

Licensing Sub-Committee Report

Item No:	
Date:	12 November 2015
Licensing Ref No:	15/07395/LIPN - New Premises Licence
Title of Report:	Restaurant 17 Bedford Street London WC2E 9HP
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	3 September 2015		
Applicant:	Bedstorm Limited		
Premises:	Restaurant		
Premises address:	Ground Floor and Basement 17 – 19 Bedford Street London WC2E 9HP	Ward:	St James's
		Stress Area:	West End
Premises description:	The premises is a restaurant with ancillary bar on the ground and basement floors.		
Premises licence history:	None.		
Applicant submissions:	<p>Following discussions with the responsible authorities, updated plans have been submitted showing the removal of the basement from the licensed area and the addition of a toilet as requested by Environmental Health. A total capacity of 260 based upon means of escape has been proposed.</p> <p>The applicant has confirmed that the 19 people in the bar area will be standing.</p> <p>A further 3 conditions have been agreed with Environmental Health.</p> <p>CCTV conditions have been agreed with the Police, however the Police request to amend condition 10 (see Appendix 4) has not been agreed.</p> <p>On 4 November 2015, the applicant made further submissions which include:</p> <ul style="list-style-type: none"> • Revised plans clarifying the means of escape dimensions and removing the basement from the area for licensable activities; • A schedule of 24 proposed conditions (see conditions 9 – 32 of Appendix 4); • A schedule of the representations; • Submissions regarding Appendix 11 of the Council's Statement of Licensing Policy 2011 – Guidance on Noise. 		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	00:00	00:00	00:00	00:00	00:00	00:00	N/A
Seasonal variations:		None.					
Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Sale by retail of alcohol				On or off sales or both:			On only
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	23:00
Seasonal variations:		None.					
Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:30
End:	00:00	00:00	00:00	00:00	00:00	00:00	23:00
Seasonal variations:		None.					
Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					
Adult Entertainment:		N/A					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Police Licensing Team
Representative:	PC Adam Deweltz
Received:	8 September 2015
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be making a representation. It is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is situated within the West End Stress Area, a locality where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact.</p> <p>Would you consider amending condition 2 to:</p> <ul style="list-style-type: none"> • <i>Notwithstanding condition (1), alcohol may be supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time, of (19) persons dining at the premises.</i> <p>Could you also amend the CCTV conditions 4 and 5 to:</p> <ul style="list-style-type: none"> • <i>The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.</i> • <i>A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</i> 	
Responsible Authority:	Environmental Health Service
Representative:	Sally Thomas – Senior Practitioner
Received:	22 September 2015
<p>I wish to make the following representations in relation to the above application:</p> <ol style="list-style-type: none"> 1. The Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance in the stress area and may impact on Public Safety. 2. The provision of Late Night Refreshment may have the likely effect of causing an increase in Public Nuisance in the area stress area. 	

3. The extension of hours on New Year's Eve may impact on Public Nuisance in the stress area.

The plans indicate 3 female WCs, 2 male WCs, 3 urinals, 1 accessible WC and 2 staff WCs. The applicant will need to ensure the capacity is compliant with the British Standard 6465-1:2009 Table 10. The capacity is proposed as 209 excluding staff, 1 further female WC is required.

The applicant has provided additional information and conditions with the operating schedule which are being considered, but does not fully address the concerns of Environmental Health. The premises are required to be inspected by the Council's Environmental Health Service to confirm that they are satisfied that the premises are suitable, in relation to addressing the licensing objectives of Public Safety and Prevention of Public Nuisance. The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

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

Following a site visit, Miss Thomas provided further comments on 6 October 2015:

1. The basement will not be used for licensable activities, please ensure the plan reflects this.
2. The premises will need a total of 5 female WCs, 2 male WC and 3 urinals, staff WCs, and an accessible WC.
3. We await details of the emergency escape doors, as discussed in the meeting.
4. Please confirm whether the 19 people in the bar area will be seated or standing.
5. I attach my proposed conditions, please let me know your thoughts:

1. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. *(To replace proposed condition 6)*

2. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. *(To replace proposed condition 8)*

3. All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access and egress.

2-B Other Persons	
Name:	Mr David Kaner on behalf of the Covent Garden Community Association
Address and/or Residents Association:	42-44 Earlham Street Covent Garden London WC2H 9LA
Received:	1 October 2015
<p>This representation is being made by the Covent Garden Community Association (CGCA). CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue, Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 16th March 2015.</p> <p>This Representation is being made regarding the grant of a premises licence for 17-19 Bedford Street to allow its use as a Restaurant beyond the Core Hours within WCC's Statement of Licensing Policy.</p> <p>This large site is on Bedford Street to the West of the Piazza. Bedford Street contains a number of other retail and licenced premises at ground floor and basement levels and has residential properties in many buildings at first floor and above, including the one in which these premises are located.</p> <p>The service area and entrance at the rear of the restaurant backs on to Bedford Court and the side elevation of the building is onto a section of Bedford Court which runs at ground floor level to join it to Bedford Street. Bedford Court, and Bedfordbury behind it, is a predominately residential area away from the main areas of commercial activity.</p> <p>The arguments against having a restaurant operation at this location have been extensively discussed when the Planning Application was considered. When originally developed this site had A1 use and the grant of Planning Permission for A3 use was resisted by a large number of residents and the CGCA. The permission was granted with a large number of restrictions, many of which have been replicated in the Operating Schedule, for which we are grateful. We have also met with the applicant and Mr. Thomas during the consultation period.</p> <p>We would like to make clear that we believe that it is important that, in order to support the Licensing Objectives, that all of the Planning Conditions that are relevant to the Licensing Objectives are reflected in the Licence. This is because the NPPF has weakened the Planning Authority's discretion to refuse applications to vary the conditions. This means that we cannot rely on a Planning Condition that is in force at the time the licence to be sufficient, on its own, to support the Licensing Objectives.</p> <p>This application is for a large (190 cover) restaurant with a 19 capacity bar area. The restaurant is on the ground floor with toilets, kitchen, prep and storage areas in the</p>	

basement. The large remaining part of the basement is currently unoccupied and does not have A3 use. The premises have offered MC66 and are therefore a genuine restaurant with the bar only intended for customers who will/have eaten at the restaurant. The hours requested are for the sale of alcohol 10:00-00:00 Mon.-Sat. and 12:00-23:00 on Sunday. On Monday to Thursday these hours are later than Core Hours.

The CGCA's view is that this is a large premises and allowing it to operate later than Core Hours will increase the number of people in the area and so add to the public nuisance already being caused. For a smaller restaurant premises with MC66 (eg a capacity of 50) we would be less concerned but the large size of the premises and the possibility of it still trading at full capacity after the end of Core Hours is of concern to us.

We are also concerned about the impact of a bar area, even though of low capacity, especially towards the end of the trading period. We believe that a limited bar service for people waiting to dine is reasonable. However allowing people who have finished their meal at 23:00 to move to the bar may well increase the amount of alcohol they consume and the likelihood of them causing a nuisance when they leave. We would like to see a condition where the admittance to the bar area ceases 60 minutes before the premises close. We also believe that the sale of alcohol in the bar area should be by waiter/waitress service to seated customers only. The plans suggest that this is possible as there are 19 seats in this area.

