

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

31 March 2016

16/00517/LIPN - New Premises Licence

Mnky Hse 8 – 9 Dover Street London W1S 4LD

Director of Public Protection and Licensing

West End

City of Westminster Statement of Licensing Policy

None

Mr Nick Nelson Senior Licensing Officer

Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

1. Application

1-A Applicant and premises

1-A Applicant and premi	562		
Application Type:	New Premises Licence,	Licensing Act	2003
Application received date:	18 January 2016		
Applicant:	8 – 10 Dover Street Lim	ited	
Premises:	Mnky Hse		
Premises address:	London		West End
	W1S 4LF	Stress Area:	None
Premises description:	The premises is to opera	ate as a restau	rant and bar.
Premises licence history:	The premises at Ground trading as Dover Street licence under the Licens at least conversion to the September 2005.	Wine Bar holds ing Act 2003 a	s a premises and has done since
Applicant submissions:	 The applicant has protted the operating schedu Appendix 4). In addited conditions with the Peresson and the event applies a street of the subsequently with the event this application of the event this application. The applicant has subsequent and the street of the application of the application. The applicant has subsequent addressing concerns Appendix 2a). 	le of the applic tion, the applic plice Licensing (see Append thdrawn their of ication is grant der the premise ar, Ground Floo T). That licence and Mr Saul Le ed on Compan cant company. bmitted a letter rpose of the ap	ation form (see ant has agreed Team and ix 4), who have objections. ed, the applicant es licence for or Left, 8 – 9 Dover e is currently held ewin. Mr Kofman ies House as
	 The applicant has als Draft visual and for 2b) Mnky Hse menu of Plans showing water and the Diagrams showing (Appendix 2e) 	urniture docum (Appendix 2c) all and soffit typ	bes (Appendix 2d)
Objector submissions:	 An acoustics report c (residential objector) provided to support th 2f). 	dated 3 Februa	ary 2016 has been

1-B Pr	oposed lic	ensable	ac	tivities and	hours			
Live Musi	Live Music:					outdoors o	r both	Indoors
Day:	Mon	Tues	5	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00)	09:00	09:00	09:00	09:00	09:00
End:	03:30	03:30		03:30	03:30	03:30	03:30	00:00
Seasonal	variations		N	one				
Non-stan	dard timing	js:	•	of trade on On the mo to British S terminal ho for the pres	end of trade New Year' Summer Tim Dur of any a mises when es and/or clo 01:00.	s Day. Greenwich M ne one hour ctivities and e the existin	Aean Time will be add to the clo ng terminal	changes ded to the sing time hour for

Recorded Music:					Indoors, o	outdoors o	r both	Indoors
Day:	Mon	Tues	5	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00)	09:00	09:00	09:00	09:00	09:00
End:	03:30	03:30)	03:30	03:30	03:30	03:30	00:30
Seasonal	variations	:	No	one				
Non-stan	dard timing	gs:	•	of trade or On the mo to British S terminal ho for the pre	end of trade New Year' Summer Tim Dur of any a mises wher es and/or cl 01:00.	s Day. Greenwich M ne one hour ctivities and e the existin	Mean Time will be ac d to the clo ng termina	e changes Ided to the osing time al hour for

Performances of dance:					Indoors, o	outdoors o	r both	Indoors
Day:	Mon	Tues	5	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00)	09:00	09:00	09:00	09:00	09:00
End:	03:30	03:30)	03:30	03:30	03:30	03:30	00:00
Seasonal	variations	ariations:		one				
Non-stan	dard timinç	js:	•	of trade or On the mo to British S terminal ho for the pre	end of trade New Year' Summer Tim Dur of any a mises wher es and/or cl 01:00.	s Day. Greenwich M ne one hour ctivities and e the existir	Aean Time will be ac to the clo ng termina	e changes Ided to the osing time al hour for

Anything of a similar description to live music, recorded music or performances of dance:				Indoors, o	outdoors o	or both	Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	03:30	03:30	03:30	03:30	03:30	03:30	00:00
Seasonal	variations	: N	lone				
Non-stan	dard timinç	js: •	of trade or On the mo to British S terminal ho for the pre	end of trade New Year Frning that G Summer Tin Dur of any a mises wher es and/or cl 01:00.	's Day. Greenwich M ne one hour activities and re the existi	Mean Time r will be ad d to the clo ng termina	e changes ded to the osing time I hour for

Late nigh	Late night refreshment:				Indoors, o	outdoors o	r both	Indoors
Day:	Mon	Tues	5	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00)	23:00	23:00	23:00	23:00	23:00
End:	03:30	03:30)	03:30	03:30	03:30	03:30	00:30
Seasonal	variations	:	No	one				
Non-stan	dard timing	js:	•	New Year' On the mo to British S terminal ho for the pre	rning that G Summer Tim our of any a mises wher es and/or cl	Greenwich N The one hour ctivities and e the existir	Aean Time will be ac to the clo ng termina	e changes Ided to the osing time al hour for

Sale by re	Sale by retail of alcohol:				On or off	sales or bo	oth:	Both
Day:	Mon	Tues	5	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00)	10:00	10:00	10:00	10:00	10:00
End:	03:00	03:00)	03:00	03:00	03:00	03:00	00:30
Seasonal	variations	:	No	one				
Non-stan	dard timing	js:	•	of trade on On the mo to British S terminal ho for the pre	end of trade New Year' Summer Tim Dur of any a mises wher es and/or cl 01:00.	s Day. Greenwich M ne one hour ctivities and e the existir	Aean Time will be ac d to the clo ng termina	e changes Ided to the osing time Il hour for

Hours pre	emises are	open to	o th	e public				
Day:	Mon	Tues	5	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00)	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00)	04:00	04:00	04:00	04:00	01:00
Seasonal	variations	:	No	one				
Non-stand	dard timing	js:	•	of trade or On the mo to British S terminal ho for the pre	end of trade New Year' Summer Tim Dur of any a mises wher es and/or cl 01:00.	s Day. Greenwich M ne one hour ctivities and e the existir	flean Time will be add to the closing terminal	changes led to the sing time hour for
Adult Ent	ertainment	:	N/	Ά				

2. Representations

2-B Other Pe	rsons		
Name:		Mr David Green	
Address and/or R Association:	esidents	Owner of 2nd and 3rd Floo 47 Albermarle Street London	r Flats
Status:	Valid	In support or opposed:	Opposed
Received:	4 February 2016		

We act for David Green, the owner of the flat at the second and third floors of 47 Albemarle Street. The above Property encompasses the basement of 47 Albemarle Street and therefore our client will be directly affected by the proposed licence.

In principle, our client objects strongly to the application for a new premises licence for the Property because of the impact on the surrounding neighbourhood (including residential premises and his home) of loud music and other noise disturbance, high volume of people and general disorder often fuelled by alcohol. We note that the new licence proposes to increase the number of people allowed at the premises by 85 to 585 persons which will exacerbate the above issues. Further, our client is concerned that he has not received adequate communication in relation to the proposed changes to the licence over the years.

In particular, we note that the proposed licence will extend the ability of the premises to provide facilities for entertainment of a similar description to making music or dancing from midnight Sunday to 3.30am Monday and the sale of alcohol from midday to 10am on Sundays (the "Extended Opening Hours").

Prevention of Public Nuisance

Our client is very worried about the potential public nuisance arising from proposed licence including the Extended Opening Hours and the effect that this will have on the Council's ability to ensure that its licensing objective of preventing public nuisance is upheld.

It is unclear whether or not the previous premises licence for the Property included the basement area extending under 47 Albemarle Street. However, in any event the licensable activities were not carried on to any great extent in this area. The current application proposes that the licensable activities will include this area which will have a significant impact on our client's property in terms of noise not least due to the increase in the number of persons allowed at the premises. If the licence is granted, this area should be excluded.

The noise arising as a result of activities authorised by the proposed licence including the use of plant associated with the Property (further detailed below) should be considered cumulatively in addition to the noise arising from those arriving at and leaving the premises. There are already significant issues in the area which will be exacerbated by the grant of the licence as set out above.

We attach a report by Cole Jarman (see **Appendix 2**) addressed to Damian Lavelle at Westminster City Council dated 3 February 2016 which details the severe inadequacies of the noise reports undertaken in relation to the current planning application (ref: 15/1 0428/FULL) for plant at the Property. The report clearly identifies that plant noise levels do not conform to Westminster City Council's planning policy with several errors cumulatively leading to a significant under assessment of the plant noise levels. The conclusion of the reports submitted with the planning application note that the attainment of the authority's expected noise criteria offers "many practical challenges which may be difficult to guarantee in practice". This is only one aspect of the noise issue at the Property.

