohol – Monday to Sunday 09.00 to 01.00  
Late Night Refreshment – Monday to Sunday 09.00 to 01.00

Except for:-

- a) Hotel residents and their guests, which shall be limited to 5 persons
- b) Persons on the proprietor's personal guest list up to a maximum of 30, a list of which shall be kept at the entrance to the function room for inspection by a police constable or authorised licensing officer
- c) Persons attending a pre-booked event on Thursday, Friday and Saturday when licensable activity is extended to 2.00am.'

To

'The hours for licensable activities shall be:

Regulated entertainment – Sunday to Thursday 09.00 to 23.30, Friday and Saturday 09.00 to 00.00  
Sale and Supply of Alcohol – Sunday to Thursday 09.00 to 23.30, Friday and Saturday 09.00 to 00.00  
Late Night Refreshment – Sunday to Thursday 09.00 to 23.30, Friday and Saturday 09.00 to 00.00

Except for:-

- a) Hotel residents and their guests, which shall be limited to 4 persons
- b) Persons on the proprietor's personal guest list up to a maximum of 10, a list of which shall be kept at the entrance to the function room for inspection by a police constable or authorised licensing officer

**NB. If the licence holder is able to demonstrate that they have resolved the problems we have identified with parking and noise from customers returning to cars late at night, we would be prepared for the following to be added:**

- c) On a maximum of 12 occasions per year, to persons attending a private, pre-booked event on Friday and Saturday when licensable activity is extended to 12.30am.'

(With the times on the licence summary to be amended to reflect this).

- Add additional condition: 'Patrons shall not be permitted to enter/re-enter to the premises for the purpose of accessing the basement 'function room' after 11.30pm Friday-Saturday.'

Conditions relating to restaurant – ground/mezzanine floors

- Amend condition 41 from:

'The hours for Licensable Activities shall be:

Regulated Entertainment - Monday to Sunday 09:00 to 01:00  
Sale and Supply of Alcohol - Monday to Sunday 06:00 to 01:00  
Late Night Refreshment - Monday to Sunday 23:00 to 01:00

except to:-

- a) Hotel residents and their guests
- b) Persons on the proprietor's personal guest list up to a maximum of 30, a list of whom shall be kept at the entrance to the restaurant for inspection by a police constable or authorised licensing officer.'

To:

'The hours for Licensable Activities shall be:

Regulated Entertainment – Sunday to Thursday 09:00 to 00:00, Friday to Saturday 09:00 to 00.30  
Sale and Supply of Alcohol - Sunday to Thursday 06:00 to 00:00, Friday to Saturday 06:00 to 00.30  
Late Night Refreshment - Sunday to Thursday 09:00 to 00:00, Friday to Saturday 09:00 to 00.30

except to:-

- a) Hotel residents and their guests, which shall be limited to 4 persons
- b) Persons on the proprietor's personal guest list up to a maximum of 10, a list of whom shall be kept at the entrance to the restaurant for inspection by a police constable or authorised licensing officer'

Conditions relating to the Front Living Room and Lounge Area ' Ground Floor

- Amend condition 47 from:

'The hours for Licensable Activities (save for residents of the hotel and bona fide guests of residents limited to 5 persons) shall be:

Regulated Entertainment - Monday to Sunday 09:00 to 01:00  
Sale and Supply of Alcohol - Monday to Sunday 09:00 to 01:00  
Late Night Refreshment - Monday to Sunday 23:00 to 01:00'

To:

'The hours for Licensable Activities (save for residents of the hotel and bona fide guests of residents limited to 4 persons) shall be:

Regulated Entertainment – Sunday to Thursday 09:00 to 00:00, Friday to Saturday 09:00 to 00.30  
Sale and Supply of Alcohol - Sunday to Thursday 09:00 to 00:00, Friday to Saturday 09:00 to 00.30  
Late Night Refreshment - Sunday to Thursday 09:00 to 00:00, Friday to Saturday 09:00 to 00.30'

Conditions relating to entire premises

- Amend condition 55 from:

'Valet parking will be available.'

To:

'A valet parking service shall be advertised in a manner likely to come to the attention of members of the public using the 'restaurant', bar and 'function room'. Such valet service shall be provided free of charge and customers shall be encouraged to use the service.'

- Amend condition 57 from:

'Persons awaiting a cab or car shall be encouraged to wait in the Front Living Room area at all times.'

To:

'Persons awaiting a cab, car or the valet service shall be required to wait inside the premises building until their cab or car is ready.'

- Add additional condition:

'At least one SIA licensed door supervisor shall be on duty outside the premises at all times. On any night when the basement 'function room' is used beyond 9pm for licensable activities, at least 2 additional SIA licensed door supervisors shall be on duty outside the premises from 9pm until such time as all customers of the basement 'function room' have left the vicinity. The principal duty of the supervisor(s) shall be to ensure that customers disperse from the premises without causing a public nuisance to local residents'

- Add additional condition:

'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.'

- Add additional condition:

'After 9pm, patrons permitted to temporarily leave and then re-enter the premises building, e.g. to smoke, shall be limited to [ ] persons at any one time.'

- Add additional condition:

'Patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke shall be restricted to a designated smoking area defined as [ ].' (Note – tbc, but to be on the Berners Street frontage).

- Add additional condition:

'The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that they remain within the designated smoking area referred to in condition [ ] and to ensure that there is no public nuisance or obstruction of the public highway.'

*I would also like a commitment from the hotel that they will enforce this measure by not letting customers who ignore this rule re-entry back in to the premises.*

- Add additional condition:

'The licence holder shall ensure that no queue to enter the premises forms outside the premises.'

- Add additional condition:

'A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open to the public. This telephone number is to be made available to residents in the vicinity of the premises.'

Any other such conditions as the Sub-Committee decides are appropriate and proportionate following

consideration of this application, submissions from the licence holder, and any representations from responsible authorities and other persons.

All timings etc to be as the Sub-Committee decides are appropriate and proportionate following consideration of this application, submissions from the licence holder, and any representations from responsible authorities and other persons.

Have you made an application for review relating to the premises before

No

If yes please state the date of that application

Day	Month	Year
↓	↓	↓

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓ yes

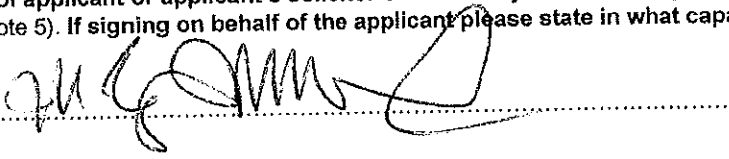
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

21 May 2015

Capacity **Applicants**

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)  
See previous contact details given for Applicants

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Edition Hotel, 10 Berners Street, London W1T 3NP

Review application under s51 Licensing Act 2003

List of appendices

1. Supporting statements from other residents
2. Noise Log of Applicant
3. USB stick with supporting information/evidence:
  - Map of area and photographs of premises
  - Video footage
  - List of noise complaints made by Applicant
  - Relevant correspondence

1

**Subject:** London Edition Hotel noise  
**From:** Prue Thompson (prueathompson@gmail.com)  
**To:** zkhalid@yahoo.com;  
**Cc:** edwina.thompson@beechwood.net;  
**Date:** Monday, April 20, 2015 10:13 AM

Dear Zafar,

Thank you for your action in relation to the noise we are experiencing from the late night activity at the London Edition Hotel.

As our apartment is on the ground and basement level of the corner of Eastcastle and Berners Streets we do bear the brunt of this noise. It is particularly disturbing on week day evenings when we have professional jobs and don't appreciate being woken at 1am - 2am with drunken patrons and cars, taxi horns etc. Not only have we had to endure over 2 years of renovations to the Berners Hotel/Tavern building but now it is open we are having to put up with ongoing disturbance. On several occasions we have contacted the Westminster City Council noise pollution team as the interruption to our sleep has been unbearable, this is not an environment that is fair for residential tenants to have to accept.

We would definitely support the reduction in opening hours/late night licence to ensure that the noise was stopped by midnight as most weekends we have these issues. Please accept his email as our support of any action taken to resolve this issue.

Best wishes,

Prue Thompson & Dr Edwina Thompson  
Flat 1, York House, 12 Berners Street

Prue Thompson  
+44 7774 644 086  
prueathompson@gmail.com

**Subject:** London Edition hotel  
**From:** klipstaited (klipstaited@gmail.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Tuesday, May 5, 2015 1:36 PM

I have lived at York house for four months. I live opposite the hotel on ground and lower ground floor. This is very much affected by the hotels operations.

Almost every week there is disturbance.

There is some disturbance on many days till 1am, from people making a noise while standing outside the hotel whether smoking or not. There is no added security except on the club nights and it feels like there is no one to ask the smokers, or non smokers, to keep the noise down.

When extra security is on duty, on club nights, usually Wednesday to Saturday, there is still the noise of the people outside, as there are more people on these days, but there are many other types of disturbance.

People leaving at all times between 12- 2.30am and after causes the most serious disturbance.

The noise wakes you up and it is very bad from 2am when the club closes. It is also bad when people are leaving the bar or restaurant, both close at 1am.

There are people leaving on foot, in cars, in taxis, or just standing and making noise sometimes in big groups. When leaving in cars parked close by they do not leave straight away quietly but make a lot of noise either shouting or playing music or car doors. Sometimes they dance on the pavement.

I have complained to the Westminster noise team.

When I return late, the footpath is usually blocked. There are many times when there are too many people outside. The smokers are not usually in the smoking area but just outside. The security does not seem to ask people to keep quiet.

I many times work early in the morning, on weekends and other days, as my hours are not fixed. The disturbance does not allow proper rest.

There is a lot of shouting and screaming and if the security does ask people to keep quiet it is usually too late as they have already disturbed people.

There have been many specific instances. On Thursday 26 March there was a big argument which continued for 20 minutes. I was in bed and could hear the person arguing going away and returning.

Also on 28 March I was disturbed by people leaving. There have been many times I have been disturbed by people leaving the hotel.

I believe the hours of the bar should be reduced and also there should not be a club in the hotel opposite peoples homes.

I also believe there should be stronger control of people outside and if the hotel cannot do this the hours of the hotel bar and restaurant should be reduced even more. These problems have not happened with other places which are maybe further away or smaller or better controlled.

Dovile Klipstaite  
Flat 2 York House

**Subject:** London Edition wrecking our lives  
**From:** Brian Watson (brian\_a\_watson@btinternet.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Tuesday, May 5, 2015 2:15 PM

Dear Zafar,

We write to express our anger and deep concern about the way in which the London Edition has set about wrecking the quality of our lives in York House.

Our family bought flat 6, which is directly opposite the London Edition, in 1999 when the London Edition building housed the quiet and sedate Berners Hotel.

We then went through years of disruption whilst the Berners Hotel was transformed into what is now the London Edition.

We went through this disruption on the clear understanding that the London Edition was to be a high quality and extremely exclusive hotel with a top class clientele...and indeed, this is exactly how the hotel is being promoted.

It is thus with complete dismay and much disbelief that we now find ourselves confronted with the kind of nuisance more normally associated with the type of low class bar that is more usually found in a place like Soho.

This problem originates from the use of the basement for activities that are wholly inconsistent with what the hotel claims to stand for and activities that attract a class of people that we very much doubt are the kind of customers that the hotel would welcome in the rest of its facilities.

We cannot understand why this makes sense for an establishment that claims such high levels of discretion and exclusivity as the London Edition.

We also cannot accept that we should have to put up with this.

So, what are we talking about?

1. Totally unacceptable levels of raucous noise late into the night that make it impossible to sleep
2. Drunkenness and associated shouting and altercations at 1, 2 and as late as 3 in the morning from Thursday through Sunday
3. Loud conversation and smoking throughout the evening directly outside our windows
4. Revving of cars, playing loud music in cars and unacceptable amounts of traffic movement and noise throughout most of the night; again, directly outside our windows

So, what have we done about it?

1. We have not phoned the 'noise team' because it creates even more disruption to our sleep to do so than to grin and bear the noise. (We understand that, on average, it takes the noise team some 90 minutes to solve a problem like this, during which time we as complainants would have our sleep further disrupted)
2. Instead, we have asked you – Zafar -to kindly represent us in meetings with the management of the London Edition with a view to finding an amicable and mutually acceptable solution to this problem

What do we want?

1. A return to the low level of background noise which one expects in the centre of a large city like London and to which we are accustomed
2. A reconsideration by London Edition of the way in which they are making use of their basement facilities viz. a return by them to what they claim to be i.e. an exclusive and high class hotel that hosts activities consistent with that claim in its basement as well as everywhere else in its establishment and thus...
3. Attraction by London Edition of the same type of high quality customer to its activities in its basement facilities as it attracts to the rest of its facilities
4. We are also looking for a re-designation of the parking spaces outside our windows to prevent their use by non residents at night

We look forward to hearing the outcome of your meetings with the management of the London Edition.

With kind regards,

Mr LI and Mr AB Watson

Owners, Flat 6

York House

12 Berners Street

W1T 3LG

**Subject:** Fwd: The London Edition - disturbance  
**From:** Zafar Khalid (zkhalid@yahoo.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Tuesday, April 28, 2015 2:41 PM

Begin forwarded message:

**From:** <Mary.Cox@thomsonreuters.com>  
**Date:** 20 April 2015 19:20:29 BST  
**To:** <zkhalid@yahoo.com>  
**Subject:** RE: The London Edition - disturbance

Hi Zafar

Sorry for the delay.

I do find the club members create a lot of noise.

I would agree with you on all of your points below:

- The nature of the nuisance – people hanging around in the street, talking loudly, occasional shouting and fights, and cars pulling up, often with loud engines, stereos going and horns being beeped.
- On what nights – generally mid-week until Saturday, inclusive.
- What times – from early hours of the morning until around 2.15, sometimes later.
- If you have phoned the noise team – I haven't phoned the noise team as I generally assume the noise will have stopped by the time they come out.
- Where you live in precise location – Flat 6 York House, 12 Berners St (opposite the hotel, on the first floor)
- How long you have lived here – approximately 12 years
- That you support a reduction in hours for the basement function room and conditions to control dispersal and smokers – yes, I would like a much earlier closing time (such as midnight) and for at least 2 hotel doormen to be on duty on Berners St in the hours after closing and for them both to actively pressure the customers to keep quiet on the street and to move on quickly.

Kind regards

Mary

28/04/2015 14:50



**Subject:** Noise Complain RE The London Edition Hotel  
**From:** Patrick Smith (Patrick.Smith@towertransit.co.uk)  
**To:** zkhalid@yahoo.com;  
**Date:** Thursday, April 23, 2015 2:12 PM

Dear Zafar,

Thank you for your efforts in trying to reduce the noise being emitted from the London Edition Hotel. Living on the second floor, on the side of the building closest to the above mentioned hotel, I am frequently disturbed by the level of noise hotel patrons create. I'm more concerned with this on a weekday than on a weekend as being part of the management team of a 24 hour business (Tower Transit – Bus Operator) I often have very early starts and/or late finishes. I have only been living at 7 York House, 12 Berners St since December so my only experience of living in the building has been with the noise created by the London Edition Hotel. For that reason I have not complained as yet, and also emigrating from Australia I was not aware of a process that could be followed (or would be effective) in reducing the noise. The noise affects me most during the week between 1am and 230am when I presume the bars of the establishment close. Any measures to reduce the noise would be greatly appreciated by myself.

I live in 7 York House 12 Berners St, W1T 3LG.

Thanks for your efforts Zafar. I know they are appreciated by the local community and our fellow residents.

Kind Regards

Patrick Smith

Induction Manager

Tower Transit Operations Ltd

Registered in England and Wales, Registration Number 08314506

Post Westbourne Park Garage, Great Western Road, Maida Vale, London, W9 3NW

**Registered Office** Westbourne Park Garage, Great Western Road, Maida Vale, London, W9 3NW

Ph 020 8963 3459 | Mob 07967717746

[www.towertransit.co.uk](http://www.towertransit.co.uk)



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**Subject:** Fwd: London edition hotel noise/disturbance  
**From:** Zafar Khalid (zkhalid@yahoo.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Tuesday, April 28, 2015 2:43 PM

Begin forwarded message:

On Friday, April 24, 2015 11:06 PM, Charlie Briscoe <charlie.briscoe05@gmail.com> wrote:

Hi Zafa,

Thanks for your patience on this and apologies for not getting this to you sooner - hectic period atm!

Following the outline in your previous email, here is my response (also confirmed and signed by my 2 brothers that I live with).

To whom it may concern,

We are writing to you because of the significant disturbance that The London Edition Hotel is causing us.

Since having moved into the apartment block opposite the hotel (York House) only a couple of months ago, we have been extremely irritated by the level of disturbance that this establishment is causing; particularly in the evenings where significant amounts of noise ranging from drunken behaviour (dancing/ people falling on the street/ shouting) to loud vehicles swarming the place, reving their engines, beeping their horns and playing loud music. This is not to also mention the lingering groups of people, including many smokers, who block the pathways and make breathing in this area highly unpleasant.

These disturbances are extremely unwelcome, not only before 1am but also after this time, which unfortunately happens on a weekly basis several nights of the week, with Thursday, Friday, Saturday being the worst of it. However the other days of the week are still of lower levels of annoyance. Having lived with the noise (albeit it for only a couple of months) we are able to say that at the establishment's closing time is when the levels of disturbance are at its worst. The club as we understand closes at 2am towards the end of the week but due to the number of people/ cars surrounding the area (including right around our building) the area is not at least at a reasonable level of noise until much later in the morning.

Not only being disturbed when relaxing in our flat before sleeping (e.g. in the living room), it's obvious to point out that when we do go to sleep this is very difficult. We are woken up on a regular basis and multiple times in the same evening in some cases. So much so that we have invested in some sound proofing materials for our windows in 2/3 bedrooms (where it is worst), however despite these efforts this has not helped to allow us a regular peaceful nights sleep. For this reason we in flat 8 have not telephoned the noise team as of yet, however upon learning that neighbours in the building are experiencing the same disturbance we hope that the quickest and most substantial solution can be achieved right-away, to tackle a root cause - the 'closing' time.

We would therefore support a proposal to reduce the hours for the club in the basement function room to an earlier closing time - remembering that noise is at its worst after whatever earlier time can be proposed.

Yours sincerely.

Charles Briscoe  
James Briscoe  
Edward Briscoe

Flat 8 York House  
10-12 Berners Street

**subject:** Noise Edition Hotel  
**From:** Sara Jaafar (sarajaafar@gmail.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Monday, May 4, 2015 7:10 PM

Dear Zafar,

Having lived in York house for over 5 years now( Berners street side) I am really disturbed by all the noise that the London edition is causing.