In the same context we believe that it is appropriate for the premises to have a last entry condition for customers. As a full service restaurant we believe that last entry should take place 60 minutes before close. The applicant has suggested that this would not be desirable because it would prevent someone coming to the restaurant to collect a colleague but our view is that this person would not be a customer as they would not be purchasing anything themselves and would not be consuming alcohol (as this would not be permitted anyway). Therefore a last entry condition for customers would not preclude this. This condition, together with a restriction on the use of the bar area, would encourage a gradual dispersal of customers.

Our other concerns relate to the impact of the operation of the premises in the surrounding area.

The Planning Permission restricts the restaurant entrance to Bedford Street, with other doors used in emergencies only. We would like to see this replicated on the Licence as the use of doors onto Bedford Court would cause a Public Nuisance. As noted above the fact that this is a Planning Condition is not sufficient for us to rely on it to support the Licensing Objective.

There is no smoking area or limit on customers proposed. The appropriate area is on Bedford Street, and not under cover on Bedford Court. It should also be in an area away from residential windows. We believe that the number of people should be restricted and would suggest a limit of 6 people.

There should also be a condition that staff do not smoke in the area to the rear of the premises in Bedford Court, as this will cause a nuisance to residents in that area.

There should be no queuing outside the premises.

Restrictions on deliveries are included in the Planning Conditions and are repeated in the Operating Schedule. However there are no restrictions on waste collections. The Operating Schedule restricts waste collections to 07:00-23:00 every day.

These premises will have a bottle crusher (by Planning Condition). We would like to see a Licensing Condition which **requires** the premises to use this crusher for all glass. This is because the moving and collection of uncrushed glass causes significant noise. This could be as follows:

No uncrushed glass will leave the premises at any time.

We also believe that the window allowed for waste collections is too wide. Collections will take place from the service area of Bedford Court which is surrounded by residential properties. The Servicing Condition restricts deliveries to be within the service entrance between 08:00 and 12:00 each day. We believe that the hours for collection of waste should also restrict the time. Vehicles coming to collect waste are noisy in themselves, during the collection process and, as they will be reversing into or out of the area, will use reversing alarms which cause significant noise nuisance. In order to reduce the nuisance caused we would like the window for collection of waste to be 08:00-20:00 Mon-Sat and 10:00-20:00 on Sunday. The later start of Sunday is to allow residents to recover from the usually noisy Saturday night activity in the area.

In summary we are concerned about hours outside Core Hours for such a large premises.

We would like conditions included on the Licence as follows:

1. Last entry to bar area 60 minutes before premises close.
2. Last entry of customers to the premises 60 minutes before premises close.
3. Sale of alcohol in the bar area by waiter/waitress service to seated customers only.
4. Entry/Exit of customers restricted to Bedford Street at all times other than in an emergency.
5. Specified smoking area with a limited number of customers.
6. No smoking by staff in Bedford Court.
7. No queuing outside the premises.
8. No uncrushed glass will leave the premises at any time.
9. Collection from the premises (including waste) to take place within the following hours - 08:00-20:00 Mon-Sat and 10:00-20:00 on Sunday.
10. No waste to be placed outside or moved more than 30 minutes prior to this time.

This inclusion of these conditions will not, in our view, make the operation outside Core Hours an exception but will serve to reduce the impact on the Licensing Objectives. They are necessary conditions even if the hours are restricted to Core Hours.

Name:	Ms Maureen Chadwick
Address and/or Residents Association:	22 Spencer Road London SW18 2SW
Received:	21 September 2015
<p>I am the joint owner with Katherine Gotts of Flat 10, 19 Bedford Street and we registered our strong objections, together with local residents and the CGCA, to the original planning application for this restaurant development which contravened Westminster's TACE 10 policy. Planning permission was only granted on the basis of Cllr R Davis using his casting vote and guaranteeing strong conditions to limit the nature and extent of the development, which this licensing application openly disregards. At every stage these developers have blatantly manipulated the planning procedures to their own advantage against the interests of local residents and this licensing application should be refused on the basis that it flouts the additional conditions guaranteed by the planning committee in granting permission for the restaurant development.</p> <p>Our objections to this licensing application are based on the Prevention of Public Nuisance & the Prevention of Crime and Disorder. We are concerned that there are insufficient safeguards to prevent potential problems with late-night drinking and suggest changes be made to the application to ensure that:</p> <p>a) use is restricted to 'framework hours', particularly mid-week; b) the bar area is closed at least 30 minutes before the restaurant closes; c) the requirement to use the Bedford Street entrance is clearly specified.</p>	
Name:	Mr Philip McIntyre
Address and/or Residents Association:	19 Bedford Street Covent Garden London WC2E 9HP
Received:	30 September 2015
<p>The hours open should be framework hours 23:30pm Monday to Thursday, 00:00 Friday and Saturday, 23:00 on Sundays.</p> <p>Leaving and arriving by Bedford Street entrance only.</p> <p>Last entry condition - 30 minutes before close nobody entering for drink only.</p> <p>Smoking in designated area only and limited to 10 people at any one time.</p> <p>Bar closes 30 minutes before restaurant closes so people are not just drinking.</p> <p>All vehicle deliveries only unloaded within the loading bay.</p> <p>Waste collection limited to 08:00 to 20:00 Monday to Saturday, 10:00 to 20:00 on Sundays.</p>	

Name:	Mrs Caroline McIntyre
Address and/or Residents Association:	19 Bedford street Covent Garden WC2E 9HP

Received:	20 September 2015
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Due to the delicate and contentious nature of this application for a restaurant of this size on the ground floor of 17 Bedford Street which gained the application due to Cllr Robert Davis passing it despite being against Westminster policies TACE 10, huge opposition from local residents, the opposition from the CGCA, 3 St James Ward Councillors minded to oppose and the local community. Cllr Robert Davis assured us that by passing the application with strong conditions it would avoid an objection which would lead to a costly appeal for council.

Permissions were passed for the restaurant on the ground floor only with services and an office space in the basement. However I notice that on the notices posted front of the building the drinking licence application has slipped in the basement as well.

This needs to be rejected!

We were very fearful that the original application for a high class restaurant was the first step to a stealthy progress towards a late night drinking establishment with food and a nightclub in the basement. The licence application seem to back this up.

This is a quiet enclave of families, children, working professionals and vulnerable people. It is an area of stress and protected by policies and any extended drinking could lead to disorder, crime, public safety and noise. We need to protect from crime and disorder, prevent against nuisance and protect children from harm.

Therefore, we need to ensure that conditions put in place by Cllr Robert Davis when passing the application against strong opposition must be upheld.

In addition we would like to see alcohol restricted to dining only with the last orders at 10pm with dinner to prevent late night drinkers after dinner.

Name:	Mr Anthony Irwin
Address and/or Residents Association:	40 Davey's Court 33 Bedfordbury London WC2N 4BW

Received:	1 October 2015
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As a resident of Davey's Court "Sheltered Housing" scheme for the elderly and disabled, I object on behalf of myself and 16 of the other residents whose bedroom windows face on to Bedford Court adjacent to this restaurant and immediately beside its loading bay.