Our client is very concerned about the noise as a result of the proposed licensable activities, in particular loud music and the noise created by a large number of people gathering both inside and outside of the Property. The proposed Extended Opening Hours would significantly affect Sunday and the early hours of Monday morning presenting a severe public nuisance to him and his neighbours in their residential properties at the very beginning of the working week. Finally, our client has seen no evidence of adequate sound proofing for the Property.

The proposed licence should not be granted unless the authority is content that the noise issues do not inhibit the licensing objective of the prevention of public nuisance.

Prevention of Crime and Disorder and Public Safety

Drunken and disorderly conduct

The area in which the Property is located is dense with establishments which operate late into the night. Drunken and disorderly conduct is not uncommon and the police struggle to cope with the influx of drunk and disorderly people in the area as it currently stands. This creates issues for the general public including tourists and people with disabilities who could be discouraged from coming to the area. The proposed licence and in particular, the Extended Opening Hours would only further add to this issue.

Pavement Disruption

The Property and establishments in the locality already create significant disorder on the pavement near to and outside the Property as patrons queue to enter. Pedestrians are often forced to walk on the road which is especially dangerous as there is a considerable amount of traffic on Piccadilly heading toward the West End and Soho. Cars regularly stop in the middle of the road to drop passengers off which creates further public safety issues. Again, the proposed licence and in particular, the Extended Opening Hours would only further exacerbate these issues.

Fire regulation

Finally, our client notes that the Council should be reviewing the fire regulation at the building carefully regarding the kitchen and appropriate sprinkler system.

We, on behalf of our client, would ask that the authority gives due consideration to the operation of its licensing objectives and the issues that the proposed licence application, including the Extended Opening Hours, presents to the safeguarding of these objectives as noted above. Finally and as above, we also question how the increase in the number of permitted persons at the premises is in accordance with the licensing authority's objectives and request that this is reduced to a more appropriate level for the property.

3. Policy & Guidance

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

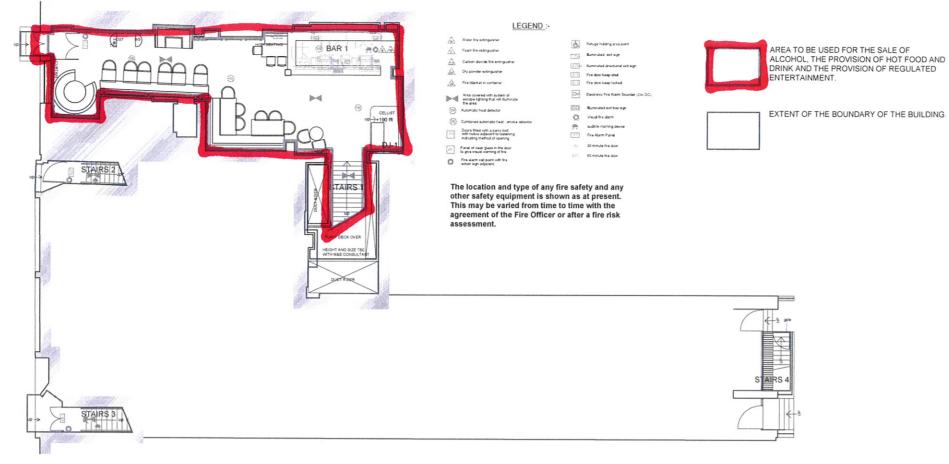
Policy HRS1 applies	(i) Applications for hours within the core hours will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
	(ii) Applications for hours outside the core hours will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.
Policy RNT1 applies	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

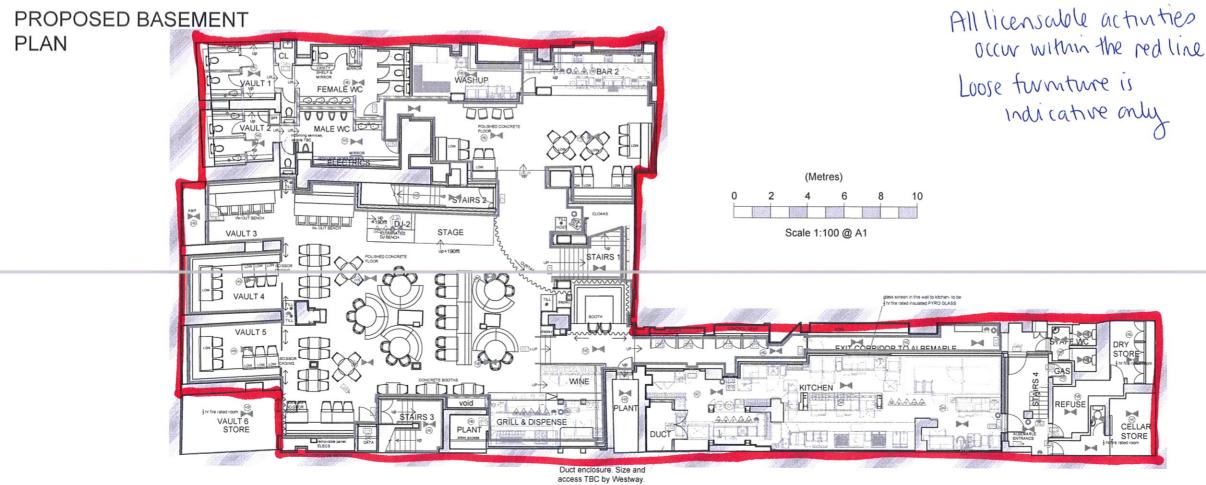
4. Appendices

Appendix 1	Premises plans
Appendix 2a	Applicant's letter dated 23 March 2016
Appendix 2b	Draft visual and furniture document
Appendix 2c	Mnky Hse menu
Appendix 2d	Plans showing wall and soffit types
Appendix 2e	Diagrams showing soffit and wall section details
Appendix 2f	Objector's supporting documents – Cole Jarman acoustic report
	dated 3 February 2016
Appendix 3	Premises history
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

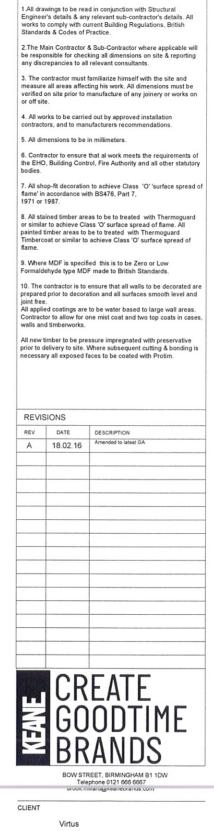
PROPOSED GROUND FLOOR PLAN





Appendix

NOTES





PROJECT	8 - 10 Dover Stre	eet	
DRG TITLE	Licensing Plans		
SCALE	1:100 @ A1		
DATE			

DRN BY LS Jan 2016 JOB NO DRG NO 118A 12241

the property of Keane Design reserved by them and the drawings is not copied either wholly or in writing of Keane Design Associates This drawing t the preference over those scaled on site prior to or shop drawings. This ction with the specification are to take work trawing is to be

Appendix 2a



18 Soho Square, London W1D 3QL

23 March 2016

Nick Nelson Premises Licensing Team Westminster City Council 4th Floor, Westminster City Hall 64 Victoria Street London SW1E 6QP

Our ref: 1310

By email

Dear Sirs

RE: MNKY HSE, 8-9 DOVER STREET, LONDON W1S 4LD – APPLICATION FOR NEW GRANT OF A PREMISES LICENCE

I act for 8-10 Dover Street Limited, and have been instructed to make an application for the new grant of a premises licence for the above premises.

Firstly, the reason for the new grant application, rather than a variation of the existing licence, was because my client sought to add the ground floor as trading space, rather than back of house kitchen area and following pre-application advice that was sought it was agreed a new application would be lodged.

The existing licence for the Dover Street Winebar Licence (14/10693/LIPT), which my clients hold, will be surrendered should this application be granted and the appropriate surrender condition has been offered as part of this application.

There has been consultation with Environmental Health, the Police, the Council's District Surveyor and the LFEPA in respect of this application and the building works.

Amended conditions (as per the attached schedule) have been agreed with the Environmental Health Team and the Police.

The conditions proposed were discussed and agreed during the licensing pre-application process with Environmental Health and subsequently with the Police during the consultation period. The conditions proposed are also an improvement on the conditions on the existing licensing, bringing the licence up to Westminster's current model condition standards, for enforcement purposes.