I have always found it amazing that although we are a stones throw away from Oxford street, it was amazingly quiet.

The Sanderson hotel has been here for ages and have never been bothered by it.

Since I used to work really late hours ( used to finish work at 1am quite often and occasionally until 4 or 5 am ) the disturbances caused by the London edition were particularly inconvenient because I often only had a few hours to rest before going back to work.

Mid 2014 on a weekday, I came back home at like 2am and was unable to go to sleep before like 4 am because of people shouting below the window ! I tried to ask them to calm down really nicely and they became really aggressive. I then contacted the London edition and they took care of it.

There have been many instances since I spoke to the hotel that this has continued affecting me.

Only recently, on friday the 1st of may I came back home at 2am and was unable to sleep until like 3am because of people gathered in front of the building possibly coming from the London edition. So the issue seems to be persisting...

Given the number of new applications around, I am really worried about the impact it will have on our wellbeing. Please feel free to use my name/e mail with anything opposing future development or the London edition.

Best regards,

Sara Jaafar  
Flat10

**Subject:** London Edition complaint  
**From:** Carl Spencer (carljs74@icloud.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Saturday, April 25, 2015 3:05 PM

Dear Zafar,

I understand you are planning to contact Westminster Council regarding the disturbances caused in recent times by the London Edition Hotel on Berners Street. I would be grateful if you could include my own complaint, herein, alongside your own and those of others who may be wishing to register similar issues.

### **Noise**

As you know, my flat is on the 4th floor of York House, at the intersection of Berners Street and Eastcastle Street, and I have direct and clear view of the Eastcastle Street side of the hotel. Even at this high elevation, we are troubled by regular noise from the hotel due to the large crowds of people who gather outside the hotel on the nights when it runs its nightclub. This appears to happen on multiple days of the week but is particularly bad often on Thursdays and on weekend nights.

Long queues tend to form outside the hotel earlier in the evening, presumably when their club is opening and people are wishing to enter, and this stretches round the corner onto Eastcastle street. Due to the smoking area of the hotel being directly outside its front door, on busy nights there is an almost permanent crowd of people at the front of the hotel, populated by attendees of both their nightclub and their noisy bar. Finally, around 1-2am (presumably around the time of closing of the club) crowds of people gather both in Berners Street and Eastcastle Street, and often move into the connected mews streets.

At all of these times, we are subject to the types of noises which nightclub and late night bar crowds - often drunk of course, especially towards the end of the night - make, including shouting, singing, loud laughter and so forth. This is particularly annoying when trying to fall sleep on weekend nights when post-club Edition crowds are hanging about and moving between the streets. I can only imagine what it must be like on lower floor where the impact will of course be much greater.

To my understanding, the hotel did not apply for and does not have a license to run a regular nightclub, however this is clearly what it is doing. On what used to be a fairly quiet street, with substantial residential property close by, I cannot understand why they are being allowed to continue with this.

### **Street impacts and safety**

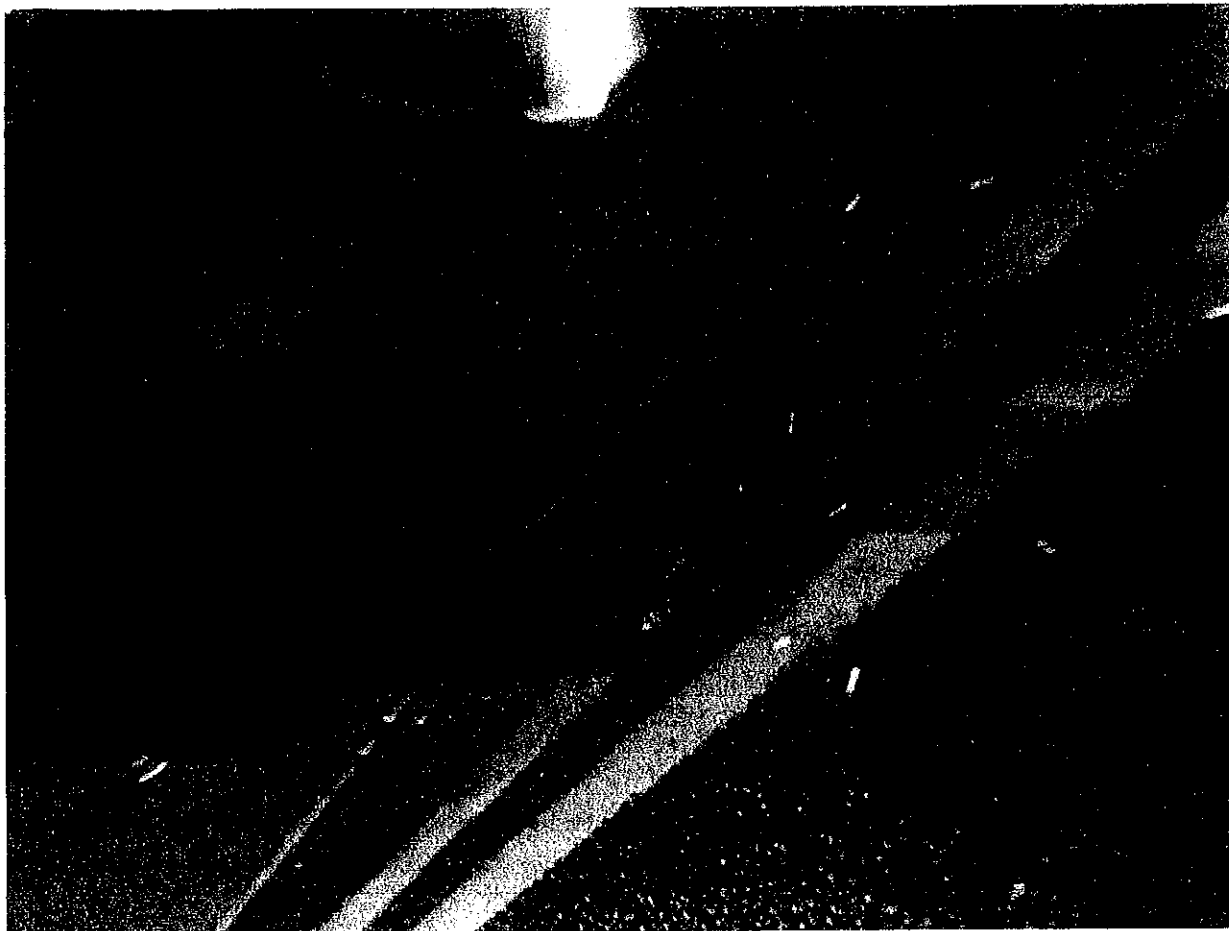
Since the opening of the Edition, there has been an increasingly adverse impact on the section of Berners Street directly in front of the hotel entrance. As I mentioned above, on many evenings there are crowds of customers of the hotel bar and nightclub, gathered outside its entrance, many smoking.

The hotel has attempted to cordon off sections of the pavement to contain its smoking contingent, however this is often not sufficient for the volumes of people, and en masse they take up most of the pavement. On a number of occasions, I have found it almost impossible to use the pavement to pass by the hotel and have had to step into the road. This in itself is dangerous due to the volume of taxi cabs and private hire vehicles which the hotel and its nightclub attract. On this point, there is at the busiest times, a quite chaotic scramble of vehicles performing all manner of unsafe manoeuvres in the

road and around the junction with Eastcastle Street. Furthermore, the supposedly double yellow stretch of road in front of the hotel is frequently in use by cars. A couple of my photos (included below), although not intended to specifically capture this point, clearly illustrate this. It is absolutely clear to me that this section of Berners Street is clearly not capable of safely coping with scramble of taxis and so forth which a busy nightclub leads to.

Finally the hotel and its activities are causing a litter nuisance on Berners Street. I took a number of quick photos on different days recently just to give a flavour of this and have included a sample of these below. The hotel clearly feels no obligation to keep the street in front of the hotel clean, as it evidenced by the almost perpetual existence of cigarette butts in the road and often just on the pavement in front of its entrance. Litter in general around the hotel, including on Eastcastle street where its nightclub queues gather, has increased in the last year due to the hotel. I do not know precisely what standards and strictures hotels are supposed to be subject to in terms of their responsibility for keeping pavements and immediately adjacent roads clear from rubbish generated by their patrons, however the behaviour of the Edition in this regard strikes me as wholly unacceptable.





Thank you once again for offering to act as a point of contact on this with Westminster Council, and please let me know how the interactions with them go. I would be happy to be involved in direct representations should this help to progress the matter.

Your sincerely,

Carl J. Spencer  
17 York House  
12 Berners Street  
London W1T 3LG  
Tel: 020 7323 0774



**Subject:** RE: London Edition hotel noise  
**From:** Fernando gonzalez (elorente1@hotmail.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Wednesday, April 8, 2015 5:48 PM

Dear Zafar,

Thanks for your mail and your interest in that matter. to be honest, the reason I haven't done anything on that matter is because being a foreigner, I don't really know the procedure. That's why I thank you for writing me, as i'm also very annoyed about the noise and disturbance that The London Edition hotel is causing since the very same day they opened. To start with, they invaded the sidewalk of that block for smokers, making it sometimes hard for us to walk through. in the other hand, people that stays out to smoke, don't have any consideration for the rest of the people that lives in the neighborhood, and it doesn't matter if it's 10:00 at night or 2:00 in the morning; they shout as if they were in a football match, waking everybody up. This is very annoying, as I work for an airline, and most of the times I do very early mornings, and this noise doesn't let me have a proper rest. They are so loud, that it sounds as if they were inside my flat. Lots of drunk people getting and leaving the club act as if they owned the street. And I wonder why the staff at the door don't make them to be quiet. I live in the corner just opposite the hotel, which make it even worse. I've been living on this flat since 2009, and NEVER had that level of noise. For this reason, I REALLY appreciate that you take the time and effort to try and solve this. To start with, they never should allow the club to be open later than midnight. After that it's really crazy for the people that leve around it.

I would really appreciate IF you could keep meinformed about the whole process.

Thanks a LOT once again, and kind regards

Fernando Gonzalez  
Flat 19 York House  
12 Berners street

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**Subject:** London Edition  
**From:** JUSTIN KITSON (justin.kitson@me.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Tuesday, April 28, 2015 7:46 PM

Dear Zafar,

It was good to meet you. While the Edition Hotel is a hugely welcome addition to our neighbourhood, I am writing to concur with you that great care needs to be taken by the hotel to ensure that there is no nuisance to local residents. This is particularly so given that it appears that there is a nightclub operating from the hotel, which I understand is under the pretext of being a private party. I don't doubt for a moment that the planners at Westminster Council will see it for what it really is.

The existence of the nightclub is a great shame given that there does not appear to be a requisite planning consent, and it is taking place in a space that is being subcontracted to a third party who I suspect has little regard for the rights of both local residents and hotel guests. Behaviour such as the honking of car horns, smokers outside our doors and windows, and shouting etc. on the street late at night occurs regularly when the nightclub is in operation, and is totally unacceptable. It is clear that this is coming from patrons of the nightclub, who are coming onto the street directly outside my flat to smoke, urinate, and to behave in a rowdy fashion. They certainly do not appear to be the sort of guests that the Edition Hotel is marketing itself to.

In my view, it is extremely important that the hotel does all it can to prevent horrendous disturbance close to York House. I would have thought the best thing to do in the event of late night events is for guests to be directed towards Oxford Street when they leave the hotel, and staff being required to monitor behaviour on Eastcastle Street and Berners Street throughout the operation of the club. The nuisance that is being caused is plainly actionable as a private and public nuisance and I am extremely surprised and distressed that Westminster Council is allowing it to happen.

I have owned my flat for around 10 years and I have never experienced such nuisance.

Thank you for coordinating our response.

My very best wishes

Justin

Flat 22

## Wade, Yolanda

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**From:** Zafar Khalid <zkhalid@yahoo.com>  
**Sent:** 07 September 2015 13:56  
**To:** Wade, Yolanda  
**Cc:** Licensing@westminstercab.org.uk  
**Subject:** Re: 15/03928/LIREVP, London Edition Licence Review

Dear Ms Wade

As discussed please can you include Cllr Glanz's comments below as part of my applicant submissions for the above hearing.

Best wishes  
Zafar Khalid  
07956503129

On 14 Jul 2015, at 12:18, Jonathan Glanz <jg@45west.com> wrote:

Dear Yolande,

I am writing in my capacity as Ward Councillor to lend my support to the concerns that have been expressed in respect of the adverse effect on residential amenity and related issues caused by the nature of the use of the function rooms at the property.

I am therefore supporting residents on the review as I have the clearest possible recollection that when the original application for licensing the hotel was made, a process in which I was closely involved, that specific assurances were sought and received that the function rooms would be used for occasional events such as weddings, conferences etc...

It is apparent from the evidence which I have seen that the nature of the use of the premises has materially changed to the effect that it is now a nightclub venue rented out to operators and the implications for both the immediate neighbours and the nearby residents have not therefore been properly considered. The effects on residential amenity caused by anti-social behaviour, selfish and inappropriate parking, noise and disturbance anticipated at the time of the original application because of the way in which it was originally presented by the applicants.

Given that there has been a material change in the use of the premises it is appropriate either to review the licence to ensure that the premises are used only for the purposes originally anticipated and/or to condition it in such a way as to prevent such on-going problems. I am uncertain as to when this will come to a hearing but would wish to reserve the rights to make further representations, either orally to the Committee or by further written representations, in due course.

Best wishes,

Yours sincerely,

COUNCILLOR JONATHAN GLANZ  
Member for West End Ward

45 Welbeck Street, London, W1G 8DZ  
Tel: 020 7224 4545 / Fax: 020 7224 5151 / Mob: 077 4760 1812

## Wade, Yolanda

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**From:** Zafar Khalid <zkhalid@yahoo.com>  
**Sent:** 08 September 2015 10:50  
**To:** Wade, Yolanda  
**Cc:** Richard Brown Licensing@westminstercab.Org.uk; St Rose, Rebecca; Mohammad Khalid  
**Subject:** Fwd: edition hotel review

Dear Ms Wade

Please see the below update from a fellow resident regarding the disturbance from the Edition hotel and the review hearing.

The below is being sent as an additional submission to the residents initial representation.

Please can you add this to the submissions.

Please can you confirm.

Best wishes  
Zafar  
07956503129

Begin forwarded message:

**From:** Fernando gonzalez <elorentel@hotmail.com>  
**Date:** 7 September 2015 21:37:38 BST  
**To:** Zafar Khalid <zkhalid@yahoo.com>  
**Subject:** RE: edition hotel review

Hi Khalid,

As we have already spoke in previous occasions, the problem is still the same. People smoking outside, and making a lot of noise, shouting, laughing, preventing us to sleep, and it goes very late at night.

In my job, I normally get up very early (5:00-6:00 am) and due to this noise, most of the times is imposible to get a good rest.

I don't really understand why should anyone protect a business that has no consideration towards the neighbours tha were there before the hotel was built.

I really hope this situation can be resolved as soon as possible, so we can carry on with the peaceful situation that we used to have before the hotel.

Please keep me updted on the issue, and once again, THANK YOU for taking the time to make this review happen.

Kind regards,

Fernando

## Wade, Yolanda

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**From:** Zafar Khalid <zkhalid@yahoo.com>  
**Sent:** 05 September 2015 12:06  
**To:** Wade, Yolanda  
**Cc:** St Rose, Rebecca; Richard Brown Licensing@westminstercab.Org.uk  
**Subject:** Fwd: 15/03928/LIREVP - The London Edition, 10 Berners Street

Dear Ms Wade

Please see below representation made by Cllr Church.

Please can you add this to the documentation for the panel.

Best wishes

Zafar

07956503129

Begin forwarded message:

**From:** Councillor Paul Church <paulchurchwestend@live.co.uk>  
**Date:** 3 September 2015 10:50:59 BST  
**To:** "jfloru@westminster.gov.uk" <jfloru@westminster.gov.uk>  
**Cc:** "jdeacon@westminster.gov.uk" <jdeacon@westminster.gov.uk>  
**Subject:** 15/03928/LIREVP - The London Edition, 10 Berners Street

Dear JP,

I am writing to you in your capacity as Chairman of Licensing Committee 4, which will meet on Thursday 17th September to decide upon the above licensing review.

I fully support the views of my constituent, Mr. Khalid, and feel his residential amenity has been severely compromised by what he describes as this venue operating as a pseudo-club, contrary to the terms of their licence.

It seems to me that the disturbance described by local residents, resulting from the venue's behaviour, is totally unacceptable and I fully support their plea for licensed hours to be reduced and for conditions to be applied on the ground of prevention of public nuisance.

With every best wish,

Paul

**Councillor Paul Church**

Deputy Cabinet Member for Children & Young People

Westminster City Councillor for West End Ward

*Serving our communities in Fitzrovia, Marylebone, Mayfair & Soho*

**E-Mail:**

[paulchurchwestend@live.co.uk](mailto:paulchurchwestend@live.co.uk)

**Post:**

## Wade, Yolanda

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**From:** Zafar Khalid <zkhalid@yahoo.com>  
**Sent:** 09 September 2015 12:00  
**To:** Wade, Yolanda  
**Cc:** St Rose, Rebecca; Richard Brown Licensing@westminstercab.Org.uk  
**Subject:** Fwd: London Edition hotel disturbance update

Dear Ms Wade

Please see the below update from a fellow resident, Dovile Klipstaite, regarding the disturbance from the Edition hotel and the review hearing.

The below is being sent as an additional submission to the resident's initial representation.

Please can you add this to the submissions.

Please can you confirm.

Best wishes  
Zafar  
07956503129

Begin forwarded message:

**From:** klipstaited <klipstaited@gmail.com>  
**Date:** 8 September 2015 23:28:32 BST  
**To:** Z Khalid <zkhalid@yahoo.com>  
**Subject:** London Edition hotel disturbance update

I am writing to give you an update on the disturbance from the London Edition hotel and the email that I sent some months ago. The significant disturbance from the hotel has continued.

I am not sure but I understand the club may not have been in operation for some weeks till 2am. When it has been in operation until 2am there has been the same disturbance up until 2.30-3am, from when I sent my earlier email.

When the club is not operational the disturbance from after 2am is not there. However the bar and restaurant guests continue to cause a lot of disturbance. Most recently at 1.45am. It is unclear why so late as the bar is supposed to close at 1am. The disturbance is up until 1.30am and sometimes after.

There is very often disturbance on all days including Sunday through to Saturday at before 12 midnight to 1.30am and sometimes later. Sometimes the worst noise is on Sunday night and mid week. Hotel staff do not seem to be able to control the noise or want to control the noise.