Though we were told at the planning meeting, the entrance on Bedford Street was the only one to be used by clients, we find it impossible to believe that clients leaving late in the evening can be stopped from wandering noisily down the narrow alley and street, towards St Martins Lane and the public Car Park, or using this alley for smoking outside the restaurant. Smoking should be restricted to Bedford Street only, and not the covered part of the alley in Bedford Court.

The noise that echoes up from the tall blocks on every side of Bedford Court is amplified to the extent that one can easily hear both sides of a conversation on a mobile phone.

We would therefore ask for the hours to be restricted to normal framework hours until 23:30 Monday to Thursday, 00:00 Friday to Saturday and 23:00 hours on Sunday. Even these times gives little chance of a peaceful night before the early hours.

As for deliveries, to the Bedford Court delivery bay, it is vital that diesel powered vans are not allowed to queue outside the bay for entrance as the fumes rise straight up into our windows which hinge upwards. Similarly that waste collections is limited to 08.00-18.00. The noise of these vans is deafening in this enclosed area.

Though we strongly objected to the original planning use, we would object very strongly if needless noise disturbs us in the early hours.

Please limit the hours of use to Framework Hours.

3. Policy & Guidance

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

Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy STR1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.</p>
Policy RNT2 applies:	<p>Applications will be granted subject to other policies and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Areas.</p>

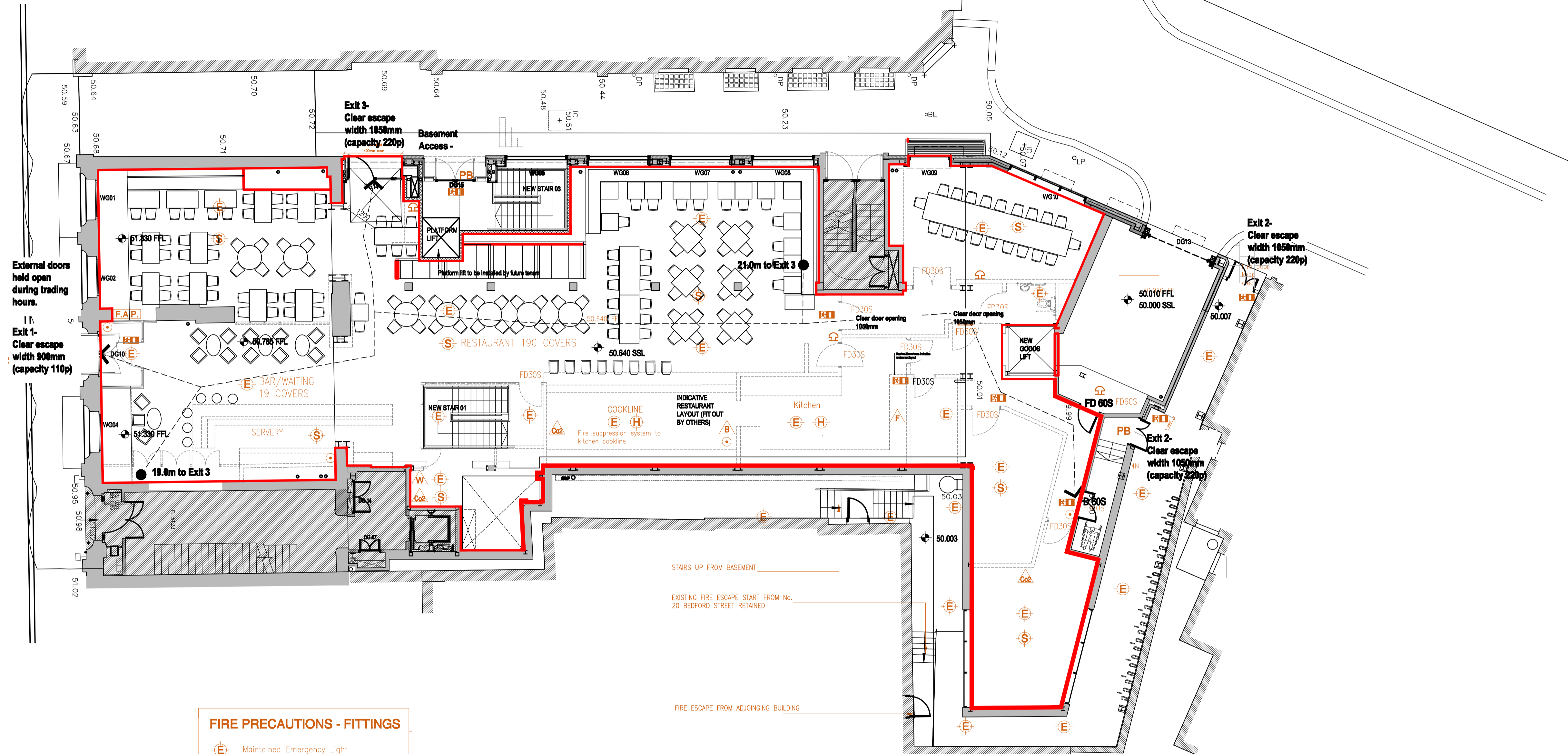
4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history – None.
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Mr Nick Nelson Senior Licensing Officer
Contact:	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

Appendix 2 - Proposed Plans

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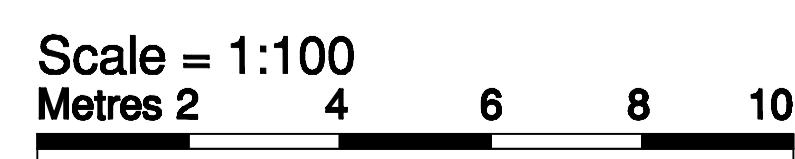


- ### FIRE PRECAUTIONS - FITTINGS
- Maintained Emergency Light
 - Maintained External Bulkhead Light
 - Smoke Detector
 - Heat Detector
 - Fire Exit Sign - Illuminated
 - Fire Extinguisher - 9 Litre Water
 - Fire Extinguisher - 6 Litre Water
 - Fire Extinguisher - CO2
 - Fire Blanket
 - Alarm Call Point
 - Fire Extinguisher - Foam
 - Alarm Sounder
 - Half Hour Fire Door. See note.
 - Panic Bolt & 'Push Bar to Open' sign.
 - 'Fire Door - Keep Shut' sign.
 - Mandatory 'Fire Door Keep Clear' notice
 - Fire Alarm Panel

LICENSING KEY
 Denial of premises including Sale & supply of alcohol, and late night refreshment.

NOTES:
 Items shown on this plan which are not part of the statutory requirements are shown for indicative purposes only. This would include loose or fixed furniture in certain circumstances, the position of toilet cubicles, CCTV cameras and fire safety equipment not specified in the Regulations. These are shown upon the plans for illustrative purposes only and may be moved at the discretion of the license holder.

The current location of fire safety equipment and other safety equipment is shown. These may be subject to variation in the future as necessary and where applicable in liaison with the Fire Officer.