There is only 1 representation from a local resident, Mr Green, against this application.



My clients acquired the premises in 2014. Since that time they have been working with Westminster City Council and a raft of experts in relation to the refit of the premises. The cost of this project/rebuild is approximately £5.5 million (the demolition work to get back to stone was over £1million). This does not include the purchase/lease costs. The premises plan to open in July 2016. A draft menu and design pictures are attached to this letter.

I fully appreciate that planning and licensing are separate regimes, however, I comment on the planning position as Mr Green has sought confirmation of the use of the Albemarle side of the premises. For clarity, on 31 October 2014 the City Council granted a Certificate of Lawful Use for the use of the basement floor of 47 Albemarle Street as office, kitchen and storage space ancillary to the use of the premises. The licensing plans submitted with the application confirm that Albemarle side of the premises is exactly in accordance with the Certificate of Lawful Use granted (14/08509/CLEUD) i.e kitchen and back of house. This application is therefore made in accordance with planning permission granted for the premises.

Should the layout plans vary at any time (which my client has no intention of doing given the planning position and the cost to install the kitchen) a variation application would be required and this would be consulted on in the usual manner. A further planning application would also be required, which again would be consulted on in the usual manner.

Also, for clarity Mr Green comments that extended hours have been applied for the activity 'anything of a similar description to live music, recorded music, or performance of dance' – to 3.30am on Sundays, which would, if it had been applied for, be an extension to the existing terminal hour for this activity from the existing licence. I confirm, however, that the application made by my clients is for 'anything of a similar description to live music, recorded music, or performance of dance' – to midnight on Sundays. So the terminal hour for licensable activities is exactly the same to the existing premises licence permissions.

My client has applied for the retail sale of alcohol on Sundays from 10am, rather than midday, as they intend to open for brunch and therefore wanted the flexibility to serve alcohol from this time.

The capacity for the premises as agreed with Environmental Health has been reduced from what was originally applied for to the following:

The number of persons permitted on the premises at any one time (excluding staff) shall not exceed

Ground Floor 100 persons Basement 480 persons

With no more than 480 persons on the premises at any one time.



Noise and Nuisance

In respect of the comments made by Mr Green regarding the noise escape, plant and extraction, I note that these matters are being properly addressed by the Planning Team where approvals are being sought. In summary, principally due to the issues with the drainage at the premises the premises have had to be stripped back to stone (floor and walls) and this has allowed my client to seek expert advice on acoustic treatments to fully sound proof the premises.

In addition, as there is a new Aston Martin showroom being built next door to the entrance of these premises (and above the basement trading space) Aston Martin have had to strip out their floor/my clients ceiling to reinforce the floor with steel and this has meant that acoustic treatment by my client has also been possible to the ceilings.

The District Surveyor and Environmental Health have visited the premises whilst the demolition works were being undertaken and are therefore aware of the extent of the building works.

There are residential flats above the premises (on the first floor), which are the nearest noise sensitive premises and the main motivation of the acoustic design has been to ensure that during the operation of the premises noise transfer to the residential units do not cause a nuisance. On this point I note that no representations have been lodged against this application by any other residents.

In terms of the acoustic work, the following are being carried out (further details can be provided if necessary, although they have been submitted to the Council's Planning Team and the below are not exhaustive):

Floor Upgrade: Basement - Ground Floor & Ground Floor – 1st Floor- In order to address the airborne sound insulation for the timber joist system (see attached diagrams for the sound insulation in the cavity walls as well):

- Removal of the current ceilings within the Ground Floor and Basement
- Installation of 2x50mm CMS QuietSlab (density 60kg/m3), separated with polymeric mass barrier (mass 10kg/m2) within the joist voids
- Installation of an intermediate mass element (2x10mm Versapanel cementitious boards, or similar) on timber noggings, or steel angles.
- Installation of GAH-1 resilient hangers to the underside of the timber joists, with 2x12mm Versapanel boards as the new underfloor soffit within the Ground Floor bar and Basement restaurant. Hangers to provide a 150mm void incorporating 100mm of mineral wool insulation (RWA3, or similar).
- Foam, backer rod with acoustic mastic to be incorporated at the junction of ceilings to perimeter walls.

Fire Escape Lobby Walls- also insulated



Distributed Sound System- A distributed system with numerous speakers allows each speaker to operate at a lower volume. This ensures that localised noise levels are lower, which reduces the noise directly incident on the structure.

Loudspeaker Mounting- To ensure efficient control of noise a proprietary frame support is being used for each speaker. This will incorporate suitable anti-vibration mounting between support and speaker enclosure, with no rigid connections permitted to short-circuit the isolation

Sound Limiter The limiter will enable the separate control of the different zones and incorporate all elements of the revised system, including any additional filters or amplifiers. This will be set in conjunction with the Council's noise team in the usual way and my client is happy for the Council's Noise Team to liaise with Mr Green and attend his property when this is being set, in addition to the residents above.

In addition to this, my client has offered Westminster's model conditions on noise and nuisance as follows, as agreed with Environmental Health:

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
- Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- All windows and internal entrance doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 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.
- Patrons permitted to temporary leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway

My client is also happy to offer a further condition, with respect to the noise limiter as follows:

A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused

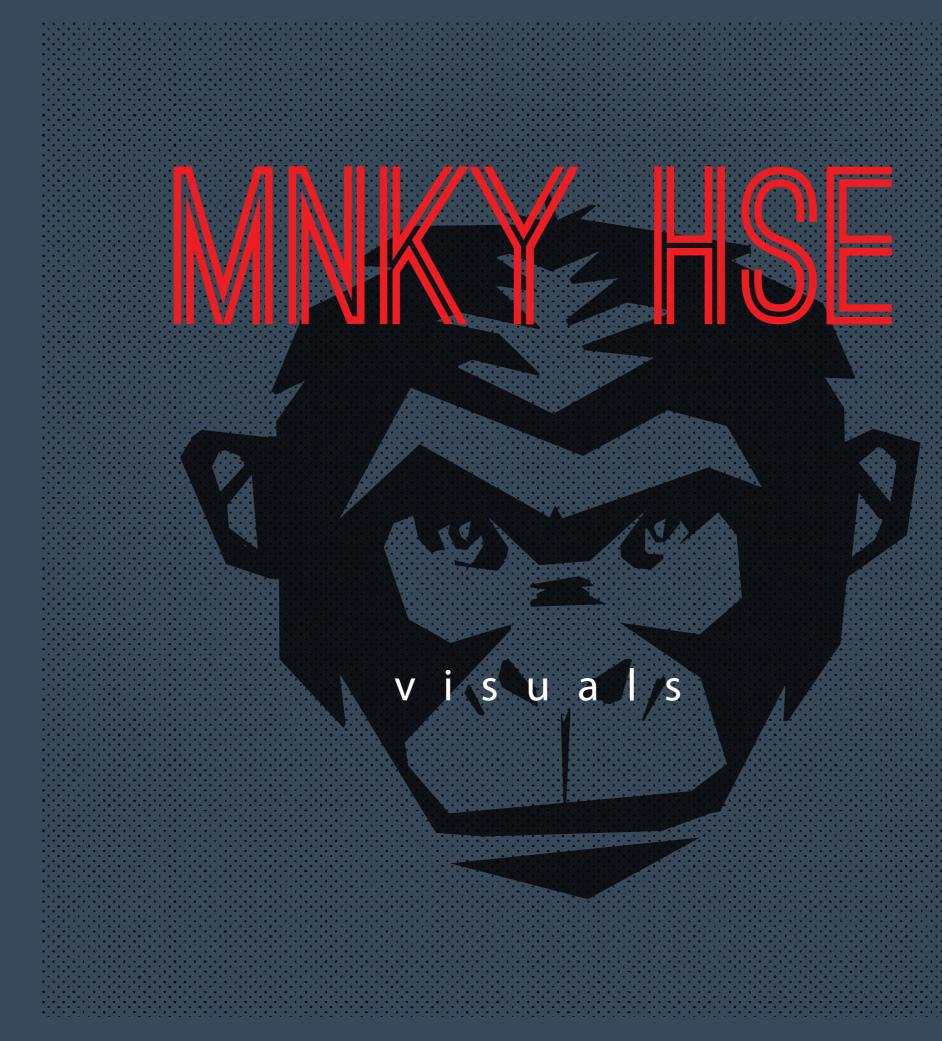


to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device

Should you have any questions please do not hesitate to contact Lana Tricker on 020 3755 5138.