I find this very unfair as the hours make it difficult to control and very little effort is made by

## Wade, Yolanda

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**From:** Zafar Khalid <zkhalid@yahoo.com>  
**Sent:** 09 September 2015 12:01  
**To:** Wade, Yolanda  
**Cc:** St Rose, Rebecca; Richard Brown Licensing@westminstercab.Org.uk  
**Subject:** Fwd: London Edition

Dear Ms Wade

Please see the below update from a fellow resident regarding the disturbance from the Edition hotel and the review hearing.

The below is being sent as an additional submission to the residents initial representation.

Please can you add this to the submissions.

Please can you confirm.

Best wishes  
Zafar  
07956503129

Begin forwarded message:

**From:** "Brian Watson" <[brian\\_a\\_watson@btinternet.com](mailto:brian_a_watson@btinternet.com)>  
**Date:** 9 September 2015 00:26:52 BST  
**To:** "Zafar Khalid" <[zkhalid@yahoo.com](mailto:zkhalid@yahoo.com)>  
**Subject:** London Edition

Dear Zafar,

We are aware that the hearing re. the London Edition is to take place on Thursday next week.

With reference to this, we thought we should let you know that, as far as we can judge, there has been no real improvement in the situation with reference to the noise problem since we last wrote to you.

Hopefully, we will see an improvement after the hearing next week.

With kind regards,  
LI and AB Watson

## NOISE LOG OF ZAFAR KHALID

I produce this Noise Log (up to 6 May 2015) as an appendix to my application to review the premises licence for 'Edition Hotel' due to issues of public nuisance which I believe arise largely from the basement function room.

The log sets out more details and specific examples of nuisance and disturbances in relation to the matters which I have set out in the application. The log is compiled from emails I have sent recording the issues, my own recollections, and notes.

Some of the incidents are supported by video and/or photographic evidence, and calls to the City Council's Noise Team.

- **Mid December 2014.** 3 guests with their car parked at approximately 2.30 am on a Saturday morning (Friday night) on the hotel side of Eastcastle street - at the corner of Eastcastle and Berners street. They were definitely guests as they were seen coming out of the hotel and talking to others coming out of the hotel. One of the guests decided to relieve himself on the York house side of Eastcastle Street. This, I believe most will agree, is unacceptable. This happened one other time in that month although it cannot be confirmed if this person was a guest of the hotel. This prompted me to approach hotel management on 19 December more formally and research what can be done.
- **Thursday 18 December 2014.** There was noise all night and although trying to sleep at around 12.30am I had remained awake until 3.45am.
- **Wednesday 21 January 2015.** 12.51am onwards multiple disturbances. As this as a week day I was attempting to sleep but could not. The problem was of dispersal, people leaving and making significant noise, also cars parked and playing music as well as cabs and vehicle horns. This is highly probable to be the hotel as on Wednesday the hotel bar, restaurant and club run till 1am. Other establishments may be open elsewhere but there has never been an issue on Wednesday when the Edition was closed or not busy. This is also the key closing time for all three areas ie bar, restaurant and club.
- **Thursday 22 January 2015.** 1.45am onwards multiple disturbances as with the previous night. I was asleep and was awoken. Same nature of disturbance as previous night. The disturbance went on for some time. This is around the Thursday night closing time for the club - 2am. The bar stops serving at 1am and it could also have been people finishing up and leaving the bar and restaurant area also. No other establishments close by, are open at this time or have a similar closing time. Sanderson would have already been closed and clubs if open would close later.. Also there hasn't been a problem with other central clubs when the Edition hotel club has been closed.
- **Friday 23 January 2015** - not applicable as I was out
- **Saturday 24 January 2015** - car alarm in Eastcastle street so not applicable.



- **Thursday 29 January 2015.** A very difficult night. The hotel has had 5 nights since the activities have recommenced this year, Wednesday, Thursday, Friday and Saturday from last week and now Thursday this week. Of these days all the times I have been at home there has been disturbance. On 29 January I called the Noise Team at just past midnight.

I then received a call from Andrew Bolton who explained what he would do. I mentioned that I was hoping he could be there at just past 2 as this is when the bulk of the noise happens. Andrew Bolton mentioned he would visit the hotel. Then at 2 am there was a large disturbance. I came upstairs and saw many people standing across from the hotel. In Eastcastle Street I saw up to 20 youths walking in the middle of the street. 3 cars were parked on Eastcastle Street with music playing and for some time they waiting for passengers. 2 hotel staff made some effort but I believe even they had felt this a lost cause. I have video evidence and photos of this night (see **Appendix 3**).

I phoned the council number again and Andrew Bolton called me back I was hoping he had been there for this 2am major disturbance. He mentioned that he had visited at 1.30 am approximately and he had witnessed things not being satisfactory. He asked for the manager but left after 10 minutes having spoken to Michael who is the head of security. I also made calls to Dominik who is night manager at the hotel although he was not on site. He apologised and said he would look into it. I initially contacted him at 12 and he responded by saying they would look into it but up until past 2 the hotel was not able to control the noise.

I saw various Edition staff members talk to the people while in the cars but it felt like they were unable to control. In any event the disturbance went on for 30 minutes or so and had taken the effect of causing the nuisance and awakening and preventing sleep. I did not witness the security person on the corner asking people to keep the noise down or stand in designated areas. People were several times standing on the York house side of Eastcastle street in full view of the security person and nothing was said. People were also leaving making noise and nothing was said.

The 'function room' is in effect run as a club up until beyond 2am Thursday through Saturday. Last week Wednesday up until beyond 1am. The crowd management before, during and at the end of the night I believe is not adequate. I am concerned that people make the disturbance and I am told by hotel management that it will be under control. This for me is quite obvious as things eventually die down but the disturbance has already been caused. The security person on the corner can do and actually does very little. People were waiting on the York house side of the street and the individual said nothing. The people then walked back to the hotel. I could not sleep between 12am and 3am.

- **Friday 30 January 2015.** Things seemed fine until just after 2am when some individuals were shouting for a period of time. My neighbours next door and above were also disturbed and confirmed this. I cannot say who the people were but did hear someone asking to keep the noise down. This went on for 15 minutes or so and woke many of us up. 6 people have independently agreed with the above logged disturbance details for this week.
- **Saturday 31 January 2015.** I was out.

- I was then on holiday for two weeks.
- **Thursday 19 February 2015.** General noise from smokers and leavers. Guests of the hotel parked outside my flat making noise when leaving. Took a while to leave and played loud music before leaving.
- **Friday 20 February 2015.** There was some noise. General noise for smokers and leavers. Smokers walking to the York House side of the street to smoke, maybe because there was no room to smoke outside the hotel. I called the noise team, they visited but at 2.30am after closing time. The security person on the corner on both occasions did not take a proactive approach to ask the guests to refrain from causing disturbance. During the week it was quieter but mainly because there weren't many visitors and not I believe because of a change in procedure.
- **Thursday 26 February 2015.** Last night took more than 50 minutes with people almost wanting to continue the party on the street. I have included some footage, taken at 1.33am and after 2am. One video shows a car parked outside my window with guests from the hotel. They were sitting on the bonnet talking loudly. Hotel staff did nothing even though they were guest of the hotel. I contacted the hotel manager and went outside to meet him as I would not be able to sleep. I was outside with the night manager, Dom Prosser. The people sitting on the car then sat in the car. They were at times noisy and at other times less noisy but the people who were leaving the hotel and were parked elsewhere were very noisy. Had they been the ones parked outside my window there would have been a more significant disturbance. There were many people.. Some may not have had cars the crowd was quite large. Dom Prosser attempted to disperse them by crossing in different directions and speaking to them. He did not speak to the individuals who were initially sat on their car outside my flat window.
- **Friday 27 February 2015** – noisy. No details.
- **Saturday 28 February 2015** – not too bad.
- **Friday 6 March** - car parked outside with occupants making noise.
- **Thursday 12 March** - lots of noise from people outside the hotel, smokers and others, and traffic. Car parked outside with occupants making noise.
- **Friday 13<sup>th</sup> March/Saturday 14<sup>th</sup> March 2015** – no details.
- **Tuesday 17<sup>th</sup> March 2015** – There was an event which I later learnt was for Nike. I wrote an email to Maria Johnson of WCC that night, and as I was writing at 12.15am there were cars pulling up on Eastcastle Street and people getting out of them clearly going to the Hotel. There was a staff member outside but he was not being proactive and they were making considerable noise. At 1.30am there was still significant noise. A copy of my email to Maria Johnson and a text message conversation I had with the Hotel is attached. I took videos, the first showing staff doing little with the smokers/hotel guests opposite York House. They were definitely hotel visitors. The second video shows the smoking area at the front on Berners Street. There was very little control and the noise was loud when they were

talking/shouting. (Due to the number of videos I cannot find these specific ones. I do have the email I sent to Maria Johnson and copy of sms with hotel).

- **Wednesday 18<sup>th</sup> March 2015** – I had a meeting with the Hotel and their legal advisors. Various matters were discussed, and the Hotel shortly afterwards sent a letter to the CAB and myself detailing steps they would be taking. Although the measures appear to be helpful, some of the things have been suggested before and not worked. The late closing time for the club is the problem.
- **Thursday 19<sup>th</sup>, Friday 20<sup>th</sup>, Saturday 21<sup>st</sup> March 2015** – not as bad as previously but there was some general disturbance. This should be put in context of earlier nights being very bad as opposed to this being good! Disturbance was still caused!
- **Thursday 26<sup>th</sup> March 2015** – there was an altercation outside the Hotel which went on for some time. It was definitely caused by people visiting the Hotel. the hotel have accepted this There were several people, from hotel staff and public and lots of shouting and swearing. I contacted the hotel. Lance Perkins said it was 'unfortunate and could happen anywhere..' which I disagree with. It has never happened before. I was told it went on for 7 minutes. This does not appear to be the case as the person in question crossed the road and was shouting from across the road and returned. in my estimation it went on for more than 20 minutes. I asked neighbours and they confirmed my understanding. I asked the hotel to share the footage with me but they did not. This was very loud and very aggressive. This night in addition to the subsequent nights was also particularly disappointing given the progress I had hoped had been made following the meeting on 18 March with Lance Perkins, Dom Prosser, Julian Skeens, a colleague of Mr Skeens and someone who I believe was head of security.
- **Friday 27<sup>th</sup> March 2015** – Large numbers of people arriving and leaving the Hotel up until 2-2.30am. The Hotel's attempts to control this and the noise were not particularly effective.
- **Saturday 28<sup>th</sup> March 2015** – I was woken at 3.07am. This was the night the clocks had gone forward. I do not know if the Hotel had obtained or needed a TEN to trade until that time. There were many guests leaving and making a lot of noise, shouting and screaming right outside York House which woke me up. I attach a text message conversation I had with the Hotel that night.. I as definitely woken up, came up to look out of the window and could see various people leaving the hotel. Very highly likely as they were with hotel staff who were walking with some of them. They were singing. I have some footage but the people who woke me up had moved on. There were a number of hotel staff for some time after talking to guests as they were leaving. As above Lance Perkins has not shared the hotel footage with me. I have footage showing this but he has only said people were walking South on Berners street. There are no establishments north as Sanderson would have shut few hours before so I am not sure. I have my footage but have not been given access to the hotel's. As above this night in addition to the previous nights was disappointing given the progress I had hoped had been made following the meeting on 18 March with Lance Perkins, Dom Prosser, Julian Skeens, a colleague of Mr Skeens and someone who I believe was head of security.
- **Tuesday 31<sup>st</sup> March 2015** - event held this night general noise but not as bad as usual

- **Wednesday 1 April 2015** – events elf this night general noise but not as bad as usual
- **Thursday 2 April 2015** – Thursday there was a large group of people standing across the road for some time after 2 am. I took a video please see footage.. Security staff said they can't do anything once guests are out of the hotel. (Neighbour mentioned the noise on Thursday and Fruday when I met her over the weekend.)
- **Friday 3 April 2015** – Friday I called the noise control team and Francis Keegan from licensing visited. He said there were some people and he spoke to the manager.
- **Sunday 5 April 2015** - event held this night, no record of disturbance.
- **Thursday 16 April 2015** - new gig events night £5 in advance, £7 at the door.. Disturbance was generally earlier people were queuing up. The venue closed earlier also.
- **22, 23 April 2015** - I believe there were no events
- **24/4** - no record of disturbance
- **25/4** - smokers in Eastcastle street in front of security. Nothing done. Many what appeared to be taxis, stopping in corner.
- **Tuesday 28 April 2015** - Tuesday morning 00.20am large group outside hotel shouting and laughing a number of times. Not the usual weekend security. Did not appear they were asked to keep the noise down as it happened a few times
- **Friday 2 May 2015** - Friday night Saturday morning 1230 am 15-10606/ENC45. Initially Mr Mike Peters called me back.. He said he would attend with licensing inspectors. I met Mr Heath Ruchards and a colleague outside. I mentioned to him a car was parked outside my window. He went to have a look around. After he returned the noise had become increased. People had still not been dispersed and if anything the noise continued. We went for a look around to show the position of the car. The car was empty and the occupants were in a York House doorway. We could smell what appeared to be marijuana. Mr Richards pointed the smell out. There were 3 people who I recognised as being the people who approached and entered the car. They appeared to be passing a marijuana joint around. We returned and saw them again. We returned to the van. After a few minutes they had gone. I returned to my flat. There were a number of people opposite The hotel A number of people crossing and running shouting during the time people were leaving.
- **Saturday 3 May 2015** - The night generally appeared quieter. It was raining a little. I was in my flat and saw someone approach from the hotel and urinate outside my window. I initially shouted but thought I should allow the situation to end itself. I took footage. The person then slowly walked back towards the hotel. I did not see the person enter or leave the hotel.. The person who is normally on the corner was not there. I went to have a word with the hotel. When I arrived their approach was very uncooperative. The security said I should talk to the reception. One of the security radioed to ask if control room had witnessed anything. He said there was no one seen. It was possible that the person came from elsewhere but very possible that he came from the hotel, the hotel could easily check

on its cc TV footage. Not seeing anyone according to the hotel was a surprise. I went into the hotel and spoke to the reception. Another person who was outside followed me in and said Lance Perkins and Dom Prosser were not there. Then said Lance Perkins was at the hotel but was not available. He then introduced himself as manager but would not tell me his name laughing and effectively saying 'I'm not going to tell you'. I said is it Ryan. He laughed and said 'you don't even remember my name'. He was unprofessional and unhelpful. He said that as I live 100 metres from Oxford Street I should expect this and that I should not be complaining. I said the cause of the disturbance was usually the hotel club and bar/ restaurant. He said it is a function room. I said that websites refer to it as a club, and most people think it is. He said it was a function room. He then said I was looking for an argument and that I should go home. This is against what the hotel had previously said about contacting them should there be a problem and also against their policy of being a good neighbour. Moreover it is fair and responsible to at least hear what I have to say or check the tapes and in any event give your name. I called the noise team and Mr Richards attended again.

### Noise log - update to log submitted with original application

*Please note - Where no update is provided I was either away, there was no significant incident or I was unable to provide an entry*

On most nights there is some disturbance. There is very little or no effort on the part of hotel staff to control smokers and the noise they make, people arriving and especially people leaving, loitering and congregating outside the hotel shouting and talking very loudly and often waiting for a taxi.

**Wednesday 6 May** - Hotel had their Wednesday basement club night. Had noise after closing time and just before. People (appear to be guests of the hotel) walking past York house. One woman walking after a man swearing on the York house side. A car pulled up and then after 10 minutes or so, after the woman came to the car, she went back after the man again creating disturbance

A car was parked and three people got in all shouting. All appeared to come from the hotel.

All people referred to, appeared at key hotel closing time or just before or just after.

*I was away for next 2 weekends*

**Wednesday 20 May** - event in club. Large numbers outside up until 12 midnight. There were larger numbers up until 11am making lots of noise. I could hear them from living room. Smoking area has grown and is more than half way across pavement. No desire or evidence of security saying anything. I am considering calling noise team as it is Wednesday.

Went outside and took some footage (12 midnight). Upon taking footage there is suddenly movement amongst security, they must have seen me on camera. Security were seen moving along smokers area but noise was not very much affected.

People waiting for taxis outside, no encouragement to wait inside

12.30am many people dispersing noisily. Club will close later so I am expecting more noise.

**Thursday 21 May** - 12.20am Friday morning. Lot of noise from the smokers outside the hotel. There have been many smokers since 11pm mostly at abt 11.45pm. Went to take videos of the smokers outside and the noise. Security were doing nothing despite lots of shouting. I took a video of the Sanderson hotel which was much quieter. There was also a car parked outside York house on a double yellow line. I asked if he was with the Edition hotel he said his client was there but he wasn't employed by the hotel. He moved after I took a picture and said he was on a double yellow line and the hotel had

agreed that they would attempt to control this. The hotel security could see him parked in a limousine but ignored him despite previous conversations about parked cars. There are many cars servicing the hotel who park outside York house on double yellow line for considerable time causing traffic congestion and noise.

I have returned home and there is still noise from the smokers. It is now 12.51am and the noise is regular. You hear the same voices implying security not asking for people to keep noise down.

**Friday 22 May** - I was out hence no update

**Saturday 23 May** - parked car on Eastcastle st. Dispersal an issue. Security just watched the 3 female customers walk past and talk loudly for some time but did nothing. Not interested. Probably would say they came from elsewhere. He may not have seen where they came from. Bigger dispersal problem.

4 male guests just arrived in car 1.25 am parked where female guests were. If club closes at 2am, this is quite late with respect to entry to the club. Not certain but hotel is only logical place they went as no other venues close by in that direction.

Dispersal at 2.35am fewer people than normal but the usual shouting and laughing and causing disturbance. The security person did not respond effectively.

The only time he was seen responding was when customers were stood on the York house side for upto a minute or so shouting. He saw them walk past him talking loudly but was not proactive. Even then they were a little quieter but his actions were not effective as they were still causing disturbance.

**27, 28 May** - No events generally quiet, peaceful normal sleep! Some black cab and other taxis pulling up and people calling taxis. Some noise from groups at around 12.30-12.45am unclear where from. Bar I believe closes at 1am

**Friday 29 May** - Friday night noise after 12am. Went out at 12.20am was about to take some footage. Security saw me and made efforts. There was still some noise but less after security's efforts

Went to bed but difficult to sleep due to noise. Surprisingly did manage to sleep but was woken up post 2am by noise that appeared to be from the hotel.

**Saturday 30 May** - woken up after 2am.

No organised dispersal. Came upstairs. Footage difficult

**Wednesday 3 June** - club night Wednesday night

Was in bed but heard lots of shouting after 12.15am up until 1.15am from direction of hotel, waking me up then preventing sleep. Same voices for several minutes despite security, implying effort ineffective or no effort made by security. The guests may have been from the hotel club or bar as both are open at this time.