REVISIONS		
REV	DATE	DESCRIPTION
A	11.08.15	CN TRAVEL DISTANCES ADDED
B	17.08.15	CN FURNITURE ADDED
C	19.8.15	CN COVERS NUMBERS ADDED
D	3.9.15	EAL Loading bay layout amended. Ref to regulated entertainment and confirmation of numbers removed.
E	20.10.15	CN Door clear escape widths amended.

THE OLD MILL, CASTLE STREET
 ONGAR, ESSEX CM5 9JY
 TELEPHONE (01277) 368001
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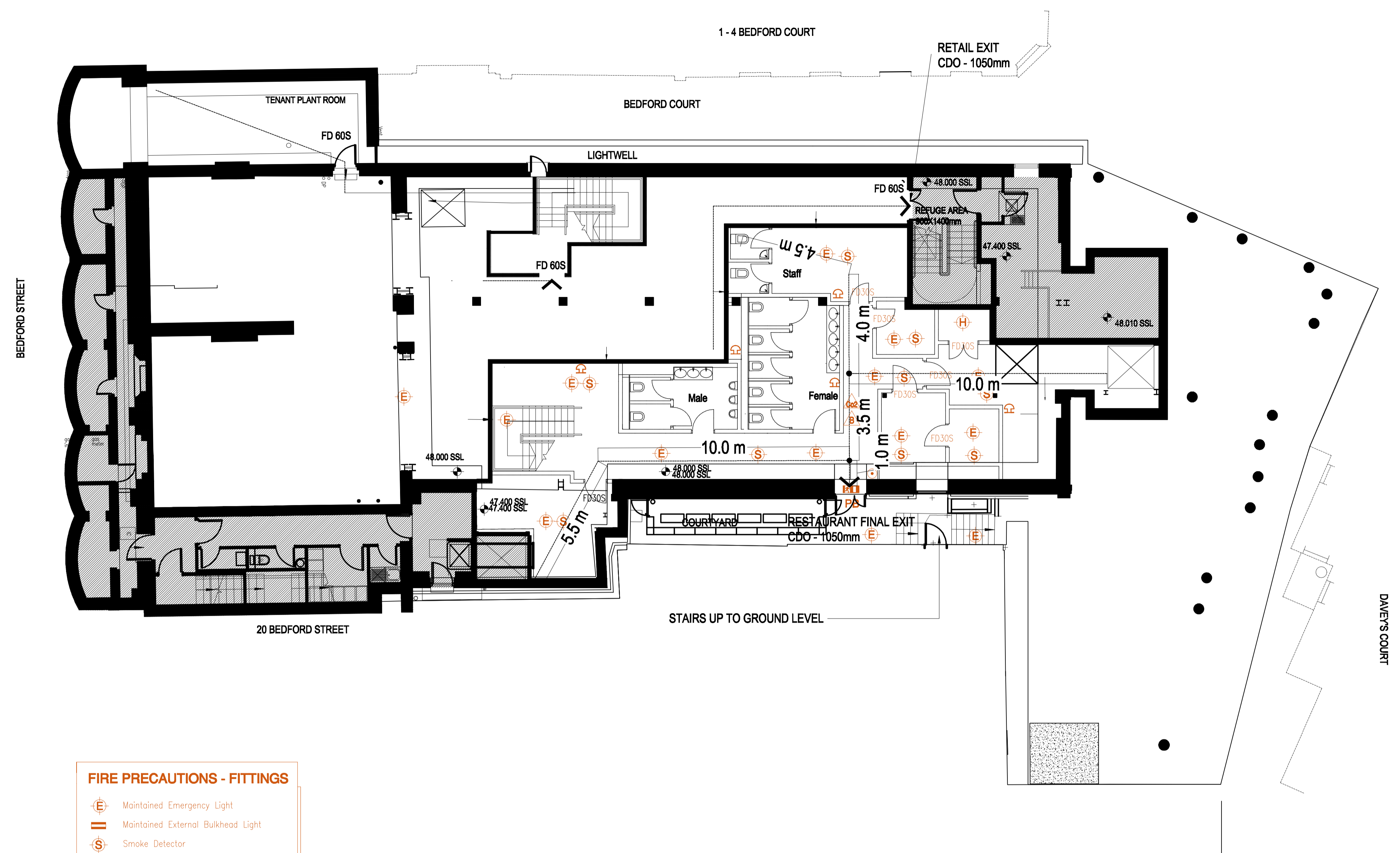
PROJECT
**BEDFORD STREET,
 COVENT GARDEN**

CLIENT
PAUL CORRETT

TITLE
**GROUND FLOOR
 LICENSING**

DATE	DRAWN	SCALE (At Size)
AUG 15	CN	1:100

DRAWING NUMBER	REVISION
3934/202	E



FIRE PRECAUTIONS - FITTINGS

- Maintained Emergency Light
- Maintained External Bulkhead Light
- Smoke Detector
- Heat Detector
- Fire Exit Sign - Illuminated
- Fire Extinguisher - 9 Litre Water
- Fire Extinguisher - 6 Litre Water
- Fire Extinguisher - CO2
- Fire Blanket
- Alarm Call Point
- Fire Extinguisher - Foam
- Alarm Sounder
- FD30S Half Hour Fire Door. See note.
- Panic Bolt & 'Push Bar to Open' sign.
- 'Fire Door - Keep Shut' sign.
- Mandatory 'Fire Door Keep Clear' notice
- Fire Alarm Panel

REVISIONS

REV	DATE	BY	DESCRIPTION
A	15.08.11	CN	Travel distances added, female toilets added
B	3.9.15	EAL	Ref to regulated entertainment removed.
C	20.10.15	CN	Toilet layouts amended. Licensing line removed.

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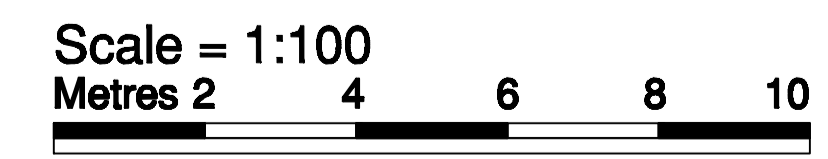
PROJECT
**BEDFORD STREET,
 COVENT GARDEN**

CLIENT
PAUL CORRETT

TITLE
**BASEMENT FLOOR
 LICENSING**

DATE	DRAWN	SCALE (A1 Size)
Aug 15	CN	1:100

DRAWING NUMBER	REVISION
3934/201	C



Ground and Basement Floors, 17-19 Bedford Street WC2E 9HE

APPLICATION SUMMARY

PROPOSED HOURS

Late Night Refreshment (indoors)	23:00 – 00:00 Monday – Saturday
Sale of Alcohol (for consumption on the premises only)	10:00 – 00:00 Monday – Saturday 12:00 – 23:00 Sunday
Non-standard hours (all licensable activities)	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
Opening hours	09:00 – 00:00 Monday – Saturday 09:30 – 23:00 Sunday

DESCRIPTION OF PREMISES

Restaurant with ancillary bar on ground and basement floors following the grant of planning permission 14/06731/FULL

PROPOSED CONDITIONS

1. The premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

2. Notwithstanding condition [1], alcohol may be supplied and consumed in the bar area hatched black on the plan, by up to a maximum at any one time, of [19] persons dining at the premises.

3. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
4. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31days with date and time stamping. Recordings shall be made available, immediately upon the request of Police or authorised officer throughout the preceding 31days.
5. A staff member from the Premises who is conversant with the operation of the CCTV system shall be on the Premises at all times when the Premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
6. Challenge 21, a proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - i) all crimes reported to the venue
 - ii) all ejections of patrons
 - iii) any complaints received
 - iv) any incidents of disorder
 - v) all seizures of drugs or offensive weapons
 - vi) any faults in the CCTV system
 - vii) any refusal of the sale of alcohol
 - viii) any visit by a relevant authority or emergency service.
8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
10. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
11. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.

12. Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.
13. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
14. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
16. The number of persons accommodated at the premises (excluding staff) shall not exceed [190] in the restaurant, plus [19] in the bar area shown hatched black on the plan.
17. The licence will have no effect until the Licensing authority are satisfied that the works, as shown in Plan No.'s 1310-1140A and 1310-111A, are completed to the reasonable requirements of Westminster's Environmental Health Consultation Team, at which time this condition will be removed from the licence.

Thomas & Thomas Partners LLP
28th August 2015

From: [Alun Thomas](#)
To: [Lynagh, Alan](#)
Cc: [Nelson, Nicholas](#); [Deweltz, Adam](#); [Thomas, Sally](#)
Subject: Re: 15/07395/LIPN - 17 Bedford Street
Date: 20 October 2015 16:49:24
Attachments: [C6EA78CD-AF67-4C90-B6A0-D980640CC950f91.png](#)
[image001.jpg](#)
[image002.jpg](#)
[3934-201C Basement Floor Licensing-A1 1-100f11.pdf](#)
[3934-202E Ground Floor Liciensing-A1 1-100f11.pdf](#)

Alan

Good to speak earlier.

Tony will check and confirm the following:

1. Exit 1, opening inwards will be £900 mm
2. Exit 2 will be 1050 mm
3. Exit 3 will be 1050 mm

All as shown on the plans.

On the basis of the two exits at 1050, that would give a customer capacity of 200 persons plus 60 at exit 1, being therefore a total capacity of 260 based upon means of escape. Please confirm. That is of course subject to toilets and planning (190 and 19 respectively).

I have attached the updated layouts showing the removal of the basement from the licensed area and the addition of a toilet as requested by EH.

Sally

Your conditions are agreed. Re the holding bar, standing but I anticipate your and the police thoughts in that respect.

Adam

I'm afraid we are not agreed on the holding bar condition which will need to be determined by committee.

Yours sincerely

Alun Thomas
Partner

Thomas & Thomas Partners LLP
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From: Sally Thomas
Date: Tuesday, 6 October 2015 12:25
To: Alun Thomas
Cc: Nicholas Nelson, Alan Lynagh, "Deweltz, Adam"
Subject: 15/07395/LIPN - 17 Bedford Street

Hi Alun,

Following our meeting last week regarding the above premises, I have the following comments to make.

1. The basement will not be used for licensable activities, please ensure the plan reflects this.
2. The premises will need a total of 5 female WCs, 2 male WC and 3 urinals, staff WCs, and an accessible WC.
3. We await details of the emergency escape doors, as discussed in the meeting.
4. Please confirm whether the 19 people in the bar area will be seated or standing.
5. I attach my proposed conditions, please let me know your thoughts.

Kind regards

Sally Thomas

Senior Practitioner
Environmental Health Consultation Team
Public Protection and Licensing
Westminster City Hall - 4th Floor
64 Victoria Street

London SW1E 6QP

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Westminster City Training

Tel: 020 7641 6252

Email: ehtraining@westminster.gov.uk

www.westminster.gov.uk/training-programme

For online bookings <http://ehcb.westminster.gov.uk/>

Look out for your electoral registration form in the post. It's important you respond to ensure you remain on the electoral register even if you're already registered. www.westminster.gov.uk/annual-canvass-2015.

Report fly-tipping at westminster.gov.uk/report-it or let us know on twitter using #FightTheFlytippers.

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Westminster City Council: www.westminster.gov.uk

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You should not disclose the contents to any other person or take copies.

Your ref:
Our ref: AT/BED.2.1

38a Monmouth Street
London WC2H 9EP
tel: 020 7042 0410
fax: 020 7379 6618

Licensing Service
City of Westminster
64 Victoria Street
London
SW1E 6QP

By post and email

04 November 2015

Dear Sirs

Licensing Act 2003
17-19 Bedford Street, WC2

We act for the applicants in the above matter and enclose:

1. Amended plans, reflecting very slight adjustments in the dimensions of the means of escape and the removal of the basement from the licensed area;
2. Schedule of proposed conditions;
3. Schedule of representations;
4. Appendix 11 submissions.

The premises is situate in the West End stress area but within the busy mix of Covent Garden. The premises were recently granted planning permission for the hours and use as set out in the application.

The applicant has consulted with local residents and met with both the Environmental Health Consultation Team and Mr Kaner, representing the Covent Garden Community Association. As a result of those discussions, conditions have been amended as set out in the attached schedule.

The remaining issues in dispute can be summarised as follows:

- (a) That licensable activities should be for Core Hours only;
- (b) Bars should close either 30 or 60 minutes prior to the restaurant;
- (c) That there be a last admission condition either 30 or 60 minutes prior to the restaurant closing;
- (d) That the number of smokers be restricted;

(e) That the sale of alcohol is only with or prior to a meal with no alcohol being sold after dinner.

In response:

The proposed opening hours and the hours for the sale of alcohol are only 30 minutes later than Core Hours on Sunday to Thursday; the hours being consistent with HRS1 Policy on Friday and Saturday. The application is for a fully conditioned restaurant use, in accordance with both the City Council's policy and model condition 66 and also in line with the planning permission.

In relation to the use of the holding bar, this can only be used by persons who either are waiting to eat, are eating or have eaten at the premises. The Police have requested a condition that the bar is only used by diners prior to their meal and some of the residents require that the bar closes at least an hour earlier or that there is no admission to that area an hour before the restaurant closes.

The applicant does not believe that early evening post-dining in the bar would cause any nuisance and the proposed Police condition would prevent any post dining use even at say 7pm. It is therefore proposed that the CGCA's proposed condition that there is no new entry to the holding bar after 11pm is adopted.

In relation to smoking, staff will not be allowed to use Bedford Court for smoking and signage will be displayed in relation to customer smoking. It is anticipated smokers, such as there are any or many, would smoke in Bedford Street, where there is a high level of footfall and relatively wide pavements.

In terms of Policy, no regulated entertainment is being applied for and the premises will only be open when public transport is running and this is further detailed in the Appendix 11 statement. The opening hours are also in line with the planning permission and the recently consulted proposed changes to the statement of licensing policy.

Otherwise, the proposals are consistent with and should be considered under policy RNT2. No stand-alone bar use is proposed and the sale of alcohol in all cases will be to persons to dine, who are dining or who have had a full table meal at the premises.

It is therefore respectively submitted that the proposed use and hours and particularly the conditions both promote the licensing objectives are consistent with Policy. All EHCT conditions have been agreed.