Yours faithfully

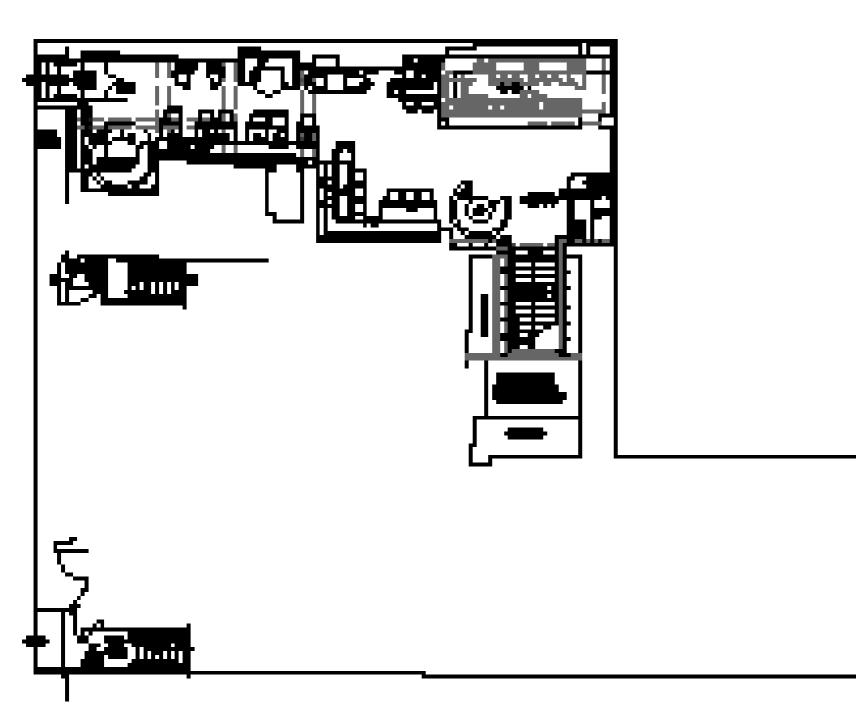
LT LAW



Appendix 2b

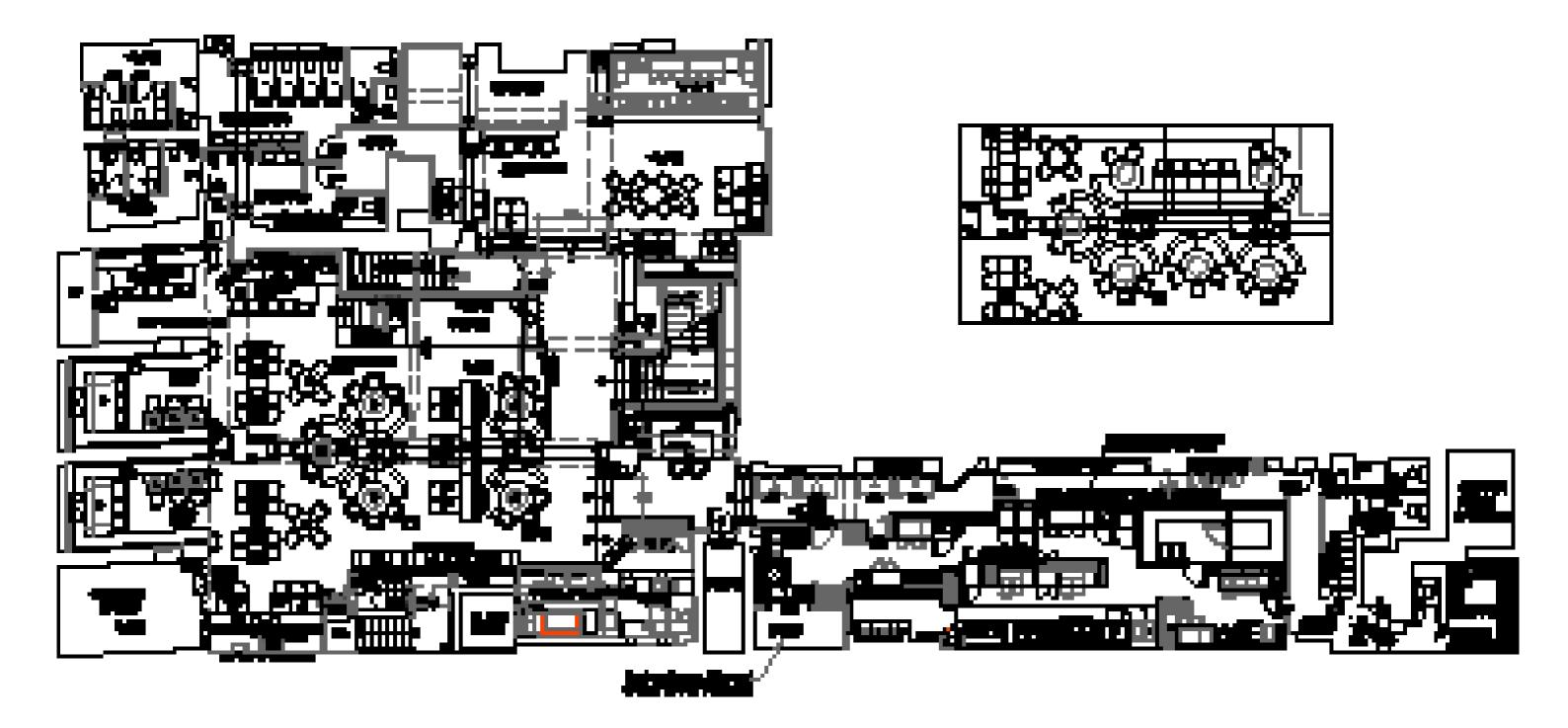
PLANS





KEANE. GROUND FLOOR PLAN





ENTRANCE VIEW 1

KEANE.



KEANE. ENTRANCE - VIEW 1 DINING



ENTRANCE VIEW 2

KEANE.





GROUND FLOOR BAR

KEANE.





KEANE. GROUND FLOOR BAR DANCING

GROUND FLOOR FURNITURE















KEANE.



THE CORE





KEANE. CORE - DINING

THE VAULTS

KEANE.