2 cars parked outside window causing disturbance.

*Away on holiday*

**Saturday 27 June** - a lot of noise around 1.30am. Many car horns. Earlier noise throughout of people outside.

**Sunday 28 June** - Sunday many smokers and people waiting for taxi 0.30am

Non existent staff to ask them to keep the noise down. Door staff but not the trained staff to ask for people to keep noise down.

**29, 30, 31 June** - All nights late smokers and leavers making noise at 12.30 - 1am. Very noisy and loud.

**1-3 July** - I was out

**2 July** - scaffolding incident. Security at hotel when asked about an individual on the scaffolding did not even respond.

Security have had aggressive almost threatening approach,

**4-9 July** - The week was generally quiet maybe due to weather. The hotel appeared ready for business but generally not many people.



When people were making a noise the hotel staff appeared to not be proactive,

**10 July** - generally quiet

**11 July** - hotel appeared quiet. Just after 2am disturbance woke me up from the direction of hotel. Not sure if from guests of the hotel but from that direction. People appeared to be standing.

**11- 24 July** - Woken up many nights around key times ie closing 1am or later. Many cars/taxis picking up passengers parking on York house side. Very high use of car horns.

**24 July** - lots of people leaving around 1am. Unable to sleep. Disturbance till 1.30am. Earlier was raining.

**25 July** - went to sleep around 12 midnight. 1.13am was woken by many people dispersing. Considered calling noise team but expected dispersing people to take less than the 45-90 minutes noise team response time which it did.

Sleeping was very difficult. Attempting sleeping with head sandwiched between 2 pillows as I expected disturbance based on previous nights experience.

Security completely fail to prevent disturbance.

**6 August** - noise and car horns

**7 August** - 00:48 staff on corner talking to their acquaintances unaware that they are causing disturbance. Noise team called in relation to disturbance from this and hotel guests.

**Ref 15/20731/enc45**

**Sunday 9 August** - Quiet night then at 1am large group outside singing! Security did nothing. Footage taken

**Tuesday 11 August - 12.25am**

At least 6 people on the corner outside the hotel talking loudly. No action taken by the hotel staff to ask them to disperse or keep the noise down.

Footage taken. This went on for 20 minutes plus

**Tuesday 18 August - Tuesday night disturbance. I called the council on 20/8 (1 day later)**

On 18/8 lots of noise at 1am. Leavers making lots of noise from closing time. Taxis, cars, horns from cars/taxis servicing hotel visitors

Ref 15/22123/enc45

**Friday 21-22 August - Friday night 0.25 am Saturday morning. Large number of leavers hotel security do nothing**

Ref 15/22296/enc45

**Saturday 22 - 23 August - Called the council twice initially at 12.05am.**

Lots of noise security were not preventing disturbance. Mr George Christian from the noise team, said he would not be able to attend.

Ref 15/22372/enc45

The noise became very bad at 1.40am I called the council again.

There were many people who were shouting and talking in almost screaming voices. Many members of hotel security were standing by or walking past, but doing nothing to prevent the noise. This continued for upto 30 minutes at various positions on Berners Street and Eastcastle street after the group split into 2 groups. Hotel staff did nothing to prevent disturbance.

Footage taken.

Second ref 15/22383/enc45

**30 August - disturbance from 11.30pm. 12.10am called noise team**

ref 15/23150/enc45

Large groups with no supervision no dispersal management.

Multiple groups on corner leaving, arriving, smoking, waiting for taxi, loitering. No management

**Saturday 5-6 September** - Saturday night Sunday morning

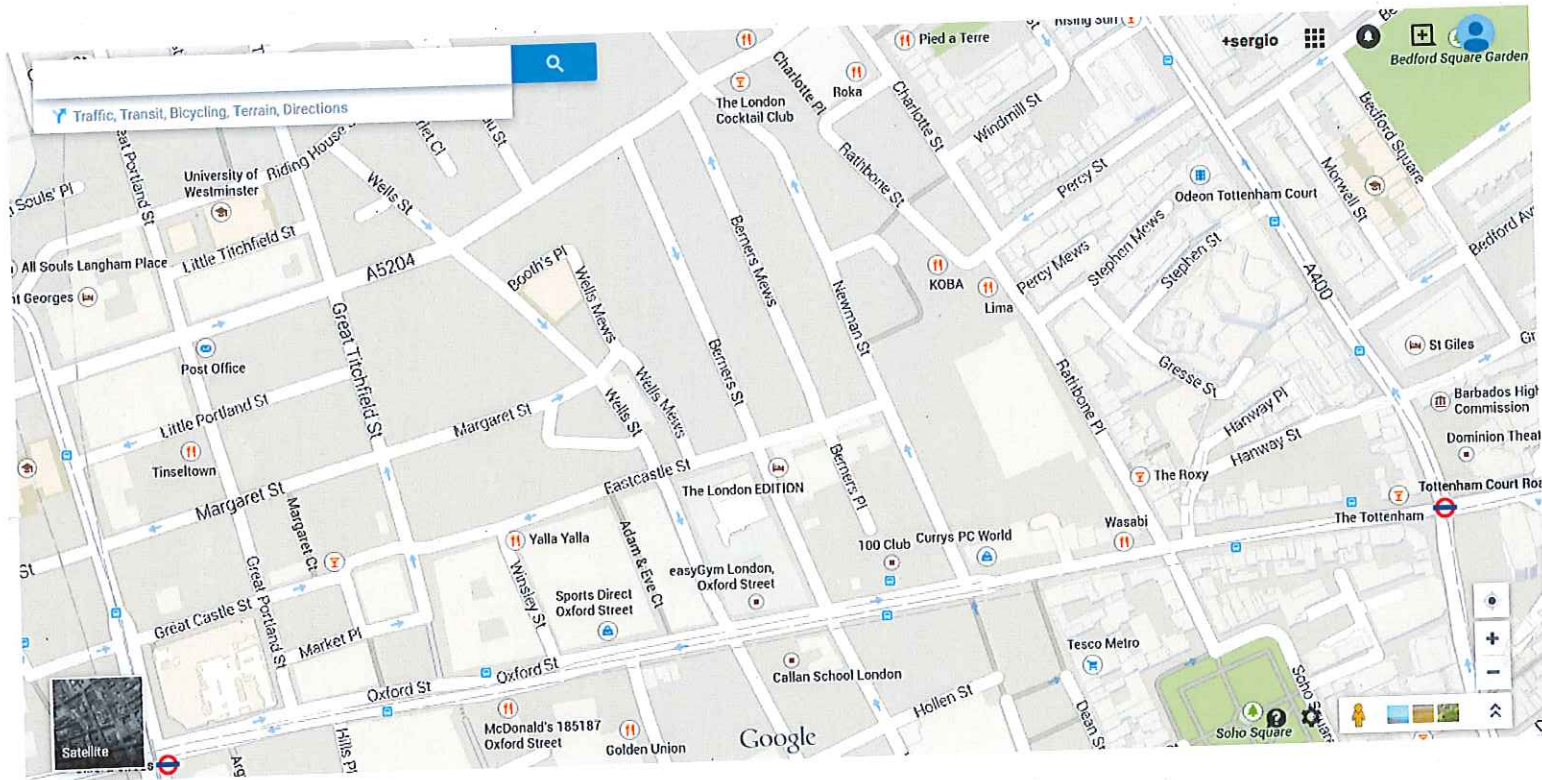
Multiple large and small groups leaving at 1.45am. Groups seen leaving, loitering, waiting, talking loudly and footage taken

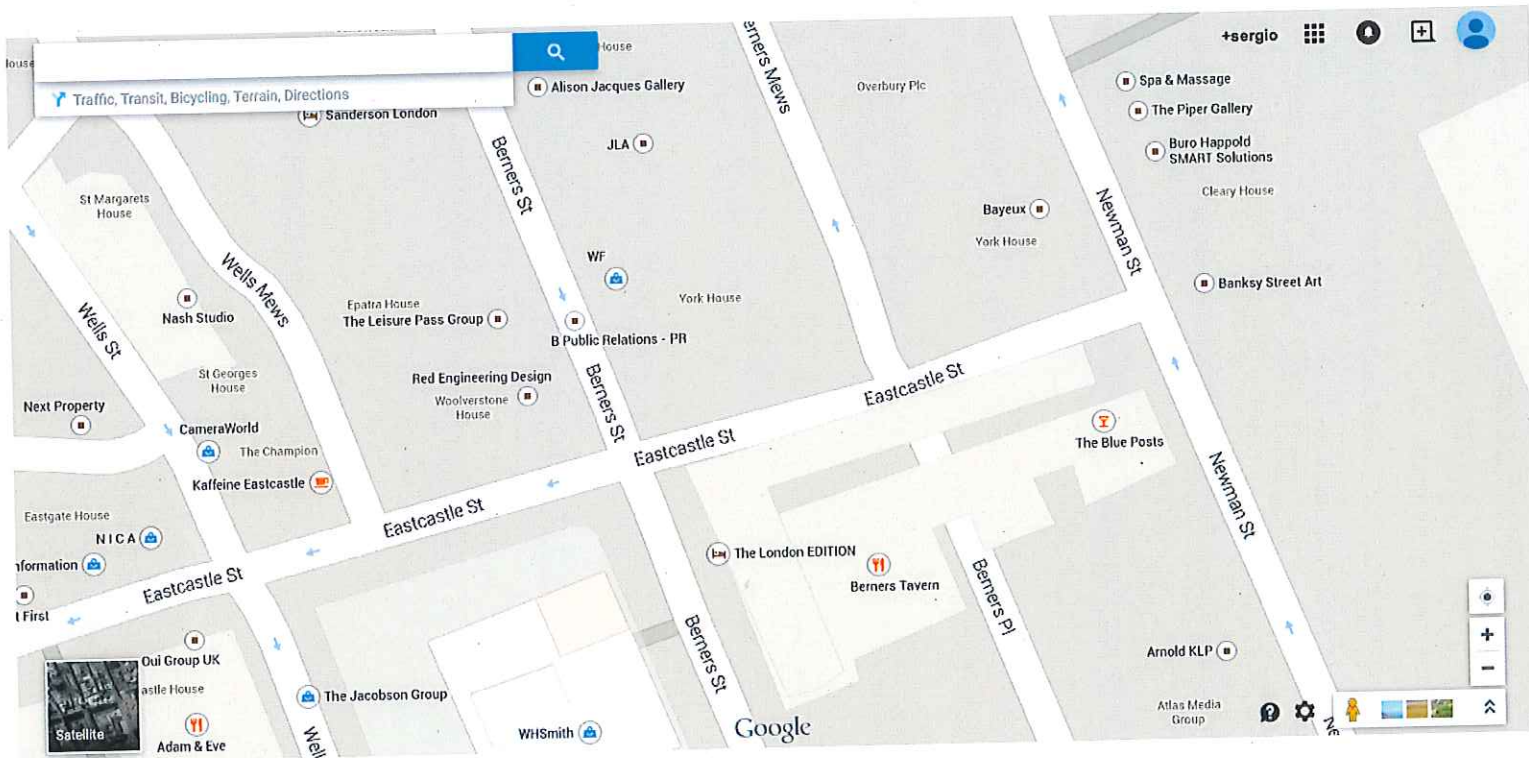
Disturbance for 30 minutes

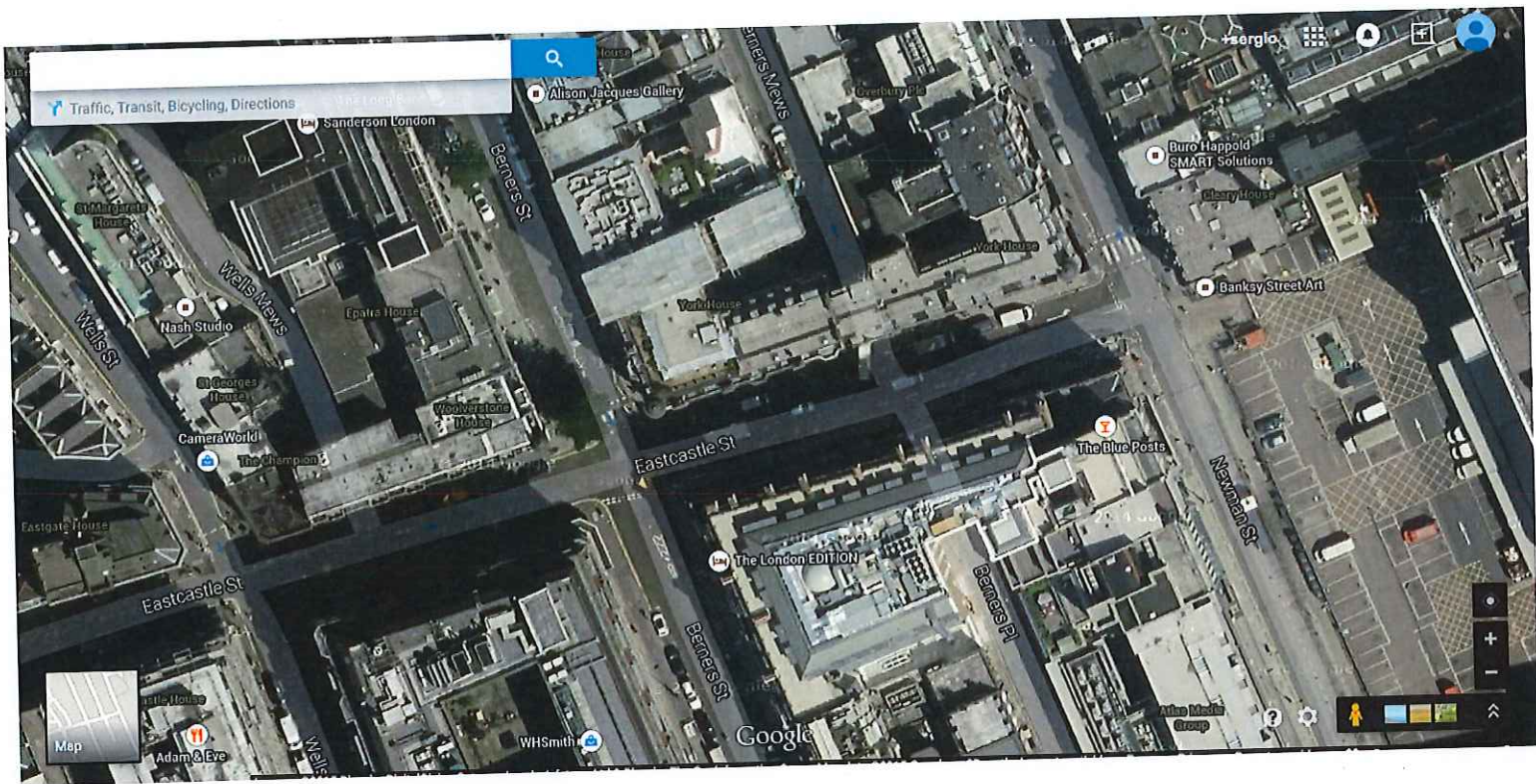
Hotel ground floor licence is 1am. If customers were in ground floor bar dispersal took some time for them to be leaving after 1.45am. (Function room was apparently closed).

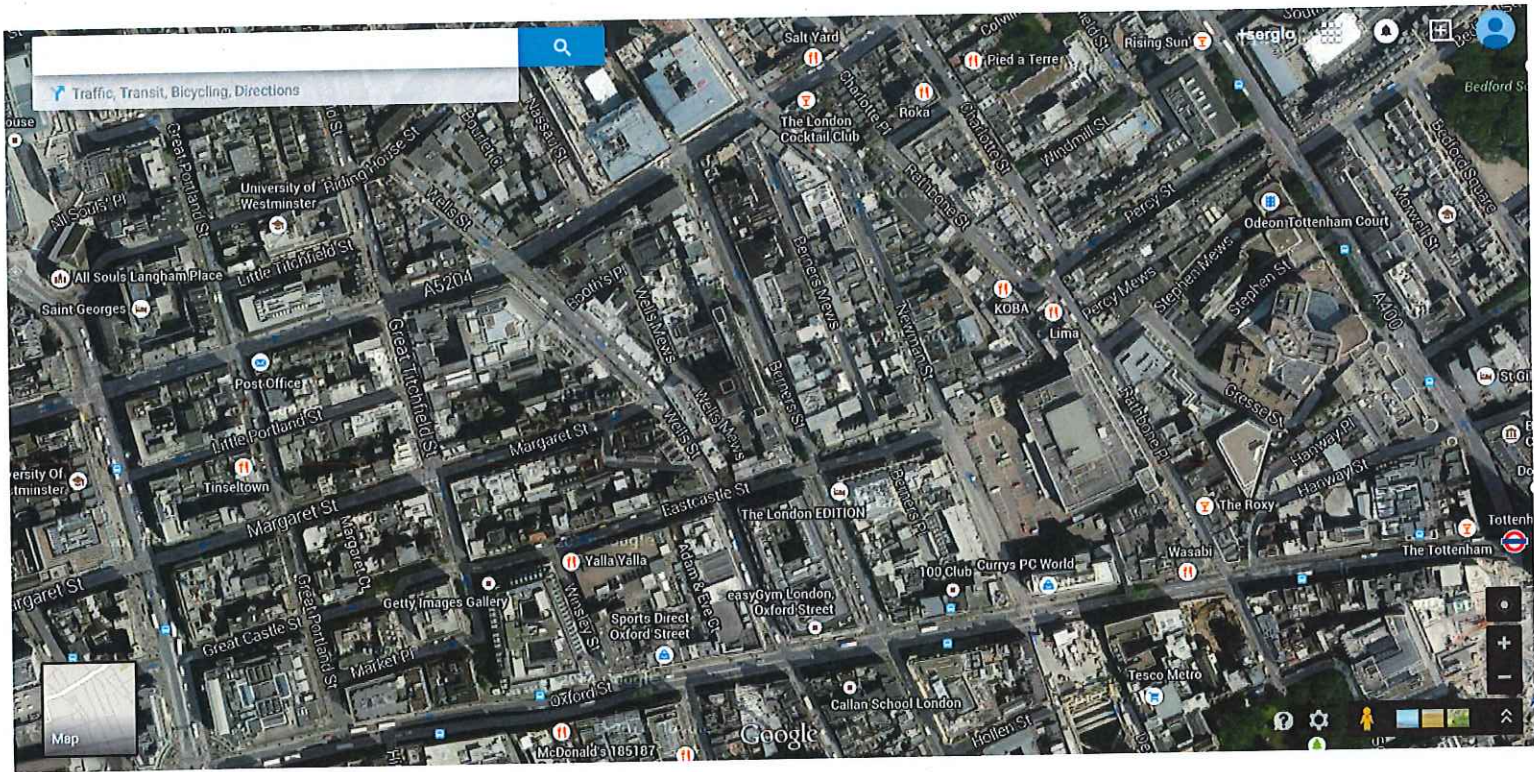
After 2am while trying to sleep very noisy with noise from same people heard for some considerable time (did not see where these people came from. It was at key hotel closing time)