Mr Paul Corrett of Bedstorm Ltd and Mr Alun Thomas of this office will be attending the hearing and will be able to answer any further questions that members have.

Yours faithfully

Thomas & Thomas Partners LLP

tel: 020 7042 0412

email: athomas@tandtp.com

SCHEDULE OF PROPOSED CONDITIONS
19--21 BEDFORD STREET, WC2

1. The premises shall only operate as a restaurant:
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

2. Notwithstanding condition 1, alcohol may be supplied and consumed in the designated bar area, by up to a maximum at any one time, of 19 persons dining at the premises.
3. There shall be no new entry to the designated bar area after 11pm.
4. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
5. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31days with date and time stamping. Recordings shall be made available, immediately upon the request of Police or authorised officer throughout the preceding 31days.
6. A staff member from the Premises who is conversant with the operation of the CCTV system shall be on the Premises at all times when the Premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
7. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. .
8. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received
 - d) any incidents of disorder
 - e) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service.

9. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. (To replace proposed condition 8).
10. All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access and egress.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. Entry/exit of customers shall be restricted to Bedford Street at all times save in an emergency.
13. Signage will be displayed reminding customers not to smoke in Bedford Court.
14. Staff will not be permitted to smoke in Bedford Court.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 hours on the following day.
17. Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.
18. Collections from the premises (including waste) shall only take place between the hours of 08:00 and 20:00 Monday to Saturday, and 10:00 and 20:00 Sunday.
19. Bottles shall only disposed of via a bottle crusher.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
21. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.
22. 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.
23. The number of persons accommodated at the premises (excluding staff) shall not exceed 190 in the restaurant, plus 19 in the bar area shown on the plan.
24. The licence will have no effect until the Licensing authority are satisfied that the works, as shown on the drawing numbers 3934/202E and 3934/201C, are completed to the reasonable requirements of Westminster's Environmental Health Consultation Team, at which time this condition will be removed from the licence

Objector	Representations (conditions not agreed in bold)	Applicant's proposed conditions
Police (Adam Deweltz)	<p>Amend cond. 2 : <i>Notwithstanding condition (1) alcohol may be supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time of (19) persons dining at the premises.</i></p> <p>Update CCTV condition</p>	<p>1. The premises shall only operate as a restaurant:</p> <p>(i) in which customers are shown to their table,</p> <p>(ii) where the supply of alcohol is by waiter or waitress service only,</p> <p>(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,</p> <p>(iv) which do not provide any take away service of food or drink for immediate consumption,</p> <p>(v) which do not provide any take away service of food or drink after 23.00, and</p> <p>(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p>
EHO (Sally Thomas)	<ul style="list-style-type: none"> - A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. (To replace proposed condition 6) - No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. (To replace proposed condition 8) - All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access and egress. 	
Philip McIntyre 19 Bedford Street	<ul style="list-style-type: none"> - Core hours - Bedford Street entrance only - Last entry condition 30 mins before closing - Bar closes 30 mins before restaurant does - Smoking limited to 10 people in designated area - Deliveries unloaded in loading bay only 	

	<ul style="list-style-type: none"> - Waste collection 08:00 – 20:00 Mon to Sat, 10:00 – 20:00 Sun 	
Caroline McIntyre 19 Bedford Street	<ul style="list-style-type: none"> - last orders 10pm - Dining only, no after dinner drinking 	2. Notwithstanding condition 1, alcohol may be supplied and consumed in the designated bar area, by up to a maximum at any one time, of 19 persons dining at the premises.
CGCA	<p>Core hours</p> <ol style="list-style-type: none"> 1. <i>Last entry to bar area 60 minutes before premises close</i> 2. <i>Last entry of customers to the premises 60 minutes before premises close.</i> 3. <i>Sale of alcohol in the bar area by waiter/waitress service to seated customers only.</i> 4. <i>Entry/Exit of customers restricted to Bedford Street at all times other than in an emergency.</i> 5. <i>Specified smoking area with a limited number of customers [in Bedford Street, not Bedford Court].</i> 6. <i>No smoking by staff in Bedford Court</i> 7. <i>No queuing outside premises.</i> 8. <i>No uncrushed glass will leave the premises at any time.</i> 9. <i>Collection from the premises (including waste) to take place within the following hours – 08:00 – 20:00 Mon-Sat and 10:00-20:00 on Sunday.</i> 10. <i>No waste to be placed outside or moved more than 30 minutes prior to this time.</i> 	3. There shall be no new entry to the designated bar area after 11pm.
Maureen Chadwick 22 Spencer Road	<ul style="list-style-type: none"> - Core hours - Last entry to bar area 30 minutes before premises close - Use Bedford Street entrance only 	4. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
Anthony Irwin 40 Daveys Court, 33 Bedfordbury	<ul style="list-style-type: none"> - Core hours - Bedford Street entry only - No smoking in Bedford Court 	5. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31days with date and time stamping. Recordings shall be made available, immediately upon the request of Police or authorised officer throughout the preceding 31days.
		6. A staff member from the Premises who is conversant with the operation of the CCTV system shall be on the Premises at all times when the Premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of

	<p>- Limit waste collection to 08:00 – 18:00</p>	<p>delay when requested.</p> <p>7. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. .</p> <p>8. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:</p> <ul style="list-style-type: none">a) all crimes reported to the venueb) all ejections of patronsc) any complaints receivedd) any incidents of disordere) all seizures of drugs or offensive weaponsf) any faults in the CCTV systemg) any refusal of the sale of alcoholh) any visit by a relevant authority or emergency service. <p>9. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. (To replace proposed condition 8).</p> <p>10. All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access</p>
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		<p>and egress.</p> <ol style="list-style-type: none">11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.12. Entry/exit of customers shall be restricted to Bedford Street at all times save in an emergency.13. Signage will be displayed reminding customers not to smoke in Bedford Court.14. Staff will not be permitted to smoke in Bedford Court.15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 hours on the following day.17. Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.18. Collections from the premises (including waste) shall only take place between the hours of 08:00 and 20:00
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		<p>Monday to Saturday, and 10:00 and 20:00 Sunday.</p> <p>19. Bottles shall only disposed of via a bottle crusher.</p> <p>20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.</p> <p>21. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.</p> <p>22. 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.</p> <p>23. The number of persons accommodated at the premises (excluding staff) shall not exceed 190 in the restaurant, plus 19 in the bar area shown on the plan.</p> <p>24. The licence will have no effect until the Licensing authority are satisfied that the works, as shown on the drawing numbers 3934/202E and 3934/201C, are completed to the reasonable requirements of</p>
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		Westminster's Environmental Health Consultation Team, at which time this condition will be removed from the licence
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17-19 Bedford Street

Application for a Premises Licence

City of Westminster

APPENDIX 11 SUBMISSION

1 Introduction

1.1 This document is submitted in support of application reference 15/07395/LIPN (the “Application”) in respect of 17-19 Bedford Street London WC2E 9HP (the “Premises”).