KEANE. THE VAULTS - DINING



KEANE. THE VAULTS - DANCING

SUSHI BAR





KEANE. SUSHI BAR - DINING



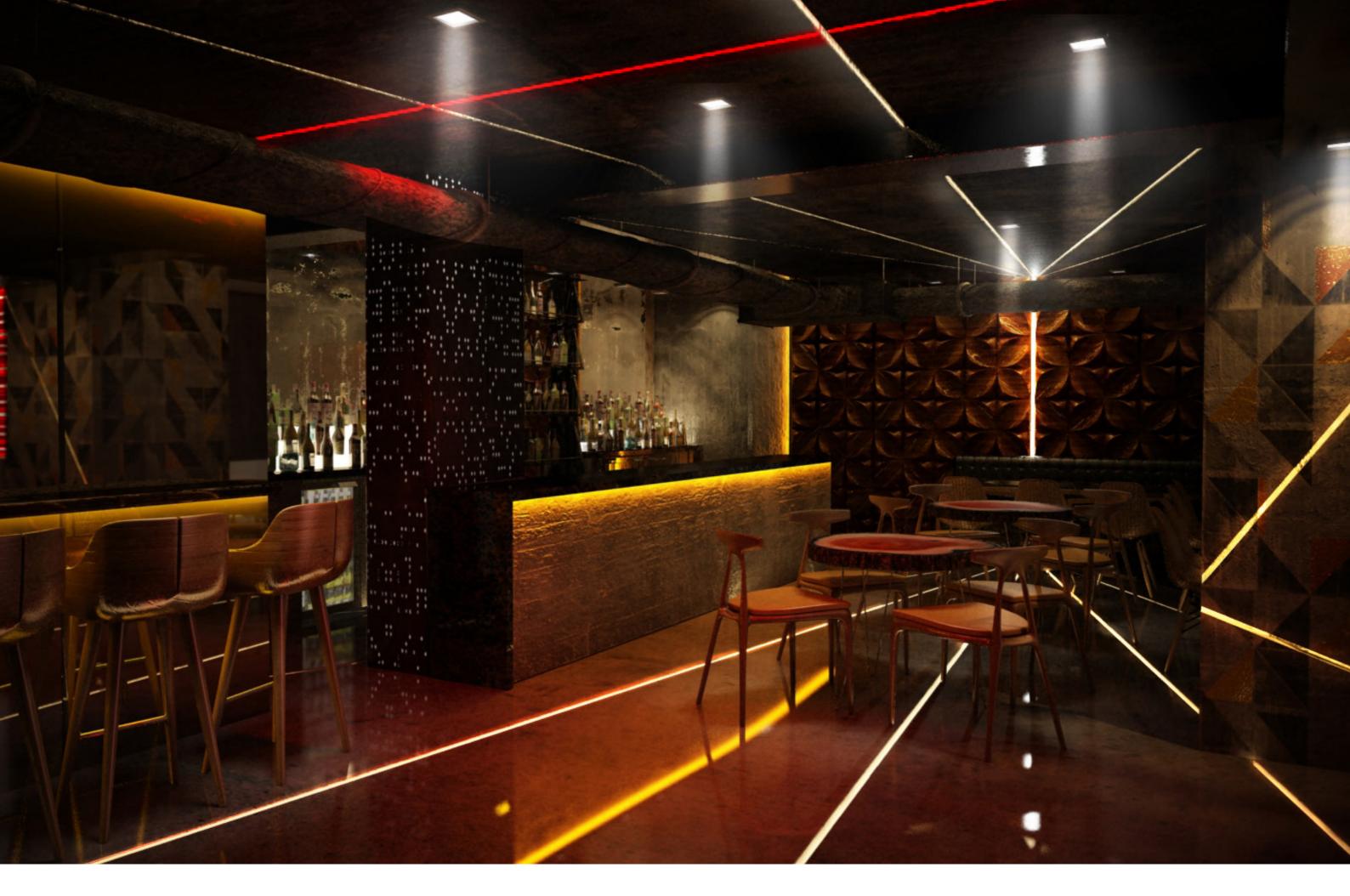
KEANE. SUSHI BAR - DANCING

BASEMENT BAR





KEANE. BASEMENT BAR - ORIGINAL



KEANE. BASEMENT BAR - DANCING

BASEMENT FURNITURE









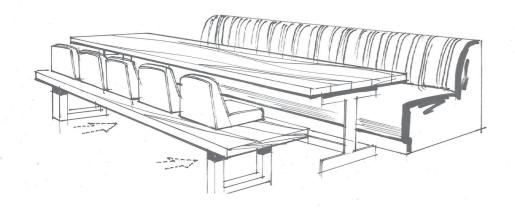
BASEMENT RESTAURANT







KEANE.











BASEMENT DJ





Base finish











BASEMENT BAR

KEANE.



KEANE. THINKING LIFESTYLE DESIGN

KEANEBRANDS.COM

MNKY HSE

MENU

Appendix 2c

NEW BITES DUR CULINARY TEAM IS CONSTANTLY WORKING ON FEATURING NEW AND EXCITING DISHES THAT EMBRACE LOCAL FARMS, PURVEYORS AND SEASONAL INGREDIENTS

A REAL PROPERTY OF

OSTRAS HUACATAY 6 Seasonal Oysters Oyster emulsion huacatay aji Limo CEVICHE MIXTO FRESH PRAWNS SQUID MUSSELS AJI AMARILLO, YUZU TOBIKO STONE CRAB CLAW

CAMARÓN Rock shrimp lime aji rocoto PESCADO ENTERO WHOLE CRISPY CATCH OF THE DAY

TASTING MENU MINIMUM FOR TWO GUESTS AND FOR THE WHOLE TABLE

CEVICHE CLASICO BRANZINO, SWEET POTATO WHITE CORN CEVIČHE DE ATUN CHIFA YELLOWFIN TUNA SOY SESAME SEEDS RICE CRACKER CEVICHE DE BLANQUILLO LOCAL TILEFISH TOMATO AVOCADO TIRADITO DE COBIA COBIA DASHI TRUFFLE OIL CHIVES

CAZUELA DE LANGOSTA LOBSTER RICE WATERCRESS SALSA CRIOLLA

LUBINA CHILENA CHILEAN SEA BASS AJI AMARILLO SOLOMILLO DE RES AJI ROCOTO STAR ANISE PATATAS BRAVAS A LA PERUANA CRISPY POTATOES SPICY TOMATOES HUANCAIA SAUCE

ANTICUCHO DE SETAS V FOREST MUSHROOMS, AJI PANCA PARSLEY PULPO AL OLIVO JOSPER OCTOPUS PERUVIAN OLIVES ENSALADA DE MAIZ V Josper corn crispy corn red chillies

ANTICUCHO DE POLLO Chicken aji amarillo garlic

CHICHA MORADA Peruvian purple corn colada mixed berries shortbread

CARAMELO CON CHOCOLATE Y SORBETE DE FRAMBUESA SALTED CARAMEL GANACHE PISCO AND RASPBERRY SORBET

POSTRE FRIO DE ARABICA KIWICHA CARAMELIZED BANANA ZACAPA 23 YO RUM

FRESH RAW FISH CEVICHE CLASICO BRANZINO SWEET POTATO WHITE CORN DORADA CRIOLLO Sea bream aji amarillo crispy corn cilantro YELLOWFIN TUNA SOY SESAME SEEDS RICE CRACKER PARGO ROJO TRUFA SNAPPER TRUFFLES PONZU CHIVES LANGOSTINO TIGER PRAWNS HEARTS OF PALM MANGO CEVICHE DE BLANQUILLO LOCAL TILEFISH TOMATO AVOCADO AJU LIMO CALABACINES Y CHAMPINONES V ZUCCHINI SHIITAKE MINT GARLIC CHIPS

TORTILLAS CON GUACAMOLE V CORN TORTILLAS GUACAMOLI ENSALADA DE QUINDA V QUINDA CILANTRO MINT POMEGRANATI ENSALADA DE MAIZ V Josper Corn Crispy corn sweet corn red chillies CAUSA TRADICIONAL JOSPER OCTOPUS YUKON GOLÖ POTATO BOTIJA OLIVE PUREE

CALAMARES FRITOS CON OCOPA BABY SQUID HUACATAY QUINOA CROQUETAS DE BACALAO BLACK COD GARLIC CHIVES

SMALL DISHES

SKEWERS LANGOSTINO TIGER PRAWNS AJI PANCA CHIVES TRADICIONAL DX HEART AJI PANCA PARSLEY POLLO CHICKEN AJI ÁMARILLO GARLIC RES BEEF AJI PANCA CILANTRO

EMPANADAS DE CARNE BEEF EMPANADA AJI PANCA POTATO CILANTRO SALSA

ATUN ARROZ CROCANTE

TUNA CRISPY RICE HUACATAY ROLLO PEZ LIMÓN YELLOWTAIL JALAPENO AVOCADO LIME

ROLLO DE SALMÓN Salmon aji Amarillo cream cheese

TACOS DE VIEIRAS SCALLOPS DYSTER SAUCE CILANTRO CHIVES

CHICHARRÓN DE CERDO JOSPER PORK BELLY FENNEL SMOKED CHILI MINT

TACOS DE SALMÓN SALMON TOMATO AVOCADO

PERUVIAN SASHIMI

VIEIRAS SCALLOPS BOTIJA DLIVES CRISPY CANCHA AJI LIMO ATUN NIKKEI YELLOWFIN TUNA GINGER CHILI SALSA-

COBIA COBIA DASHI, TRUFFLE OIL, CHIVES PEZ LIMÓN Yellowtail green chili daikon ESPARRAGOS PERUANOS V Josper Asparagus aji amarillo garlic

MEATS GALLINETA AL JOSPER FREE RANGE CORNISH HEN AJO PANCA CILANTRO CHULETAS DE CORDERO LAMB CHOPS 3 PIECES CRUSHED EGGPLANT COSTILLAS DE CERDO PORK BACK RIBS TAMARINO GLAZE CASHEW NUTS COSTILLAS DE RES BEEF SHORT RIBS BEER AJO LIMO SOLOMILLO DE RES "Spicy beef" tenderloun boz ajo rocoto star anise ROBATA SKIRT STEAK 100Z HUACATAY CHIMICHURRI DAIKON LOMO DE RES Josper Rib eye 120z chimichurri aji rocoto salsa

OCEAN

LUBINA CHILENA CHILEAN SEA BASS. AJI AMARILLO SALMÓN A LA BRASA SALMÓN GOLDEN BEETROOT CUCUMBER MINT FILETE DE BRANZINO MEDITERRANEAN SEA BASS FENNEL SALAD PULPO AL DLIVO. JOSPER OCTOPUS PERUVIÁN OLIVES LANGOSTINO TIGRE AL JOSPER TIGER PRAWN CHILI SALSA