# ANNEX A 3

















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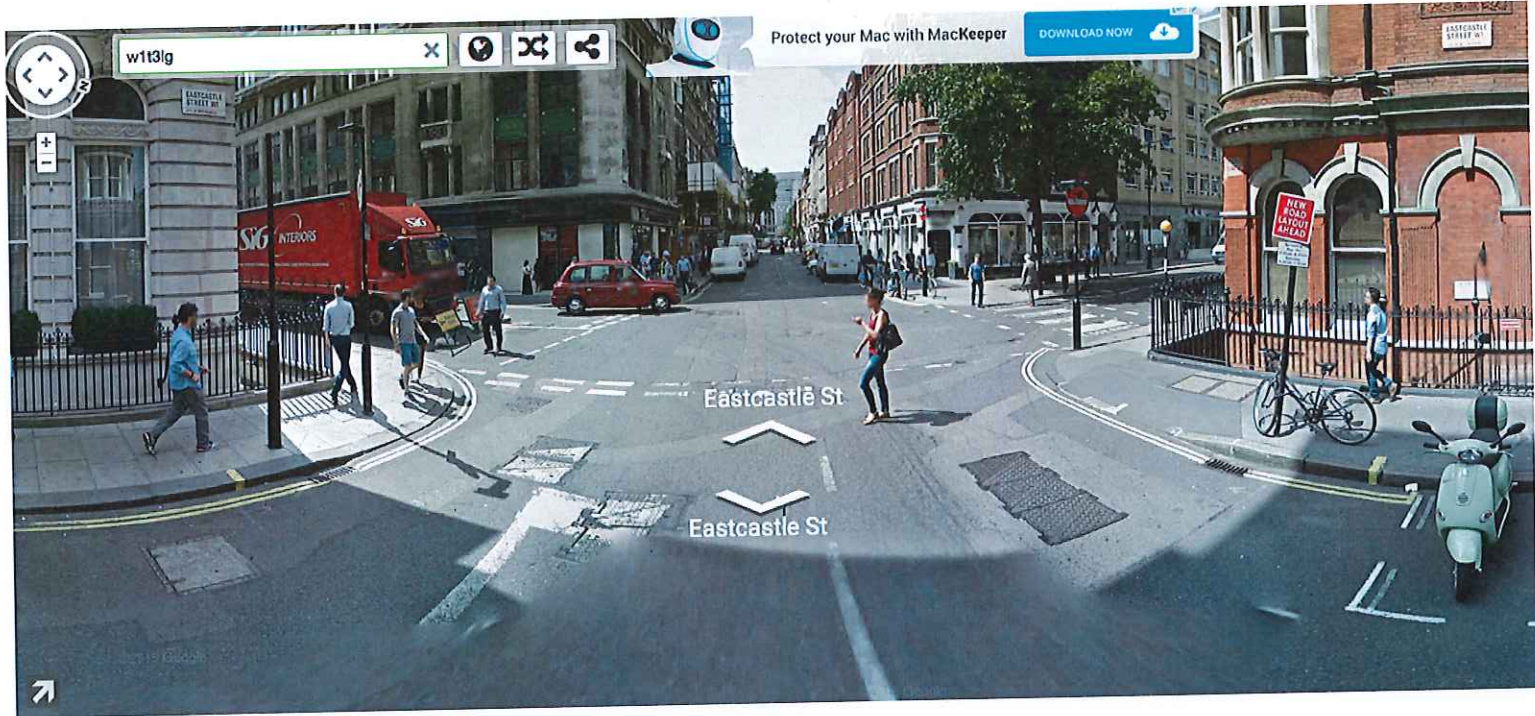
Swing Specialists

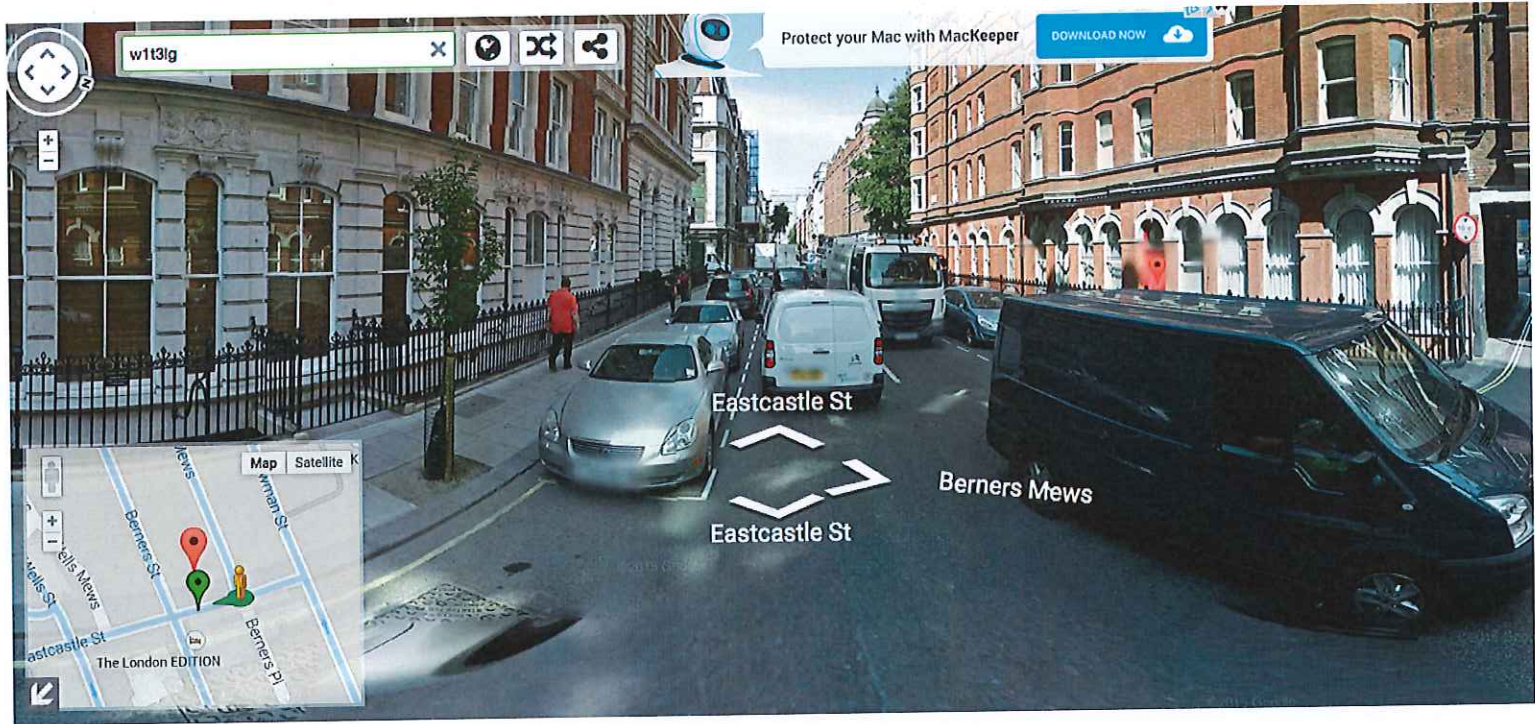
Eastcastle St

Eastcastle St















# ANNEX A 4

Note Thurs night 29/1/15

4 vide2

One of the most distressing nights. This can probably be established from the tone of my voice.

The first 2 videos show smokers of guests smoke on the York House side of Eastcastle street causing disturbance. The security person did not ask them to smoke in the smoking area.

When the smoking area is full smokers just go elsewhere with no enforcement or way to prevent this.

The next 2 videos were taken after closing.

Initially 15-20 people were walking in the middle of the road on Eastcastle street shouting and making a lot of noise. There were other people on the opposite side of the hotel also. Three cars eventually appeared one by one on Eastcastle street. They were parked up for some time with some of the crowd of people entering the cars and others going elsewhere.

The cars were playing music and revving engines.

The hotel staff can be seen talking to the drivers. The cars did not move for some time. One can assume that one possibility is that the staff were asking the hotel guests to move on. If so this was unsuccessful.

The noise and disturbance started before the footage and went on for some time.

As mentioned above this was probably one of the most distressing nights.

This type of occurrence is quite common just with fewer cars or people but still causing lots of disturbance and distressing.

The hotel staff rarely get involved with hotel guests parked and making a noise.

## Wade, Yolanda

---

**From:** Zafar Khalid <zkhaliid@yahoo.com>  
**Sent:** 08 September 2015 16:44  
**To:** Wade, Yolanda  
**Cc:** Richard Brown Licensing@westminstercab.Org.uk; Zafar Khalid; St Rose, Rebecca; jms@jgrlaw.co.uk  
**Subject:** Additional submission - footage  
**Attachments:** Video.MOV; ATT00001.txt; Video.MOV; ATT00002.txt; Video.MOV; ATT00003.txt; Video.MOV; ATT00004.txt; Video.MOV; ATT00005.txt; Video.MOV; ATT00006.txt

Dear Ms Wade

As discussed please see video footage which I am submitting as an additional submission.

I have copied the licence holders representatives. Please would you forward to whoever else needs to see.

I should be grateful if you would circulate to the panel prior to the hearing so they have had a chance to see.

I have dated the footage with a brief description.

The below is for one particular evening 23 August and spans from just after midnight to just before 2am.

This is a fairly typical night.

I will be sending additional footage today or tomorrow.

Best wishes  
Zafar  
07956503129

**Wade, Yolanda**

---

**From:** Zafar Khalid <zkhalid@yahoo.com>  
**Sent:** 08 September 2015 17:16  
**To:** Wade, Yolanda  
**Cc:** jms@jgrlaw.co.uk; Richard Brown Licensing@westminstercab.Org.uk; St Rose, Rebecca; Z K  
**Subject:** Additional submission - footage 23 August 2 of 2  
**Attachments:** Video.MOV; ATT00001.htm; Video.MOV; ATT00002.htm; Video.MOV; ATT00003.htm

Resending this email as 2 emails due to the size of the attachments

Dear Ms Wade.

As discussed please see video footage which I am submitting as an additional submission.

I have copied the licence holders representatives. Please would you forward to whoever else needs to see.

I should be grateful if you would circulate to the panel prior to the hearing so they have had a chance to see.

I have dated the footage with a brief description.

The below is for one particular evening 23 August and spans from just after midnight to just before 2am.

This is a fairly typical night.

PLEASE NOTE - THIS IS EMAIL 2 of 2 for 23 August due to size of attachments. Mail 1 of 2 sent earlier.

I will be sending additional footage today or tomorrow.

Best wishes

Zafar

07956503129

## Wade, Yolanda

---

**From:** Zafar Khalid <zkhalid@yahoo.com>  
**Sent:** 09 September 2015 13:06  
**To:** Wade, Yolanda  
**Cc:** jms@jgrlaw.co.uk; Richard Brown Licensing@westminstercab.Org.uk; St Rose, Rebecca; Z K  
**Subject:** Edition hotel - Additional submission footage various nights  
**Attachments:** Video.MOV; ATT00001.htm; Video.MOV; ATT00002.htm; Video.MOV; ATT00003.htm; Video.MOV; ATT00004.htm

Dear Ms Wade

As discussed please see video footage which I am submitting as an additional submission.

I have copied the licence holders representatives. Please would you forward to whoever else needs to see.

I should be grateful if you would circulate to the panel prior to the hearing so they have had a chance to see.

I have dated the footage with a brief description.

The below is for various evenings spread across various days of the week

These are fairly typical for a week..

Best wishes  
Zafar  
07956503129

# ANNEX A 5

## List of Noise Complaints

DATE	TIME	REF	COMMENTS
29-30 Jan 2015 - Thurs night	00:02 Friday morning - Hayley Bacon	15/02372 /ENC45	Adam Bolton called me 00:45. Mr Bolton visited as he called me back and said he was not happy with the arrangement. He mentioned he left after 10 minutes after initially asking for the manager.
29-30 Jan 2015 - Thurs night	02:10 Friday morning	15/02379 /ENC45	3 cars hotel staff involved, 15-20 people. I called hotel at 02:08. I have record of sms messages with hotel.
20-21 Feb 2015 - Fri night	01:15 Saturday morning - Dion	15/04466 /ENC45	George Christian spoke to me. Kay Cummings called at 02:28.
12 March 2015 - Thurs night	23:59	15/06247 /ENC45	I called noise team after being disturbed, no further details
28-29 March 2015 - Sat night	03:07 Sunday morning - Dion	15/07449 /ENC45	Saturday night Sunday morning clocks went forward. Noise officer Mr Peters returned my call.
3-4 April 2015 - Fri night	00:56 Saturday morning - Chris	15/07892 /ENC45	Spoke to Francis Keegan. He visited and spoke to Dom Prosser, night manager.
1-2 May 2015 - Fri night	12:30 Saturday morning	15/10606 /ENC45	<p>Mike Peters called back. He visited with Westminster Council Inspector Mr Heath Richards and a colleague, he then left. I met the inspectors outside.</p> <p>They witnessed initially efforts being made but then people loitering outside the hotel and not being dispersed or being asked to disperse. The people were on the opposite side of the hotel and on the same side also.</p> <p>I witnessed a car with occupants, who I strongly believe were guests of the hotel as I saw them come from that direction at a time when the club had just closed. They were parked on Eastcastle street outside York House and outside my windows playing music. They then left the vehicle. After this Mr Richards and I witnessed the same people, who we suspected of smoking marijuana, in a doorway of York House on Eastcastle street. Mr Richards pointed out the smell and I saw them appearing to pass around what could have been marijuana.</p>

DATE	TIME	REF	COMMENTS
			<p>We witnessed many people running and walking and shouting. In some instances they were left to shout and in others they were asked to keep the noise down but after they had caused the disturbance.</p>
<p>2-3 May 2015 - Sat night</p>	<p>00:50 Sunday morning</p>	<p>Did not note reference</p>	<p>Patrick from the noise team called back. Heath Richards and a colleague visited. Mr Richards called me and I explained what had happened.</p> <p>The noise wasn't so bad but someone had urinated in front of York House, my flat windows. The person had come from the direction of the hoel and returned casually in that direction.</p> <p>I visited the hotel after having been told to get in touch if there was a problem and in the interest of being good neighbours.</p> <p>There was very little cooperation. The security said I should speak to reception.</p> <p>I mentioned what had happened and that the security person was not on the corner.</p> <p>He said he was not there for any person to which I replied that I knew that he was there for the hotel and what had been agree.</p> <p>He radioed control room and said no one was seen. I was surprised as I can understand if the individual cme from elsewhere but not that he was not there at all.</p> <p>There was another person who followed me in to the hotel.</p> <p>After asking the hotel for the night manaers I as told they were around but not immediately available. I was about to leave a message when the individual who had followed me in said he was the manager.</p> <p>He refused to give his name saying effectively 'Im not going to give you my name, I don't want to".</p> <p>Initially he said no one had urinated to which I offered to show him the footage.</p>

DATE	TIME	REF	COMMENTS
			<p>He then said as I live 100 metres from Oxford street I should expect this.</p> <p>He went on to say that I was looking for an argument and that I should just go home.</p>
There have been other calls but I failed to record the date			

**Subject:** RE: Edition hotel disturbance from guests  
**From:** Kramer, Edwin (EDITION Hotels) (Edwin.Kramer@editionhotels.com)  
**To:** zkhalid@yahoo.com;  
**Cc:** Dfabower@aol.com; Edwin.Kramer@editionhotels.com;  
**Date:** Friday, January 9, 2015 6:36 PM

Dear Mr Khalid,

Once again thank you for coming to meet with me and address your concerns in December. Whilst I wish it wouldn't have had come to this, it's now in everyone's best interest for us to do all that is possible to avoid any situation in the future. I have asked for assistance from our head office who have a wealth of experience, and look forward to getting back to you in due course with solutions. As I mentioned in December when we met, our first musical event will be January 21, so we have time to sort.

This weekend marks London Men's fashion week, and we have two private label fashion/catwalk shows and after-drinks planned for Saturday and Sunday, with the Velsvoir and Pretty Green brands. Although the shows/drinks do not end late, I have taken extra precautions with extra security officers that will be very visible and present. Dom, the manager you met and have contact details of is present both nights.

Please be assured this is personally extremely important, and you have my full attention in finding solutions that will be acceptable to all.

Kindest regards,

Edwin

-----Original Message-----

**From:** Zafar Khalid [mailto:zkhalid@yahoo.com]  
**Sent:** 06 January 2015 14:45  
**To:** Kramer, Edwin (EDITION Hotels)  
**Cc:** Tracey Bower  
**Subject:** Edition hotel disturbance from guests

Dear Mr Kramer

It was good to meet on Friday 19th December to discuss the disturbances caused from guests visiting the hotel's various facilities. I am sending the following in order that we have a record of what was discussed. Please let me know if you need clarification of if you are in disagreement.

On meeting I mentioned the difficult night I had had the night before, Thursday night, and how in the last few months the noise situation had become very difficult.

The previous night there was noise all night and although trying to sleep at around 12.30am I had



remained awake til 3.45am.

This situation has repeated almost every weekend. The situation is most serious from Thursday to Saturday.

I have called many times and also visited to hotel to discuss with various members of staff and also head of security.

Staff have been helpful but, as discussed, there has been no effective action or difference to the noise levels. Only on one occasion directly after conversation I had seen a member of staff ask guests to keep the noise down on the Eastcastle street side of the hotel.

One incident in the previous month saw 3 guests with their car parked at approximately 2.30 am on a Saturday morning (Friday night) on the hotel side of Eastcastle street - at the corner of Eastcastle and Berners street. They were definite guests as they were seen coming out of the hotel and talking to others coming out of the hotel. One of the guests decided to relieve himself on the York house side of Eastcastle street. This is unacceptable.

This has happened one other time in the last month although it cannot be confirmed if this person was a guest of the hotel.

I mentioned that I felt as if I knew many duty managers and various management staff as I had spoken to so many.

You confirmed the various conversations I have had as the hotel has good incident records and notes which you have reviewed and you confirmed you have been informed of the various times I had contacted the hotel.

Last night as I could not sleep I took time to review the license on the Westminster Council website and the various notes I have access to.

I have also had conversations with residents today and also other people he knew who worked in the entertainment business.