1.2 The Application seeks a Premises Licence authorising the following licensable activities:

	Sale of Alcohol	Late Night Refreshment	Opening Hours
Monday to Saturday	10am – Midnight	11pm – Midnight	9am – Midnight
Sunday	12pm – 11pm	N/A	9.30am – 11pm

1.3 The applicant is an extremely experienced operator with a proven track record. The applicant has managed some of London’s finest establishments, including the award winning Clos Maggiore Restaurant situated on nearby King Street.

1.4 This document addresses Appendix 11 of the City of Westminster’s Statement of Licensing Policy. In doing so the applicant can demonstrate the Premises will:

1.4.1 Promote the licensing objective of the prevention of public nuisance;

1.4.2 Be professionally and responsibly managed alongside nearby local residents.

2 Noise Report

- 2.1 A noise report was submitted and approved as part of the planning application. An Operational Management Plan has also been submitted and approved.
- 2.2 No regulated entertainment is applied for. Music will either be exempt under the Live Music Act or incidental as defined in Schedule 1 of the Licensing Act 2003.

3 Planned Management Measures for Control of Noise

- 3.1 The entrance is located on Bedford Street. Customers will be welcomed by a member of staff immediately upon entry of the Premises. During busy periods, additional staff will supervise the entry of customers to prevent any queuing.
- 3.2 The departure of customers will be managed in accordance with the dispersal policy at section 5 of this document.
- 3.3 The dispersal policy includes arrangements for taxis.
- 3.4 The applicant will implement comprehensive servicing and delivery procedures. The relevant procedures are set out in section 6 of this document.

4 Noise Criteria

4.1 The criteria set out in policy PN1 are addressed as follows:

Noise and Vibration

4.2 The Application does not propose any Regulated Entertainment.

4.3 All windows and doors will be closed after 11pm.

4.4 Management controls are included in the dispersal policy at section 5 and the servicing and delivery procedures at section 6 of this document. The objective of these procedures is to ensure residents are not disturbed by noise from the Premises in accordance with Policy PN1. In addition, the following model condition is proposed with the application:

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

Eating, Drinking and Smoking Outside Premises

4.5 The Application does not propose authorisation for any external drinking or eating.

4.6 The following model condition is proposed with the application:

“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”.

4.7 The applicant does not anticipate a significant number of smokers. Signage will be displayed about no smoking in Bedford Court.

Other Environmental Impacts

4.8 Model condition proposed with the application as follows:

“During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and/or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business”.

5 People Arriving, Departing & in the Vicinity

Dispersal Policy

- 5.1 The objective of the Dispersal Policy is to ensure a quiet, controlled and swift dispersal of the Premises' customers.
- 5.2 The Policy mitigates nuisance caused to local residents from the following risks:
- 5.2.1 Noisy or anti-social behaviour by customers leaving the Premises.
 - 5.2.2 Large numbers of people leaving the Premises at the same time.

Entrances and Exits

- 6.4 The entrance/exit of the Premises is on Bedford Street. This entrance will be managed at the front door and by reception staff inside the Premises at all times.

Transport

- 6.5 Customers will arrive and depart by various modes of transport, including by foot and private car. Customers are welcomed straight into the Premises by members of staff.
- 6.6 The Premises will be well serviced by public transport links, as set out below. All staff will be familiar with the transport links so they can advise customers when required

Tube

- 6.6.1 The following tube stations are located within walking distance of the Premises:
- a. Covent Garden Underground Station.
 - b. Leicester Square Underground Station.
 - c. Charing Cross Underground Station.
 - d. Embankment Underground Station.
 - e. Piccadilly Circus Underground Station.
 - f. Temple Underground Station.
- 6.6.2 Where necessary customers will be given directions to the relevant station and reminded to reach the station as quietly and as quickly as possible when they leave.

6.7 Rail

6.7.1 The Premises is within walking distance of Charing Cross and Waterloo rail stations.

6.7.2 Other rail stations, for example Victoria, Paddington, Liverpool Street, Euston and Kings Cross St Pancras are easily reached by tube or taxi.

6.8 Buses

6.8.1 The Premises is well serviced by public buses. TFL bus services, including night buses, are accessible by bus stops on Bedford Street or the Strand, which go to a variety of destinations throughout London.

6.8.2 Bus routes include: 6, 9, 11, 13, 15, 23, 87, 91, 139, 176, N9, N11, N13, N15, N21, N26, N44, N47, N87, N89, N91, N155, N343 and N551.

6.8.3 Staff will be familiar with the local bus services and will advise customers accordingly.

6.9 Taxi

6.9.1 Black cabs are readily available right through the day and night in the area.

6.9.2 Staff will assist customers calling a taxi if required.

Private Car Service

6.16 The Premises will have an agreement with a private car booking service.

6 Deliveries, Collections & Servicing

6.1 Deliveries and collections will be arranged carefully and sympathetically to the local amenity.

6.2 The following licence conditions are proposed with the Application:

- *All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.*
- *No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 hours on the following day.*
- *Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.*
- *Collections from the premises (including waste) shall only take place between the hours of 08:00 and 20:00 Monday to Saturday, and 10:00 and 20:00 Sunday.*
- *Bottles shall only disposed of via a bottle crusher.*

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

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

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

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

Mandatory conditions:

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

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

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

- 8
- (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$

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

Conditions proposed by the applicant:

9. The premises shall only operate as a restaurant:
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

10. Notwithstanding condition 9, alcohol may be supplied and consumed in the designated bar area, by up to a maximum at any one time, of 19 persons dining at the premises.

Alternate condition proposed by the Police:

Notwithstanding condition (1), alcohol may be supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time, of (19) persons dining at the premises.

11. There shall be no new entry to the designated bar area after 11pm.
12. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31days with date and time stamping. Recordings shall be made available, immediately upon the request of Police or authorised officer throughout the preceding 31days.

Alternate condition proposed by the Police:

*The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the **Westminster Police Licensing Team**. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.*

14. A staff member from the Premises who is conversant with the operation of the CCTV system shall be on the Premises at all times when the Premises is open to the public.

This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

Alternate condition proposed by the Police:

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

15. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - i) all crimes reported to the venue
 - ii) all ejections of patrons
 - iii) any complaints received
 - iv) any incidents of disorder
 - v) all seizures of drugs or offensive weapons
 - vi) any faults in the CCTV system
 - vii) any refusal of the sale of alcohol
 - viii) any visit by a relevant authority or emergency service.
17. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access and egress.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. Entry/exit of customers shall be restricted to Bedford Street at all times save in an emergency.
21. Signage will be displayed reminding customers not to smoke in Bedford Court.
22. Staff will not be permitted to smoke in Bedford Court.
23. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
24. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 hours on the following day.
25. Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.
26. Collections from the premises (including waste) shall only take place between the hours of 08:00 and 20:00 Monday to Saturday, and 10:00 and 20:00 Sunday.
27. Bottles shall only disposed of via a bottle crusher.

28. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
29. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
30. 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.
31. The number of persons accommodated at the premises (excluding staff) shall not exceed 190 in the restaurant, plus 19 in the bar area shown on the plan.
32. The licence will have no effect until the Licensing authority are satisfied that the works, as shown on the drawing numbers 3934/202E and 3934/201C, are completed to the reasonable requirements of Westminster's Environmental Health Consultation Team, at which time this condition will be removed from the licence.