IRON POT

ARROZ NIKKEI CHILEAN SEA BASS RICE, LIME, CHILI LANGOSTA LOBSTER, RICE, WATERCRESS, SALSA CRIDLLA PAPA SECA V PERUVIAN DRIED POTATOES BUTT PAPA SECA CON CHAMPINONES V PERUVIAN DRIED POTATOES FOREST MUSHRO

ACCOMPANIMENTS

ESPARRAGOS PERUANOS GRILLED PERUVIAN ASPARAGUS SETAS. Shiitake mushrooms soy tamarind butter BRÓCOLI. * SPROUTING BROCCOLI CHILI GARLIC BUTTER SESAME SEE PATATAS BRAVAS A LA PERUANA. CRISPY POTATOES SPICY TOMATO HUANCAINA SAUCE



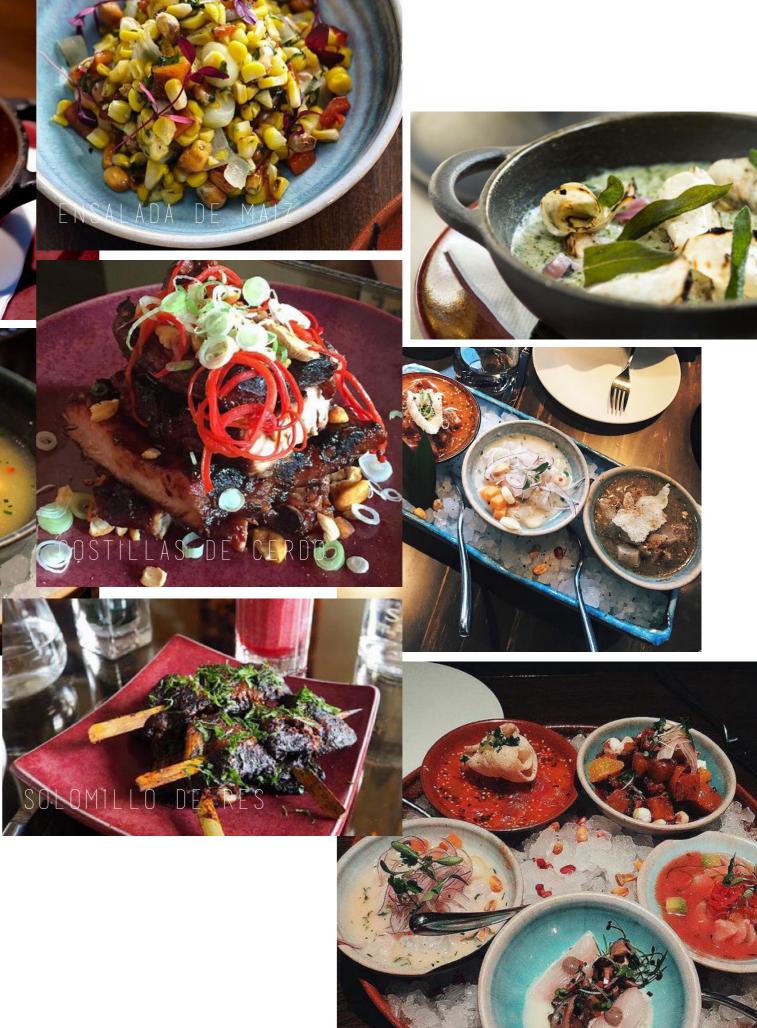


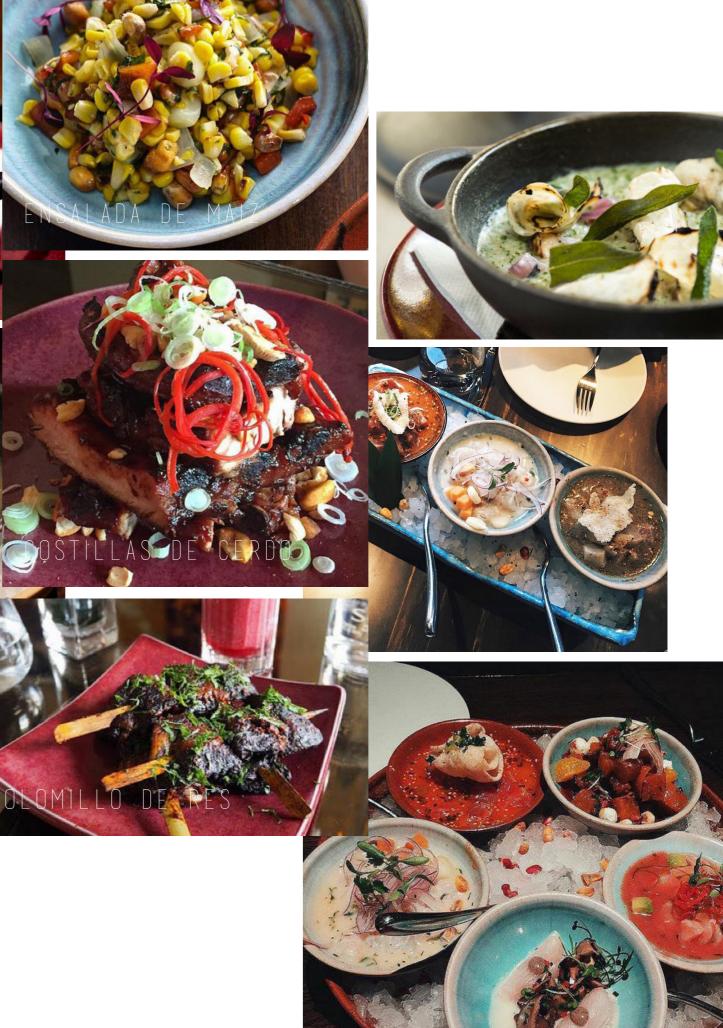
CEVICHE CLASICO

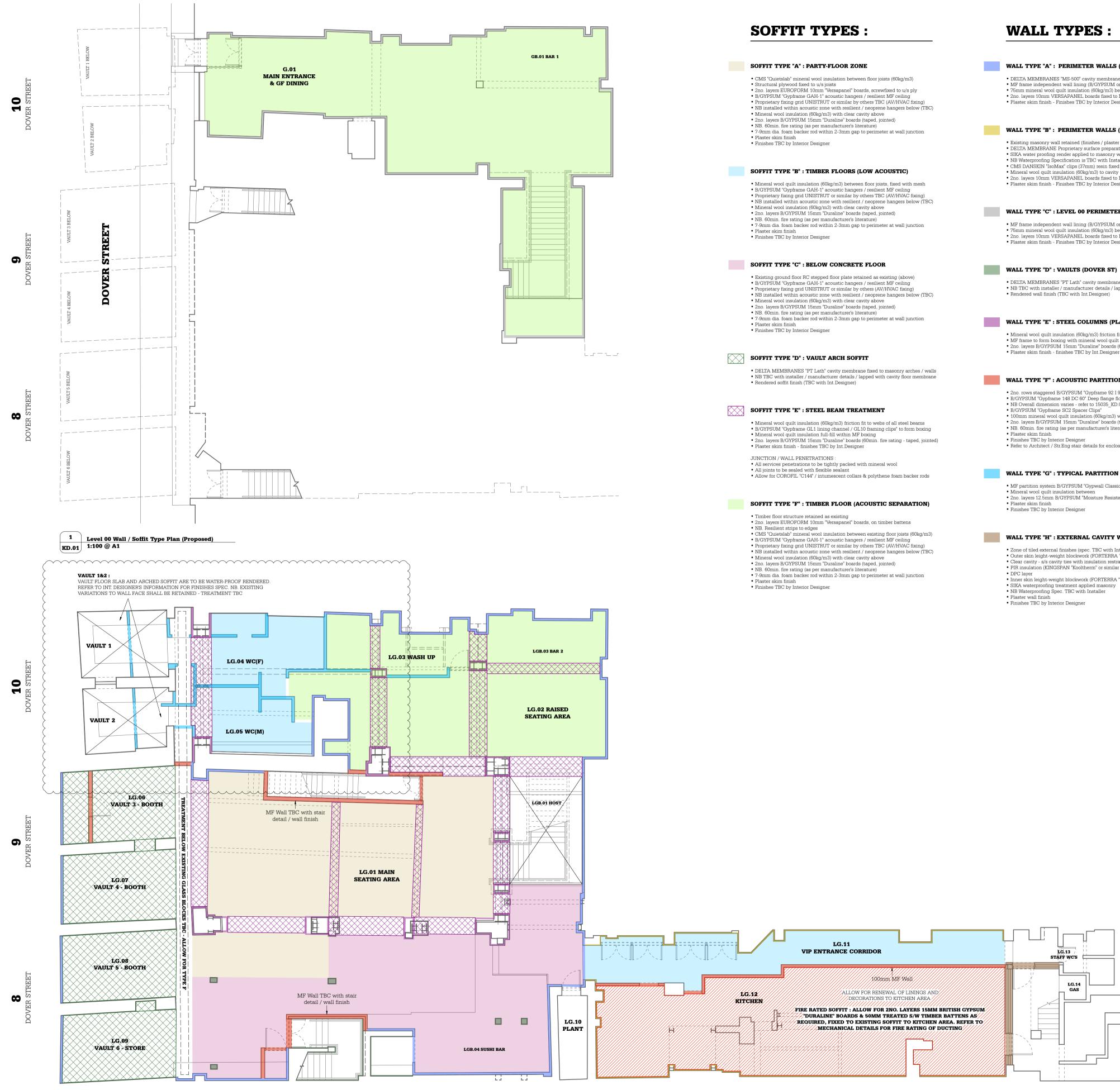
CAUSA TRADICION



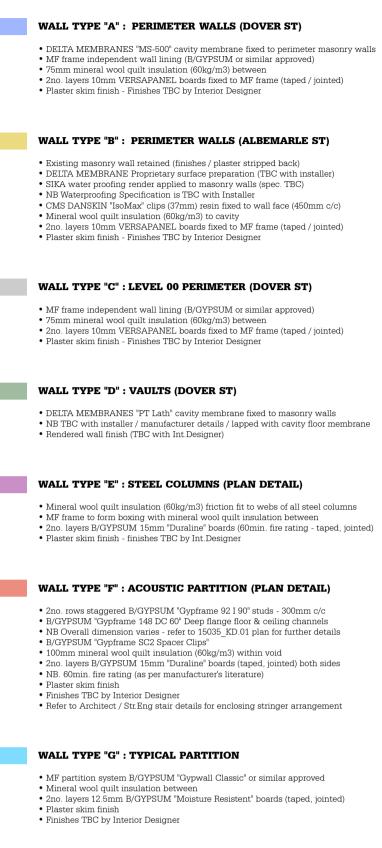








2 Level -01 Wall / Soffit Type Plan (Proposed) KD.01 1:100 @ A1



WALL TYPE "H" : EXTERNAL CAVITY WALL INFILL

• Zone of tiled external finishes (spec. TBC with Int.Designer) Outer skin leight-weight blockwork (FORTERRA "Thermalite" or similar) TBC
 Clear cavity - s/s cavity ties with insulation restraints • PIR insulation (KINGSPAN "Kooltherm" or similar approved) • Inner skin leight-weight blockwork (FORTERRA "Thermalite" or similar) TBC SIKA waterproofing treatment applied masonry
NB Waterproofing Spec. TBC with Installer

Appendix 2d



GENERAL NOTES

THIS DRAWING IS TO BE TO READ IN CONJUNCTION WITH All RELEVANT "STUDIO WEBB ARCHITECT'S" AND ALL OTHER CONSULTANTS DRAWINGS & INFORMATION. ALL DIMENSIONS & LEVELS ARE TAKEN FROM SURVEY INFORMATION. SITE CHECK DIMENSIONS ARE TO BE ESTABLISHED BY THE CONTRACTOR PRIOR TO UNDERTAKING WORKS, AND DISCREPANCIES HIGHLIGHTED WHERE NECESSARY. THIS DRAWING IS ISSUED FOR COMMENT FROM ALL REVELANT CONSULTANTS &

SUPPLIERS. THE CEILING PLAN DETAILS & LEVELS SHOWN ON THIS DRAWING RELATE TO