#### Licence

When conversations with all interested parties including the council were taking place when the hotel was being refurbished, the room downstairs had been described as a 'function room' which would be used for functions such as weddings and one off parties. The room has become a regular night spot which is effectively a club. There are large numbers of people at opening time 10-10.30pm onwards, smokers throughout the evening and a large number of people leaving at closing for an hour or more, between 1.30-3.30 approximately.

Guests loiter outside waiting for a taxi or for no obvious reason. Guests have at times crossed the road and decided to smoke or congregate outside York House. Guests and or staff also gather to smoke in the mews behind York house.

Smokers outside the hotel during the course of the evening are usually talking very loudly or shouting and the sound travels. Guests are not told to keep the noise down. I have visited the hotel a few times and on no occasion have I seen or heard the staff asking guests outside to keep the noise down while smoking or talking.

When leaving the hotel usually throughout the night up until 3.30am, the disturbance is also significant. As you can imagine guests have been drinking and leave in all directions usually waiting outside for some time. Either they take taxis, walk to parked cars or walk but are very loud and tend to loiter.

Guests in the function room, as they are attending a 'function', should be on the guest list hence they should all be known. This would allow for staff to assertively insist on guests leaving quickly and quietly.

Staff can also ask guests to leave towards Oxford street or away from York House quickly and quietly.

Staff can also before during and after the 2 hours of the closing be positioned on Eastcastle street and can insist on guests keeping noise levels down.

While I am in many ways happy to have a quality establishment close to where I live I would rather be able to sleep at a normal time.

I mentioned that I will be monitoring progress and working with the hotel to maintain control of noise and nuisance levels. Going forward we will review at regular intervals.

You have provided me with the number and contact of your nightlife manager whom I have now also met.

I sincerely hope as discussed that we can control the levels of noise and the disturbances described above.

However I must also insist that the residents are united in solving and controlling the problems associated with the above and the fact that the function room was understood to be used for specific functions such as weddings or one offs appears to not be as understood.

Other establishments in the area eg Amika on South Molton Street have had similar problems and as is understood their licence was revoked.

I fully believe you understand the problems encountered and as discussed you also understand the issues with the disturbances.

I look forward to starting the new year on a positive footing with respect to this.

Happy new year and best for year ahead  
Zafar Khalid  
York House

THE  
LONDON  
EDITION

London January 21, 2015

Dear Mr Khalid,

Thank you once again for seeing me on December 19<sup>th</sup>. Since that date we have reviewed the points we discussed and have considered how to improve our system in an effort to ensuring we don't have repeats of the situations you have brought to our attention.

First of all I'm truly sorry alleged disturbances from our hotel guests have caused you to not be able to sleep on some nights. We have always wanted to be an active partner in the community and have wanted our public spaces to be seen as an extension of everyone's living room. Our event space adds to this, and has turned out to be a favourite in the local creative community for music events, artist showcases, playbacks for musicians and press, display cases for fashion and cosmetics companies. It is a space that can be transformed into hosting a catwalk show as we have just done in London Collection-Men fashion week, and many other types of events. We have always tried to balance hotel with public and private spaces to create one enchanting building where guests have a multitude of options to enjoy themselves, and it's pleasing to see so many neighbours including you take part in this.

We would never wish for anyone to be disturbed by any activity we hold, whether that be smokers during day or evening, or people coming in and out of our building. We had contracted one of London's finest specialist security companies to oversee the entry, exit and safety of everyone. In the past months I understand that you have had cause to complain on several occasions with some of our team members, and I'm sorry to hear you didn't feel we immediately addressed the nature of the complaint. We take these matters extremely seriously, and I know the team has always reacted to any issue as well as being pro-active in increasing the number of security agents where we felt necessary. It may not always have been clear that we did as we have not had security wear specific high visibility clothing.

I have been able to convene with both our head office as I mentioned in my email of January 9, and with the team here at the hotel and have implemented the following structure to help prevent any future possibility of a disturbance on the corner of our street. We have recently changed our contracted specialist security company and have seen significant positive changes already in this short time of their management and I hope you have too.

You have specifically drawn our attention that the apartments at the junction of Berners Street and East Castle Street are particularly affected and so as an immediate short term measure we have arranged for an additional member of the Security Company to patrol that area, and we will continue to do so until we feel that it is un necessary and we would welcome your input.

10 BERNERS STREET LONDON W1T 7NF UNITED KINGDOM PHONE +44 20 7781 0000 FAX +44 20 7781 0100

UN ESTABLISSEMENT 241 HOTEL GOWAN LIMITED 7 ALBEMARLE STREET LONDON W1S 4HD ENGLAND REGISTRATION OF 4000290 AND 0916080  
REGISTERED OFFICE LE MASQUER HOUSE LA RUE LE MAQUIN 91 NEUF JERSEY 42446 REGISTRATION 101053 INCORPORATION WITH LIMITED LIABILITY (LUSACE)

We are undertaking additional measures to help eradicate the problem:-

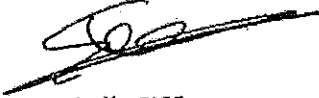
1. We look at each event individually by way of a risk analysis and specifically review the staffing numbers to ensure we have all areas of hotel and external points adequately covered
2. External security personnel will wear EDITION jackets, with clear markings and high-res armbands so that residents can see that there is a more active presence on Berners and Eastcastle Streets
3. We have lowered the upper limit of guests in the smoking section and will rope off the space to keep the pavement clear and control our patrons more effectively
4. We are encouraging patrons waiting for taxis to wait inside the lobby and actively encourage all guests loitering outside to disperse towards Oxford Street
5. We have instructed Security personnel to approach any individual creating an unacceptable level of noise and are asking the people to please respect our neighbours and lower the volume, whether they are guests of the hotel or merely passers-by
6. We are investigating the option of using the fire exit nearest to Oxford Street as the main point of egress for the basement which would decrease the number of guests exiting towards Eastcastle/Berners corner and disturbing you
7. We are setting a cut-off time for smokers to be able to re-enter the building
8. We are actively investigating the option of having more taxis available late at night
9. Our in-house security is patrolling to ensure staff use the Newman street assigned smoking area for staff only

I would like to take you up on your invitation to join you on one of your resident meetings to explain the above and to make it clear that we will do all in our power to avoid residents being disturbed should you think this is appropriate.

I have provided you with the number and contact of our nightlife manager whom you have now also met, and obviously you have my direct number, please feel free to contact me directly should you wish to do so. Please also copy me in on anything you write whether by complaint or praise so I can see to it that we have followed up appropriately.

Please be assured the team and I all take the complaints you have set forward extremely seriously, and we hope that with a renewed vigour to managing our evenings we can live in peace with our cherished neighbours. I too look forward to starting the new year on a positive footing with you and your fellow residents.

Kind regards,



Edwin Kramer  
Hotel Manager

Subject: Re: Edition hotel disturbance from guests  
From: Z Khalid (zkhalid@yahoo.com)  
To: Edwin.Kramer@editionhotels.com;  
Date: Tuesday, February 3, 2015 8:38 PM

- Last 3 pages repeated elsewhere  
- Correspondence shows progress or lack of progress since initial meeting with hotel, despite meetings and correspondence

Dear Edwin <sup>last</sup>  
A log of ~~last~~ week is as follows:

Thursday night- disturbances from 12 to about 3am. I messaged Dom initially at 12 and spoke to him at 2.

He spoke to staff at the hotel.

Michael, hotel head of security, and other staff members in my video are seen talking to the people who were hotel guests causing the disturbance for some time.

Friday night- initially quiet then at 2.05 significant disturbance in York street side,

I cannot say who the people were but did hear someone asking to keep the noise down. This went on for 15 minutes or so and woke many of us up.

Saturday night- not applicable as I was out myself.

At this moment there are approximately 20 residents who have been contacted as have been affected by the noise.

Of the above mentioned times 6 people have independently agreed with the above logged disturbance details.

I am happy to share any recorded evidence. I would like to point out the as written above Dom was in contact and several hotel staff notably Michael was seen and is in the video chatting to leaving guests.

Best wishes  
Zafar

Sent from my iPhone

> On 4 Feb 2015, at 02:42, "Kramer, Edwin (EDITION Hotels)"  
<Edwin.Kramer@editionhotels.com> wrote:

>  
> Dear Zafar  
>  
> Thank you for the heads up, we've now watched all CCTV of that night till about 3am. We can't see unfortunately what's happening on the corner, only what's on the front of the hotel due to the camera positioning, and the front and exit is mostly clear between 2 and 3 am, bar an occasional person walking out. Definitely no sign of anyone causing disturbances, perhaps it would be good to see your

footage together with ours to get a clear picture of what's happening in the street.

> I look forward to speaking soonest, apologies we didn't connect yesterday.

> Regards,

> Edwin

> -----Original Message-----

> From: Zafar Khalid [mailto:zkhalid@yahoo.com]

> Sent: 30 January 2015 19:54

> To: Kramer, Edwin (EDITION Hotels)

> Subject: Re: Edition hotel disturbance from guests

> Dear Edwin

> Many thanks.

> If you have time look at cctv for 2am onwards you will see the wave of people leaving and their cars on Eastcastle street. I have taken a video. Also people standing across from the hotel.

> Between 12 and 2 there was also significant noise.

> Re the person on the corner I can show you videos of people standing on the York house side of the street going back to the hotel. I have videos and pictures.

> There were many instances of this. I am not saying he didn't at all ask people to keep quiet but unfortunately it has not been effective enough and last night I did not see this. This includes people leaving the hotel St various times also.

> I could not sleep between 12 and 3 and I am an easy sleeper. I also wake up at 7am during the week.

> Look forward to speaking on Monday.

> Best wishes

> Zafar

>> On 30 Jan 2015, at 19:19, Kramer, Edwin (EDITION Hotels)

>> <Edwin.Kramer@editionhotels.com> wrote:

>> Dear Zafar,

>> Thank you for your note of Tuesday, and today. I'm truly sorry you don't think our measures have had any effect. We have added the officer in high visibility jacket, which you mentioned you have

seen, have lowered the amount of people in the smoking area, have had management presence around and have taken this extremely seriously as always. Your comments have enabled us to focus in on the disturbance you are suffering.

>>

>> I have watched CCTV footage at length with the team, and have seen the gentleman that was posted on the corner of Eastcastle and Berners did in fact not stay there permanently but has assisted the others in keeping noise down. He has now been instructed to stay on the corner, and again been instructed to pro-actively avoid any possibility of disturbance.

>>

>> We have three events scheduled this weekend, we are on high alert, and rest assured you have everyone's attention in a united effort to minimise any disturbance whether caused by us or from passers-by, or anyone else for that matter.

>>

>> I personally called for and presided over a meeting with the inhouse and contracted security this week, and I have just finished one again tonight, leaving nobody unclear of my commitment to take every step we can to address your concerns.

>>

>> I will make contact on Monday, if there is anything I can assist with on the weekend please contact me.

>>

>> Kind regards,

>>

>> Edwin

>>

>>

>>

>> -----Original Message-----

>> From: Zafar Khalid [mailto:zkhalid@yahoo.com]

>> Sent: 30 January 2015 15:55

>> To: Kramer, Edwin (EDITION Hotels)

>> Subject: Re: Edition hotel disturbance from guests

>>

>> Dear Edwin

>> We are in the second week after the Christmas and new year period. There has been little difference with the measures you put forward.

>>

>> Yesterday on Thursday I was disturbed from 12 midnight onwards. I came out of the building to have a look and there was a large number of people outside the hotel making a lot of noise.

>>

>> The person on the corner of Berners and Eastcastle streets was not asking people to keep the noise down. In fact I did not see him ask anyone to keep the noise down or move to a designated area all night notwithstanding the many opportunities he had.

>>

>> I messaged Dominik at 12 after calling him and leaving a message. He mentioned that he had walked the perimeter of the hotel.

>>

>> The noise continued unaffected. There we on several occasions people crossing the road and standing outside York house. After some time they would go back to the hotel. I do not know if they were smoking or taking a break or waiting but they were causing disturbance. The security person in the jacket did not ask them at any stage to move to a designated area or keep the noise down.

>>

>> Then at just after 2am there was a considerably large disturbance. There were many people outside on the opposite side of the hotel and approximately 15-20 people in the middle of Eastcastle street walking towards at least 3 cars. The cars were parked on Eastcastle street for some time and the people were shouting or talking loudly.

>> I saw various Edition staff members talk to the people while in the cars but it felt like they were unable to control. In any event the disturbance went on for 30 minutes or so and had taken the effect of causing the nuisance and awakening and preventing sleep.

>> Edwin I must say I would be very surprised if this was not considered unacceptable by any reasonable individual.

>> I then called Dominik and he said he was not at the hotel that night. He said his staff were working on it and it would be brought under control.

>> This also has to be considered unacceptable. Even leaving noisy individuals would eventually lead to them moving on. The 2-3 hours disturbance from 12-3am was already done. The 30 minutes of heavy disturbance which took place from 2am was already done.

>> I have photo and video evidence of all of the above.

>> This in addition to last week leads me to believe that the only way I will have a decent nights sleep is when no events are on or if I am out myself.

>> Please advise your course of action.

>> Best wishes  
>> Zafar Khalid  
>> York House  
>> 07956503129

>>> On 27 Jan 2015, at 16:21, Zafar Khalid <zkhaliid@yahoo.com> wrote:

>>> Dear Edwin  
>>> Please see my comments below regarding the last week and noise/ disturbance. The disturbances referred to below all came from guests leaving the hotel.

>>> I will keep a log going forward.

>>> 21 January 2015 Wednesday night Thursday morning 12.51am onwards multiple disturbances.

>>> 22 January 2015 Thursday night Friday morning 1.45am onwards multiple disturbances.

>>> 23 January 2015 Friday night Saturday morning - not applicable as I

>>> was out

>>> 24 January 2015 Saturday night Sunday morning - car alarm in Eastcastle street so not applicable.

>>> I have seen the security individual on the corner of Eastcastle street which you mentioned in your



letter.

>>>

>>> I appreciate this person has a difficult job but please can you suggest that he asks guests to keep the noise down a little more proactively as opposed to waiting for them to make a noise and then asking for them to keep the noise down. Please can you also consider having another person so visitors walking to the hotel from Newman street can be asked to keep the noise down.

>>>

>>> Best wishes

>>> Zafar

>>> York house

>>>

>>>

>>>

>>>

>>>

>>>

>>>> On 20 Jan 2015, at 17:55, Kramer, Edwin (EDITION Hotels)

<Edwin.Kramer@editionhotels.com> wrote:

>>>>

>>>> Dear Mr Khalid,

>>>>

>>>> I have attached my response to your email dated January 6, and look forward to making this a great year.

>>>>

>>>> I equally look forward to meeting Ms Bower.

>>>>

>>>> Kind regards,

>>>>

>>>> Edwin

>>>>

>>>>

>>>>

>>>>

>>>>

>>>> -----Original Message-----

>>>> From: Zafar Khalid [mailto:zkhalid@yahoo.com]

>>>> Sent: 06 January 2015 14:45

>>>> To: Kramer, Edwin (EDITION Hotels)

>>>> Cc: Tracey Bower

>>>> Subject: Edition hotel disturbance from guests

>>>>

>>>> Dear Mr Kramer

>>>> It was good to meet on Friday 19th December to discuss the disturbances caused from guests visiting the hotel's various facilities. I am sending the following in order that we have a record of what was discussed. Please let me know if you need clarification of if you are in disagreement.

>>>>

>>>> On meeting I mentioned the difficult night I had had the night before, Thursday night, and how in the last few months the noise situation had become very difficult.

>>>>

>>>> The previous night there was noise all night and although trying to sleep at around 12.30am I had remained awake til 3.45am.

>>>>

>>>> This situation has repeated almost every weekend. The situation is most serious from Thursday to Saturday.

>>>>

>>>> I have called many times and also visited to hotel to discuss with various members of staff and also head of security.

>>>>

>>>> Staff have been helpful but, as discussed, there has been no effective action or difference to the noise levels. Only on one occasion directly after conversation I had seen a member of staff ask guests to keep the noise down on the Eastcastle street side of the hotel.

>>>>

>>>> One incident in the previous month saw 3 guests with their car parked at approximately 2.30 am on a Saturday morning (Friday night) on the hotel side of Eastcastle street - at the corner of Eastcastle and Berners street. They were definite guests as they were seen coming out of the hotel and talking to others coming out of the hotel. One of the guests decided to relieve himself on the York house side of Eastcastle street. This is unacceptable.

>>>>

>>>> This has happened one other time in the last month although it cannot be confirmed if this person was a guest of the hotel.

>>>>

>>>> I mentioned that I felt as if I knew many duty managers and various management staff as I had spoken to so many.

>>>>

>>>> You confirmed the various conversations I have had as the hotel has good incident records and notes which you have reviewed and you confirmed you have been informed of the various times I had contacted the hotel.

>>>>

>>>> Last night as I could not sleep I took time to review the license on the Westminster Council website and the various notes I have access to.

>>>>

>>>> I have also had conversations with residents today and also other people he knew who worked in the entertainment business.

>>>>

>>>> Licence

>>>> When conversations with all interested parties including the council were taking place when the hotel was being refurbished, the room downstairs had been described as a 'function room' which would be used for functions such as weddings and one off parties. The room has become a regular night spot which is effectively a club. There are large numbers of people at opening time 10-10.30pm onwards, smokers throughout the evening and a large number of people leaving at closing for an hour or more, between 1.30-3.30 approximately.

>>>>

>>>> Guests loiter outside waiting for a taxi or for no obvious reason. Guests have at times crossed the road and decided to smoke or congregate outside York House. Guests and/or staff also gather to smoke in the mews behind York house.

>>>>

>>>> Smokers outside the hotel during the course of the evening are usually talking very loudly or shouting and the sound travels. Guests are not told to keep the noise down. I have visited the hotel a few times and on no occasion have I seen or heard the staff asking guests outside to keep the noise down while smoking or talking.

>>>>

>>>> When leaving the hotel usually throughout the night up until 3.30am, the disturbance is also

significant. As you can imagine guests have been drinking and leave in all directions usually waiting outside for some time. Either they take taxis, walk to parked cars or walk but are very loud and tend to loiter.

>>>>

>>>> Guests in the function room, as they are attending a 'function', should be on the guest list hence they should all be known. This would allow for staff to assertively insist on guests leaving quickly and quietly.

>>>>

>>>> Staff can also ask guests to leave towards Oxford street or away from York House quickly and quietly.

>>>>

>>>> Staff can also before during and after the 2 hours of the closing be positioned on Eastcastle street and can insist on guests keeping noise levels down.

>>>>

>>>> While I am in many ways happy to have a quality establishment close to where I live I would rather be able to sleep at a normal time.