Conditions proposed by the Covent Garden Community Association:

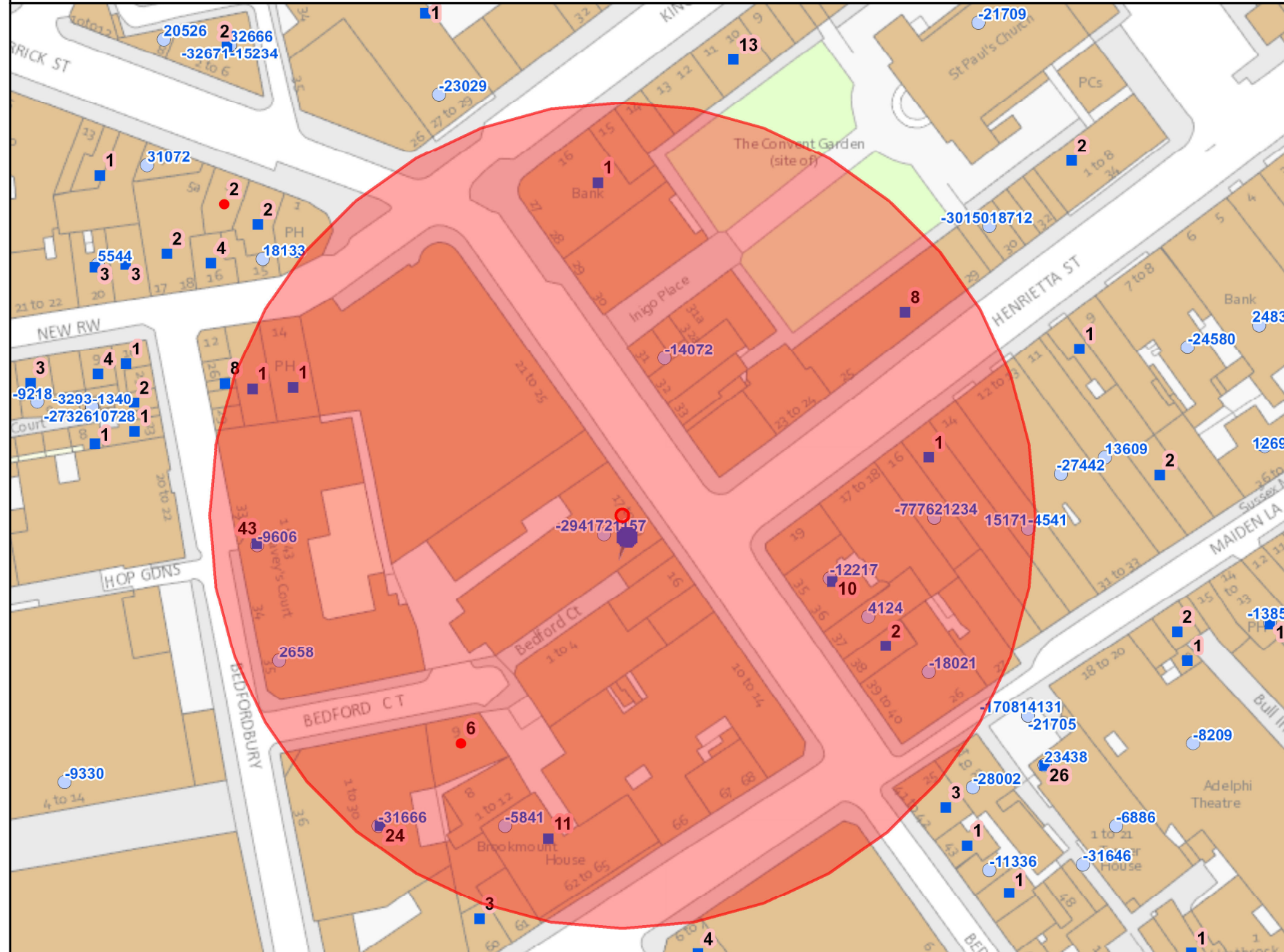
33. Last entry to bar area 60 minutes before premises close.
34. Last entry of customers to the premises 60 minutes before premises close.
35. Sale of alcohol in the bar area by waiter/waitress service to seated customers only.
36. Specified smoking area with a limited number of customers.
37. No queuing outside the premises.
38. No uncrushed glass will leave the premises at any time.

Conditions proposed by Mr Philip McIntyre:

39. Last entry shall be 30 minutes before close and nobody shall enter for drink only.
40. Smoking shall be restricted to the designated area only and limited to 10 people at any one time.
41. The bar shall close 30 minutes before restaurant closes.
42. All vehicle deliveries to be unloaded within the loading bay only.



17 Bedford Street



Residential / Proposed Residential	108
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10
 Meters

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Data Source: Uniform Database
 Date: 29/10/2015

Appendix 5 - List of premises in the vicinity

Premises within 75 metres of: 17 Bedford Street			
p / n	Name of Premises	Premises Address	Opening Hours
06/08749/WCCMAP	La Perla	Third Floor 30 Maiden Lane London WC2E 7JS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/13626/WCCMAC	Concert Artistes Association	First Floor Suite 15 17 - 19 Bedford Street London WC2E 9HP	Monday to Saturday 11:00 - 01:00 Sunday 12:00 - 22:30
14/11459/LIPDPS	Terroirs	Flat 8 Duval Court 36 Bedfordbury London WC2N 4DQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:30
14/02182/LIPDPS	Adventure Bar	Office 2.17 Second Floor Rear 17 - 19 Bedford Street London W	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
06/08066/WCCMAP	Pasta Brown	31 Bedford Street London WC2E 9EH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/03907/LIPV	Fiat Iron	16 Henrietta Street London WC2E 8QH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/03912/LIPN	Frenchies	First Floor And Second Floor Flat 16 Henrietta Street London W	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/00660/LIPT	Rules Restaurant	26 Maiden Lane London WC2E 7JT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/06917/LIPVM	All Bar One	35 - 36 Bedford Street London WC2E 9EN	Friday to Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Sunday 08:00 - 22:50 Monday to Thursday 08:00 - 23:30
15/02493/LIPDPS	Les Deux Salons	Flat 4 Daveys Court 33 Bedfordbury London WC2N 4BW	Monday to Sunday 10:00 - 00:30
06/04687/WCCMAP	The 2 Brydges Club	Suite 305 Third Floor Brookmount House 62 - 65 Chandos Plac	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 23:00
13/02447/LIPVM	La Perla	Third Floor 30 Maiden Lane London WC2E 7JS	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 10:00 - 23:00 Sundays before Bank Holidays 12:00 - 00:00
15/03310/LIPDPS	The Real Greek	35 Bedfordbury London WC2N 4DU	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00
14/02510/LIPDPS	Tesco	Flat 7 37 Bedford Street London WC2E 9EN	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application form	3 September 2015
5	Police representation	8 September 2015
6	Environmental Health representation	22 September 2015
7	CGCA representation	1 October 2015
8	Ms Maureen Chadwick representation	21 September 2015
9	Mr Philip McIntyre representation	30 September 2015
10	Mrs Caroline McIntyre representation	20 September 2015
11	Mr Anthony Irwin representation	1 October 2015