PROPOSED "BASE BUILD" SUSPENDED ACOUSTIC & FIRE RATED SOFFIT LININGS. REFER TO INTERIOR DESIGN INFORMATION FOR FURTHER DETAIL REGARDING DECORATIVE FINISHES & ADDITIONAL PROPOSED SUSPENDED CEILINGS & BULK HEADS

REFER TO KP ACOUSTIC DESIGN & DETAILS REFER TO CAVITY DRAIN INSTALLER DETAILS & SPEC.

Studio Webb ARCHITECTS LIMITED

T : +44 (0)20 3176 0708 E : info@studio-webb.co.uk W : www.studio-webb.co.uk

FOR Warwick Avenue

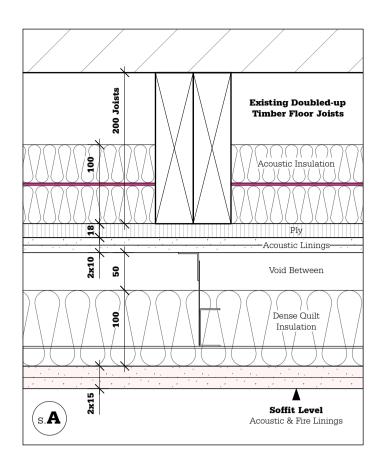
LG.15 WITCH ROOM	
	41
LG.16 STORE	

SWIT

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В	19.02.16	Revised Tender Issue		
А	07.01.16	Soffit Type F Added		
REV	DATE	E NOTES		
PROJECT 8-10 Dover Street, W1S 4LQ TITLE Typical Wall & Soffit Type Plan STATUS TENDER				
SIAIUS	DATE SCALE PROJECT NO. DRAWING NO. REVISION 12.2015 2 A1			

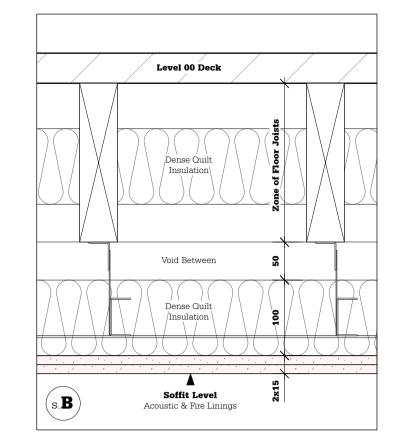
TYPICAL SOFFIT SECTION DETAILS :



SOFFIT TYPE "A" : PARTY-FLOOR ZONE

- CMS "Quietslab" mineral wool insulation between floor joists (60kg/m3) Structural plywood fixed to u/s joists
 2no. layers EUROFORM 10mm "Versapanel" boards, screwfixed to u/s ply
- B/GYPSUM "Gypframe GAH-1" acoustic hangers / resilient MF ceiling • Proprietary fixing grid UNISTRUT or similar by others TBC (AV/HVAC fixing)
- NB installed within acoustic zone with resilient / neoprene hangers below (TBC • Mineral wool insulation (60kg/m3) with clear cavity above
- 2no. layers B/GYPSUM 15mm "Duraline" boards (taped, jointed)

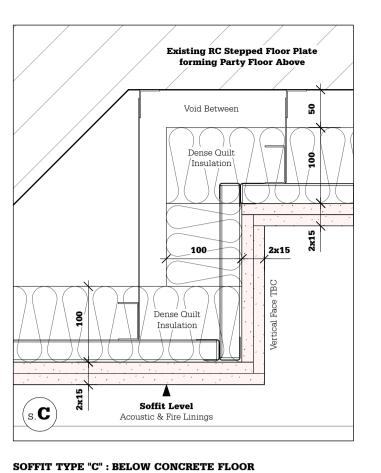
- NB. 60min. fire rating (as per manufacturer's literature) • 7-9mm dia. foam backer rod within 2-3mm gap to perimeter at wall junction
- Plaster skim finish • Finishes TBC by Interior Designer