>>>>

>>>> I mentioned that I will be monitoring progress and working with the hotel to maintain control of noise and nuisance levels. Going forward we will review at regular intervals.

>>>>

>>>> You have provided me with the number and contact of your nightlife manager whom I have now also met.

>>>>

>>>> I sincerely hope as discussed that we can control the levels of noise and the disturbances described above.

>>>>

>>>> However I must also insist that the residents are united in solving and controlling the problems associated with the above and the fact that the function room was understood to be used for specific functions such as weddings or one offs appears to not be as understood.

>>>>

>>>> Other establishments in the area eg Amika on South Molton Street have had similar problems and as is understood their licence was revoked.

>>>>

>>>> I fully believe you understand the problems encountered and as discussed you also understand the issues with the disturbances.

>>>>

>>>> I look forward to starting the new year on a positive footing with respect to this.

>>>>

>>>> Happy new year and best for year ahead Zafar Khalid York House

>>>>

>>>>

>>>>

>>>>

>>>>

>>>> <Mr Khalid.pdf>

**Subject:** RE: Edition hotel disturbance from guests  
**From:** Prosser, Dominik (EDITION Hotels) (Dominik.Prosser@editionhotels.com)  
**To:** zkhalid@yahoo.com; Edwin.Kramer@editionhotels.com;  
**Date:** Friday, February 27, 2015 2:49 PM

Correspondence re  
 progress with  
 Dom Prosser, night  
 manager.  
 He had witnessed  
 previous night's disturb-  
 -ance

I apologise again Zafar and will be once again on the corner tonight to assist and monitor the kick out.

Thankyou for your feedback

-----Original Message-----

**From:** Zafar Khalid [mailto:zkhalid@yahoo.com]  
**Sent:** 27 February 2015 10:49  
**To:** Kramer, Edwin (EDITION Hotels); Prosser, Dominik (EDITION Hotels)  
**Subject:** Edition hotel disturbance from guests

A log of last weeks noise disturbance is as below. I have footage of both nights. Yesterday was not a good night either. I spoke to Dom and met him outside after giving up on trying to sleep.

Dispersal of the crowd after 2am is not proving very efficient.

Also, as I'm sure Dom will agree, the security person at the corner is not proactive in having the noise kept down. Dom himself came out and was asking the hotel guests to keep the noise down and leave quietly. I have not seen the security person doing this proactively. I have seen some involvement well after a disturbance has been caused.

Security involvement should be prior to guests stepping out of the hotel at the end of the night. Somebody should be asking all to keep quiet and disperse quickly and quietly. Once outside they should be asked to move along quickly and quietly. Last night took 30 minutes with people almost wanting to continue the party on the street. Again I have footage.

I had a car again parked outside my window with guests from the hotel. I was outside with Dom. The occupants were not too noisy but the people who were leaving the hotel and were parked elsewhere were quite noisy. Had they been the ones parked outside my window there would have been a definite disturbance.

The point here really is that as it is a function room licence and as technically the promoter or someone from the hotel should know all the guests, the hotel has leverage to insist the guests should keep the noise down else they will not be allowed back in or invited in the future.

Re the smoking also if guests of the function room do not smoke in designated areas, and smoke outside York house, they should not be allowed to return.

Thursday 19/2/2015

General noise from smokers and leavers

Guests of the hotel parked outside my flat making noise when leaving. Took a while to leave and played loud music before leaving.

Friday 20/2/2015

General noise for smokers and leavers

Smokers walking to the York House side of the street to smoke, maybe because there was no room to smoke outside the hotel.

The security person on the corner on both occasions did not take a proactive approach to ask the guests to refrain from causing disturbance.

THE  
LONDON  
EDITION

Mr. Richard Brown  
Licensing Advice Project  
Westminster Citizens Advice  
21a Conduit Place  
London  
W2 1HS

20<sup>th</sup> March, 2015

Reference: The London EDITION, 10 Berners Street, London W1A 3BE  
Premises Licence ref: 13/06844/LIPDPS

Dear Mr Brown,

Further to the letter received from The Westminster Citizens Advice Bureau on the 5<sup>th</sup> February and our holding letter dated 16<sup>th</sup> February, we would like to apologise for the delay in responding, however, we have been waiting to meet with a representative of York House, Mr. Zafar Khalid (whom has been on holidays for 2 weeks). The meeting however did take place yesterday.

We will be taking the following steps:-

1. Our security and management teams will be more proactive in managing guests attending functions at the hotel, particularly around the smoking area to ensure that they are in the designated space which is allocated, and that the noise is kept to an acceptable level. We are providing more training and guidance for our Supervisors.
2. We will also manage our function room guests leaving the hotel to ensure that they do not loiter outside the main entrance and cause any additional noise disturbance.
3. The hotel has very few guests who require car parking and we do have suitable parking arrangements locally in Poland Street at a nominated car park. We will promote these facilities to our guests and to non-residents visiting the hotel, together with the valet parking which is already in place, to reduce noise disturbance from those people parking in surrounding streets. In addition, we would support the residents of York House in their aspiration to make permit parking on Eastcastle Street applicable 24 hours a day, 7 days a week.
4. We have already installed two brand new state of the art, CCTV cameras on Eastcastle Street and we are working closely with the residents of York House to re-position the cameras to monitor any situations of noise disturbance more effectively. We recognise that there are many other establishments, and many other people in addition to our guests in and around Fitzrovia during the day and night and the additional cameras will also assist us and the residents in finding out where the noise disturbance is coming from.

10 BERNERS STREET, LONDON W1F 3NR UNITED KINGDOM PHONE: 020 7783 0000 FAX: 020 7781 0100

5. We will pro-actively set up a "Fitzrovia Watch" scheme to work together with the residents and other businesses in the area with an aim of forging stronger relationships with the local residents and to help prevent crime and disturbance.
6. We have also agreed to send an Acoustician to Mr Khalid's apartment to look at ways in which we might be able dampen any noise emanating from Eastcastle Street.
7. We are working on a scheme to reposition the smoking area.
8. We are reviewing all our measures with our various experts.

We would like to assure you that The London EDITION is committed to being a good neighbour. Our designated Premises Licence Holder, Lance Perkins, has agreed to meet with the residents of York House on a regular basis moving forward with our team to ensure that the above steps are improving the situation.

Mr Brown, I do hope that these measures will help to resolve this issues you detailed in your letter.

I look forward to your response.

Kind regards



David Taylor  
General Manager

cc: Zafar Khalid, York House

# Westminster Citizens Advice Bureau

## Licensing Advice Project

21a Conduit Place  
London W2 1HS  
Email: [licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)  
Telephone: 020 7706 6029  
Fax: 020 7706 6039



Mr David Taylor  
General Manager  
The London Edition  
10 Berners Street  
London  
W1A 3BE

Our ref: RB/Edition  
Your ref:

17 February 2015

Dear Sir,

The London Edition, 10 Berners Street, London W1A 3BE  
Premises licence ref: 13/06844/LIPDPS

Thank you for your letter dated 16 February, the content of which is noted.

We look forward to hearing from you in due course.

Yours faithfully,

Richard Brown  
Licensing Advice Project  
Westminster Citizens Advice







The Premises Licence Holder  
The London Edition  
c/o 10 Berners Street  
London  
W1A 3BE

Our ref: LAP/Edition  
Your ref:

5 February 2015

Dear Sirs,

**The London Edition, 10 Berners Street, London W1A 3BE**  
**Premises licence ref: 13/06844/LIPDPS**

We write on behalf of a local resident who lives on Eastcastle Street in close proximity to the London Edition, to formally bring to your attention some issues of concern for a number of residents which have arisen in connection with the premises.

The resident is one of a number of local residents who have unfortunately experienced noise nuisance arising from the use of the hotel under the above referenced premises licence. The nuisance experienced arises from patrons of the hotel outside the premises late at night on Wednesday, Thursday, Friday and Saturday nights, whether arriving in large numbers at about 10pm onwards, leaving very late at night, or smoking outside the premises. This noise wakes up residents and as such causes a serious disruption to their daily lives. It has been ongoing for some months

When the premises licence was applied for in 2012, this particular resident chose not to object, being comforted by assurances from the Applicant as to how the premises would be run, particularly in respect of what was termed the 'function room' in the basement. However, as you will be aware, there were a number of objections from local residents. Two areas of concern were the hours permitted for members of the public to use the hotel facilities, and worries about noise from dispersing patrons on Eastcastle Street.

It seems from the nature of the nuisance and the nights on which nuisance is caused that the source of nuisance may be the 'function room', which we understand to operate as a nightclub called 'Basement' on the nights in question, with a terminal hour of 2am. We note that the draft 'Operational Management Strategy' which was part of the licence application stated that the 'function space will be operated to the highest Marriott standards.' Does the licence holder have operational control of 'Basement'?

*[Faint, illegible text at the bottom left corner]*

*[Faint, illegible text at the bottom right corner]*





Green Agate D 2010 Limited, Equity Trus House, 29-30 The Parade, St Helier, Jersey JE1 1EQ

Green Agate D 2010 Limited, 7 Albermarle Street, London W1S 4HQ

Premises Licensing Inspectorate, Westminster City Council – by email only

7

**Subject:** Re: Disturbance from the London Edition  
**From:** Zafar Khalid (zkhalid@yahoo.com)  
**To:** lance.perkins@editionhotels.com;  
**Cc:** David.Taylor@editionhotels.com; Edwin.Kramer@editionhotels.com;  
**Date:** Wednesday, April 1, 2015 2:58 PM

*Protest causes pandemonium  
 or lack of.*

*Hotel accepts the*

*altercation of  
 Thursday night although  
 disputes duration.*

*Does not acknowledge  
 Saturday. Does not provide*

Dear Lance  
 Thank you for the below.

Please can you provide me with your footage for the Thursday and the Saturday nights. *Footage as I have done*

We are fairly certain that the Thursday incident took place for much longer. The person involved *in part* crossed the road and was shouting from the other side of the road. I'm not sure if your footage has *Dom* sound. Please confirm.

I have spoken to 2 other residents, and they have confirmed this. The incident was not good. *Prosser accepted difficulties on night*

On Saturday I was woken at the time I mentioned by leavers. This was at shortly after closing time of the club. I looked out of the window. I saw people crossing the road laughing and causing the disturbance.

I also saw a member of staff who in one incident appeared to be walking with the guests north on Berners Street. Whether he was asking them to keep the noise down or some other conversation it was not effective.

After this I saw who I believe were other members of staff talking to leavers on the corner.

Dom confirmed that the staff members agreed that it was difficult to control leavers.

I mentioned at our meeting that there appears to be no suggestion that guests should keep the noise down and if not they will be penalised by way of not being allowed to re enter or not allowed in in the future.

This makes things somewhat ineffective or difficult. I am not saying that this will work but it may have more of an effect.

Friday I have no specific incidents to discuss. Just general noise.

Lance, you need to be aware that I am 100% committed to ensuring that I have a reasonably peaceful home and I can sleep. I am committed to protecting my own rest as well as the rest of my loved ones. I am committed to protecting the value of my neighbourhood and the value of my property. For residents with children these disturbances would be unbearable.

I have now been disturbed regularly since last year as have other residents.

I hope you can see that I am a very reasonable person, perfectly capable of being accommodating in order to see if disturbances can be controlled. You should also know that I like the hotel and the

various people I have spoken to.

I am happy that the hotel is 100% committed. However this reassurance and regret or apologies will hold little as this continues.

I have even thought about selling or renting. I would not be able to rent with the current noise.

If you believe you are doing 100% then maybe this is a problem that cannot be controlled.

I have given you my views and we have discussed other measures but ultimately the hotel needs to have a review of what it can do better and hopefully have this review very quickly.

Best wishes  
Zafar

PS I am happy to meet for a coffee. Re the acoustician please provide me with his details and I will arrange directly. The hotel needs to have someone advise re the steps being taken.

> On 31 Mar 2015, at 17:56, Perkins, Lance (EDITION Hotels) <lance.perkins@editionhotels.com> wrote:

>

>

>

> Hi Zafar,

>

> I've had the chance to review the CCTV and speak to the teams who were working on the night.

>

> Let me say firstly, that we are 100% committed to working with you on all of the points in the letter sent to you by David Taylor. The staff are being very proactive in their approach to managing the smoking area and the dispersal of the crowds during the evening.

>

> The incident on Thursday was a regrettable one, but this will happen unfortunately from time to time in any area of the city. It lasted 7 minutes from beginning to end and from my observations, the team dealt with it extremely professionally and quickly to minimise the impact.

>

> For the Friday and the Saturday, I was able to watch several hours of CCTV that showed groups coming south on Berners Street and not from the hotel. The corner staff member proactively walked guests to their cars to ensure that they kept their voices low and respected our neighbours. We have let guests know that we offer a valet service, to try and change their pattern of parking in the area.

>

> Rest assured we are working diligently to improve the standards and lower the impact on the neighbourhood and we would like to arrange for the acoustic engineer to visit you as soon as possible to look at ways of minimising any sound pollution from the hotel guests. On that, can you let us know if you would be available to meet with them on the 2nd or the 9th of April? We are committed to working with you and as stated in our telephone conversation, all points are a priority, for every evening.

>

> I look forward to hearing back from you, and would be happy to meet quickly for a coffee this week, if that suits you?

>  
> Sincerely,  
>  
> Lance  
>  
>  
> <[http://mm1.lettermark.net/EDITION/lhead/EDITION\\_LONDON.map](http://mm1.lettermark.net/EDITION/lhead/EDITION_LONDON.map)>  
> [[http://mm1.lettermark.net/EDITION/lhead/EDITION\\_LONDON.gif](http://mm1.lettermark.net/EDITION/lhead/EDITION_LONDON.gif)][http://mm1.lettermark.net/EDITION/lhead/EDITION\\_LONDON.map](http://mm1.lettermark.net/EDITION/lhead/EDITION_LONDON.map)>

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> [LANCE PERKINS Director of Bars London EDITION +44 (0) 20 7908 7959  
LANCE.PERKINS@EDITIONHOTELS.COM][http://mm1.lettermark.net/EDITION](http://mm1.lettermark.net/EDITION/card/EQRC_8.map)  
> /card/EQRC\_8.map>

>  
>  
>  
> -----Original Message-----

> From: Zafar Khalid [zkhalid@yahoo.com<<mailto:zkhalid@yahoo.com>>]  
> Sent: 31 March 2015 10:58  
> To: Perkins, Lance (EDITION Hotels)  
> Subject: Re: Disturbance from the London Edition

>  
> Good morning to you too!

>  
> If you are having problems locating the footage, Dom is aware of the 2 incidents. He discussed the Thursday altercation with me on Friday night whilst we were at the corner of Eastcastle street.

>  
> The Saturday disturbance I contacted him on separately.

>  
> Regards

> Zafar

>  
>  
>  
>  
>> On 31 Mar 2015, at 08:19, Perkins, Lance (EDITION Hotels) <[lance.perkins@editionhotels.com](mailto:lance.perkins@editionhotels.com)>  
wrote:

>>  
>> Good morning Zafar  
>> I'm back in the hotel today. So I'll run through the CCTV and the log reports and get back to you.  
>> Kind regards  
>> Lance

>>  
>> Sent from my iPhone

>>  
>> On 29 Mar 2015, at 18:30, Zafar Khalid <[zkhalid@yahoo.com](mailto:zkhalid@yahoo.com)<<mailto:zkhalid@yahoo.com>>>  
wrote:

>>  
>> Dear Lance,  
>>  
>> As you are aware we had our meeting on the 18th March. We have also had meetings previously with various members of staff. Many suggestions have been made.  
>>  
>> The problems if anything have worsened and the discussions have not resulted in any gain.  
>>  
>> Since the 18 March meeting there have been two weekends. 19-21 March the weekend was generally fairly quiet in the area however there was still regular general disturbance.  
>>  
>> This week has been busier. On Thursday 26 March at 1am there was an altercation outside the hotel which went on for some time. I spoke to Dom on Friday and he acknowledged this saying you had a very busy night. It, needless to say caused a disturbance, mid week.  
>>  
>> Friday was also busy. There was a significant uptick in people due to the hotel and large numbers arriving and leaving at all times upto 2.30 - 3am<x-apple-data-detectors://13>. There is little effective control with leavers and people parked up. There were many instances on Friday which caused disturbance to a sleeping person however the disturbance on Thursday was more significant.  
>>  
>> On Saturday night, I was woken at 3.07am<x-apple-data-detectors://1>. I initially thought it was too late to be the hotel but realised the clocks had gone forward.  
>>  
>> There were many guests leaving and making a lot of noise. Shouting and screaming in the street, right outside York House, and my windows which caused me to wake up.  
>>  
>> The hotel staff, it appears, are unable to make the leavers keep things quiet despite this being a 'function room' with guest list only invite. The hotel staff should know the guests and have some leverage. Dom mentioned that it was difficult to control people leaving and parked closeby.  
>>  
>> I believe your cameras will show the disturbance.  
>>  
>> It appears however many meetings we have, and we have had many, and whatever we agree, the positive effects are yet to be noticed.  
>>  
>> So this week there has been a significant altercation on Thursday, general disturbance on Friday, and significant disturbance on Saturday at closing time. The Thursday altercation had expletives and went on for upto half an hour.  
>>  
>> Please can you let me know why this week has been so difficult and the steps we discussed at our meeting have not been successful. How can we resolve this going forward?  
>>  
>> Regards  
>> Zafar Khalid  
>> York House  
>> 12 Berners Street<x-apple-data-detectors://3/1>  
>> W1T 3LG<x-apple-data-detectors://3/1>  
>> 07956503129<tel:07956503129>



**Subject:** RE: Edition hotel disturbance issues  
**From:** Perkins, Lance (EDITION Hotels) (lance.perkins@editionhotels.com)  
**To:** zkhalid@yahoo.com;  
**Date:** Wednesday, April 29, 2015 2:56 PM

Dear Zafar,

Thank you for getting in touch.

Regarding the smokers on Saturday night, when we had spoken you had said they weren't making a disturbance but that they were in the wrong spot and that they might make a noise there. I did say that we are proactive in our dealing with the guests and feel that sometimes when people are quiet and simply walking outside of the hotel as guests from the hotel can do, we do not approach them. There were 11 people outside in total, at the time when we spoke and there was no noise at all and only when a group walked past from down the street was there any audible noise worth mentioning.

We are still having conference calls with our head office to finalise a strategy for the future of Basement, but it will most certainly be ready to be made public in a few days.

Sorry for the delay.

Lance

<[http://mm1.lettermark.net/EDITION/head/EDITION\\_LONDON.map](http://mm1.lettermark.net/EDITION/head/EDITION_LONDON.map)>  
 [[http://mm1.lettermark.net/EDITION/head/EDITION\\_LONDON.gif](http://mm1.lettermark.net/EDITION/head/EDITION_LONDON.gif)]  
 <[http://mm1.lettermark.net/EDITION/head/EDITION\\_LONDON.map](http://mm1.lettermark.net/EDITION/head/EDITION_LONDON.map)>

<[http://mm1.lettermark.net/EDITION/card/EQRC\\_8.map](http://mm1.lettermark.net/EDITION/card/EQRC_8.map)>  
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 LANCE.PERKINS@EDITIONHOTELS.COM]  
 <[http://mm1.lettermark.net/EDITION/card/EQRC\\_8.map](http://mm1.lettermark.net/EDITION/card/EQRC_8.map)>

-----Original Message-----

**From:** Zafar Khalid [zkhalid@yahoo.com<<mailto:zkhalid@yahoo.com>>]  
**Sent:** 29 April 2015 14:48  
**To:** Perkins, Lance (EDITION Hotels)  
**Subject:** Edition hotel disturbance issues

Dear Lance

*Response received with  
 Lance Perkins re smokers.  
 Although not convenient licence it  
 was against what was agreed with  
 hotel and security staff had not  
 been giving full picture. Also there has  
 been no update re*

*Strategy*

I hope you are well.

I am writing about the conversation we had outside the hotel Saturday night, Sunday morning around 00:40am. I had spoken to the security people about smokers not being in the smoking area and smoking on Eastcastle street. The first security person initially said the smokers were not going back in to the hotel, then his colleague came and said they would not be allowed back in. They did eventually go back in to the hotel. I believe this is in contravention of the licence. I'm not sure what your view is. The security person did very little even though this was an easy situation to resolve and control. The initial group with the smokers was causing disturbance and I then left the house.

You came to the front of the hotel, maybe you were informed or saw this on security camera but you mentioned that you were going to discuss the future operation of the Basement club and would get back to me by Tuesday.

Please can you provide me with your update.

Best wishes  
Zafar

< (1) dominik.prosser@gm... Contact < (1) dominik.prosser@gm... Contact

message  
Fri 30 Jan 02:14

Apologies. I have just walked the perimeter. We have reduced the smoking area and are taking a more proactive approach with guests. Apologies again for any intrusion.

I'm investigating right now. Apologies again

Dom this is unacceptable, 20-30 people 3 cars staff doing little but then again



Send

Dom this is unacceptable, 20-30 people 3 cars staff doing little but then again, what can they do. People still leaving no staff to be seen. I have not seen staff ask anyone to keep the noise down. Zafar

I have 5 guys out there right now they are on it. Will be over very shortly.

I have videos and pictures. It of course will be over but only after causing the disturbance.



Send

< (1) dominik.prosser@gm... Contact < (1) dominik.prosser@gm... Contact



noise again. Thanks

I understand and will be looking at CCTV tomorrow to find the cause of the nuisance. I am sorry to wake you and please do let me know if we cause noise again. Thanks

Fri 27 Feb 11:30

Hi Dom, there are three hotel guests parked outside my window. They are sitting on the bonnet of their car talking loudly. The security guy is doing



Send



Send

Hi Dom, there are three hotel guests parked outside my window. They are sitting on the bonnet of their car talking loudly. The security guy is doing nothing. Please can u address. Zafar

They have gone back in the hotel, why can the guy on the corner not insist they keep the noise down?

Delivered

< Messages (1) Dominik Contact < Messages (1) Dominik Contact < Messages (1) Dominik Contact

Message  
Fri 19 Dec 21:59

Dom from the London  
Edition here.

Message  
Fri 30 Jan 01:01

Hi Dom, lots of noise  
people standing outside  
and walking to and away  
from the hotel. Person on  
corner is not actively  
controlling noise. Pls can u  
see to this thanks Zafar  
York house

Wed 18 Mar 01:26



Send

York house

Wed 18 Mar 01:26

Hi Dom lots of noise from  
outside hotel for an hour.  
Pls advise Zafar

Just heard you called from  
the night manager. I've  
gone on the corner now  
and made sure it's quiet

Dom this is really  
becoming a habit now,  
and is unfair and  
unacceptable. It's Tuesday  
night, do u hv licence til



Send

Dom this is really  
becoming a habit now,  
and is unfair and  
unacceptable. It's Tuesday  
night, do u hv licence til  
2am? Why can the staff  
not act proactively and  
firmly? I hv had so many  
apologies but want them  
to do their job!

It's a party for Nike who  
are staying in house. I  
understand your  
frustration.

Wed 18 Mar 15:24

Send

frustration.

Wed 19 Mar 11:30

Hi Dom, I'm running 5-10 mins late. Pls can u inform Lance also. Many tks Zafar

Sure. We are in the lobby when you're ready

Fri 20 Mar 11:30

Hi Zafar. I have a copy of the reply to Richard Brown for you. What's your address so I can pop it in your letterbox?

Send

your letterbox?

Sat 21 Mar 11:30

Hi Dom, it's flat 2 York house 12 Berners Street W1T 3JG. email zkhalid@yahoo.com. Is Julian or Lance going to sum up Wednesdays meeting with action points or proposals? Best wishes Zafar

Really surprised to hear that. We've been all over it today. Very sorry I'm outside now and there's no one outside

Check ur cameras u will see it. Some of ur staff escorted them to their cars

Send

Yes Lance will by Monday. Ill pop that letter in your post today

Sat 19 Mar 10:30

Send



BASEMENT MIAMI

presented by Thump

Our sister Basement Miami is turning things up just a little with their lineup for this years Miami Music Week presented by THUMP.

**TUESDAY MARCH 24th**

Discobox Presents:

Jamie Jones & Lee Foss

**WEDNESDAY March 25th**

Scithec Presents: Dubfire, Paul Ritch  
(live), Carlo M3, SHADED (live), STIV BEY  
+ a very special guest

**THURSDAY March 26th**

Del Mix & Vagabond at Large Present:  
**Frankie Knuckles Tribute** featuring  
DJ David Morales, Hector Romero, Quantin  
Harris

**FRIDAY March 27th**

Discobox Presents:

Questlove, DZA

**SATURDAY March 28th**

Resident Advisor Presents:

ART DEPARTMENT, Dennis Ferrer, Jimmy Edgar

**Tickets available:**

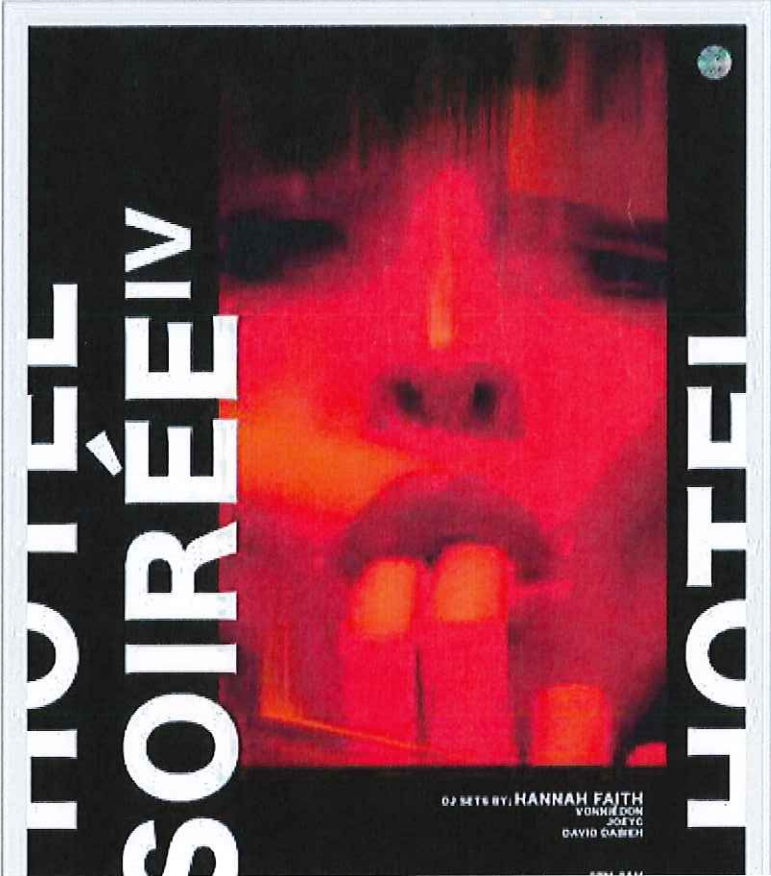
<http://basementmiami.com/events>



REUNION JULIUS WALKER AGAIN  
SOUL IN MOTION

Back for another with special guest DJs TOTAL SCIENCE, XTRAB, BLU MAR TEN, RESPONSE plus residents SALLEY & NEED FOR MIRRORS.

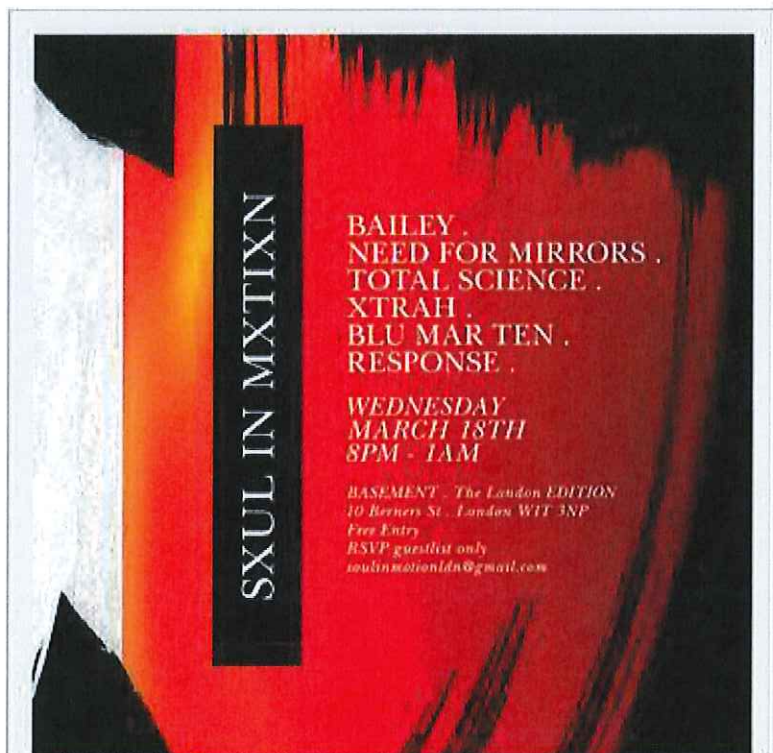
For free guest list RSVP (w/ full names) now to:  
[Info@basementidn.com](mailto:Info@basementidn.com)





# BASEMENT

## THIS WEEK:



Wednesday 18th March 8-1am

SXUL IN MOTION

Back for another with special guest DJs TOTAL SCIENCE, XTRAH, BLU MAR TEN, RESPONSE plus residents BAILEY & NEED FOR MIRRORS.



Thursday 19th March 9-2am  
LAST NIGHT IN PARIS

Back for another #Hotelsoirée special with guest  
DJs HANNAH FALTH, VONNIEDON, JOEYC, DAVID DABIEH  
plus LNIP (Live)

For free guest list RSVP (w/ full names) now  
to: [Info@basementidn.com](mailto:Info@basementidn.com)



Free entry RSVP musicparties@gmail.com

**Friday 20th March 9-2am**  
**MÚSICA LUNA**

Back in the Basement with special guest DJs  
[ARTENIO \(Teat Pasa Jino\)](#) plus NANCY NOISE.

For free guest list RSVP (w/ full names) now  
to: [Info@basementldn.com](mailto:Info@basementldn.com)

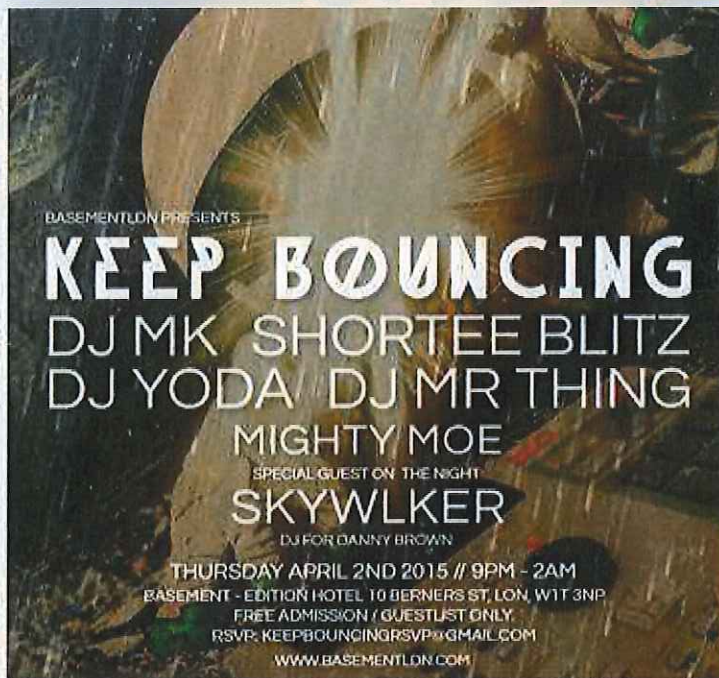


**Saturday 21st March 9-2am**  
**DEEP SHIT**

With very special guest DJ [AUNTIE FLO \(Huntleys + Palmer\)](#) plus residents [EDWIN CONGREAVE \(FOALS\)](#) & [JACK SAVIDGE \(FRIENDLY FIRES\)](#).

For free guest list RSVP (w/ full names) now  
to: [Info@basementldn.com](mailto:Info@basementldn.com)





Thursday 2nd April 9-2am

KEEP BOUNCING

**Presents**

A night of old school Hip Hop with guest DJs DJ YODA, DJ MK, SHORTEE BLITZ, DJ MR THING plus guest host MIGHTY MOE and special guest SKYWALKER (DANNY BROWN Tour DJ).

Take a listen to the Keep Bouncing playlist: [Here](#)

For free guest list RSVP (w/ full names) now to: [info@basementldn.com](mailto:info@basementldn.com)

For free guest list RSVP full names now to -

[info@basement.ldn.com](mailto:info@basement.ldn.com)

**BASEMENT**  
THE LONDON EDITION, 10 BERNERS STREET, LONDON W1T 3NP

# NOBODY'S BUSINESS

SATURDAY 7<sup>th</sup> FEBRUARY

WWW.NOBODY'S-BIZ.COM #MEMBERSONLY

**SMOOTH DASTARD • J33  
FLOSS DAILY • JAMES MASSIAH  
ZEZI IFORE**

RSVP: NOBODYSBIZLDN@GMAIL.COM

[Saturday 7th January 9-3am](#)  
[NOBODY'S BUSINESS](#)

With Special Guest DJs [Smooth Bastard](#), [Floss Daily](#), [James Messiah](#), [J33](#) & [ZEZI IFORE](#)

For free guest list RSVP full names now to -  
[info@basement.ldn.com](mailto:info@basement.ldn.com)

# Westminster Citizens Advice Bureau

## Licensing Advice Project

21a Conduit Place  
London W2 1HS  
Email: [licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)  
Telephone: 020 7706 6029  
Fax: 020 7706 6039



Ms. Yolanda Wade  
Senior Licensing Officer  
Licensing Team  
Public Protection and Licensing Department  
Westminster City Council  
4th Floor East  
64 Victoria Street  
London SW1E 6QP

By email only: [ywade@westminster.gov.uk](mailto:ywade@westminster.gov.uk)

Our ref: LAP/Edition  
Your ref: 15/03928/LIREVP

9 September 2015

Dear Yolanda,

'The London Edition', 10 Berners Street, London W1T 3NP

Premises licence ref: 13/06844/LIPDPS

Application for review of premises licence under s51 Licensing Act 2003- ref: 15/03928/LIREVP

Mr Khalid, the applicant in the above review, has asked me to represent him at the adjourned hearing which is due to take place on Thursday 17<sup>th</sup> September at 10am.

Mr Khalid confirms that a hearing is necessary, and that he will be in attendance. Other residents will no doubt confirm to you direct whether they are able to attend. Mr Khalid knows of a number who would like to attend.

I thought it would be helpful to provide the Sub-Committee, the licence holder and other interested parties with an update on the current situation. Mr Khalid has provided the following by way of additional supporting documentation:

1. Updated Noise Log from 6 May 2015
2. Further video evidence (to follow by email from Mr Khalid)

I am instructed that the current position is as follows. The application was made on 21 May. A hearing was listed for 23 July, but adjourned at the licence holder's request. It is understood by Mr Khalid that in the meantime the basement nightclub has ceased operating. It is not known whether this is a temporary or permanent measure. There is still considerable noise and other nuisance of the type set out in the application caused by guests of the Hotel throughout the evening up until about 1.30am. There has been a natural reduction in the nuisance that residents have experienced after this time because there are no longer customers exiting the basement nightclub Hotel at 2am and later.

The Hotel's bars and restaurant are permitted to provide licensable activities to the public until 1am. It has become apparent – and is evidenced by the Noise Log and footage enclosed – that the role played by the other licensed areas of the Hotel in the nuisance which residents have experienced is greater



# Westminster Citizens Advice Bureau

## Licensing Advice Project

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Telephone: 020 7706 6029  
Fax: 020 7706 6039



than Mr Khalid first assumed. This may be due to the high footfall which these public areas engender, which results in a high numbers of customers on the street smoking, late at night, and dispersing from the premises and vicinity. Mr Khalid has not perceived the licence holder's management of these situations to have improved noticeably since the review was issued.

Accordingly, Mr Khalid would like to propose amendments to the conditions requested in the application, relating to the areas on the ground floor where licensable activities are provided. The changes consist chiefly of a request that the Sub-Committee reduces the hours for licensable activities on the ground floor to members of the public in line with the Council's 'core hours' Policy (slightly longer on Sundays). There are a few other minor amendments/clarifications.

I have enclosed a list of the amended set of conditions requested by Mr Khalid, with track changes showing where the wording is different to the conditions in the application form.

It is hoped that this update and amended set of conditions will assist the Sub-Committee and the other parties prior to the hearing, and reduce the time needed at the hearing. I have copied this letter and enclosures to Mr Skeens and Mr Elford of Jeffrey Green Russell Limited, who I believe are instructed by the licence holder.

Yours sincerely,

**Richard Brown**  
Licensing Advice Project  
Westminster Citizens Advice

Encs

cc Jeffrey Green Russell Limited – FAO Julian Skeens and Luke Elford – by email only to:  
[JMS@jgrlaw.co.uk](mailto:JMS@jgrlaw.co.uk) and [LJE@jgrlaw.co.uk](mailto:LJE@jgrlaw.co.uk)