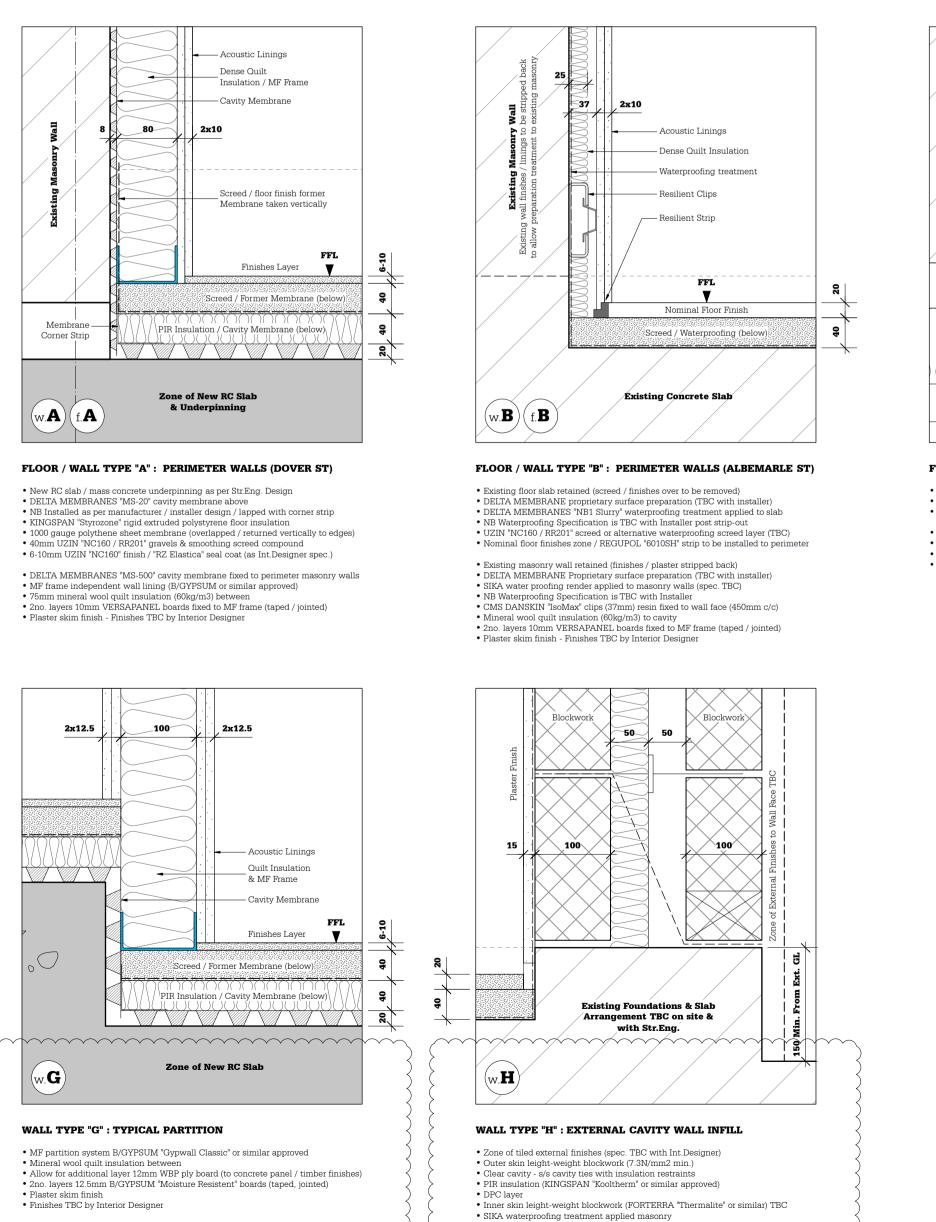
SOFFIT TYPE "B" : TIMBER FLOORS (LOW ACOUSTIC)

• Mineral wool quilt insulation (60kg/m3) between floor joists, fixed with mesh B/GYPSUM "Gypframe GAH-t" acoustic hangers / resilient MF ceiling
 Proprietary fixing grid UNISTRUT or similar by others TBC (AV/HVAC fixing) • NB installed within acoustic zone with resilient / neoprene hangers below (TBC) Mineral wool insulation (60kg/m3) with clear cavity above • 2no. layers B/GYPSUM 15mm "Duraline" boards (taped, jointed)

- NB. 60min. fire rating (as per manufacturer's literature) • 7-9mm dia. foam backer rod within 2-3mm gap to perimeter at wall junction
- Plaster skim finish • Finishes TBC by Interior Designer



• Existing ground floor RC stepped floor plate retained as existing (above) B/GYPSUM "Gypframe GAH-1" acoustic hangers / resilient MF ceiling
 Proprietary fixing grid UNISTRUT or similar by others (AV/HVAC fixing) • NB installed within acoustic zone with resilient / neoprene hangers below (TBC) Mineral wool insulation (60kg/m3) with clear cavity above
2no. layers B/GYPSUM 15mm "Duraline" boards (taped, jointed) • NB. 60min. fire rating (as per manufacturer's literature) • 7-9mm dia. foam backer rod within 2-3mm gap to perimeter at wall junction • Plaster skim finish • Finishes TBC by Interior Designer



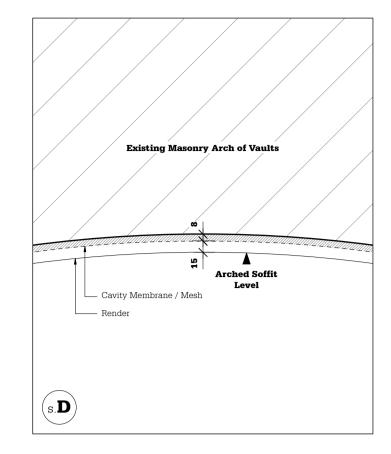
NB Waterproofing Spec. TBC with Installer

• Finishes TBC by Interior Designer

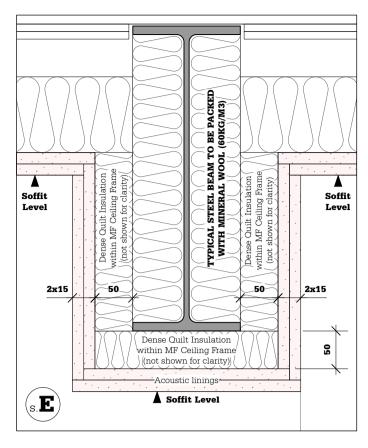
Plaster wall finish

TYPICAL FLOOR & WALL PLAN / SECTION DETAILS :

80-



SOFFIT TYPE "D" : VAULT ARCH SOFFIT • DELTA MEMBRANES "PT Lath" cavity membrane fixed to masonry arches / walls NB TBC with installer / manufacturer details / lapped with cavity floor membrane Rendered soffit finish (TBC with Int.Designer)

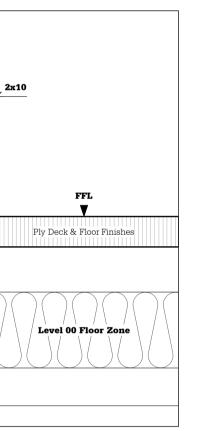


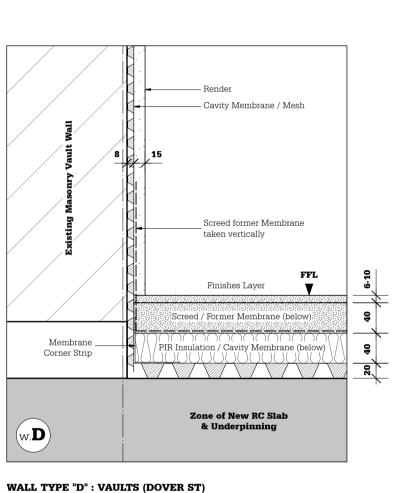
SOFFIT TYPE "E" : STEEL BEAM TREATMENT

• Mineral wool quilt insulation (60kg/m3) friction fit to webs of all steel beams B/GYPSUM "Gypframe GL1 lining channel / GL10 framing clips" to form boxing
Mineral wool quilt insulation full-fill within MF boxing • 2no. layers B/GYPSUM 15mm "Duraline" boards (60min. fire rating - taped, jointed) Plaster skim finish - finishes TBC by Int Designer

JUNCTION / WALL PENETRATIONS :

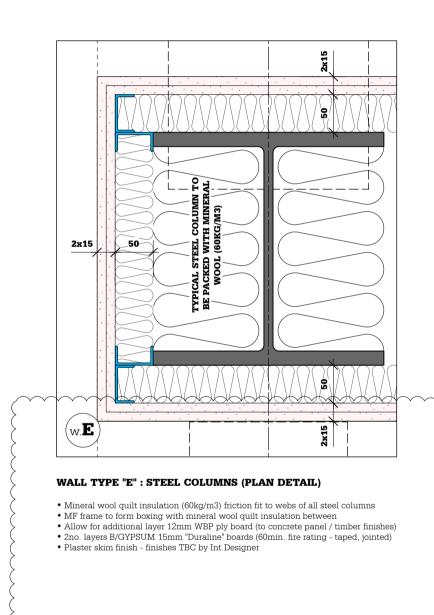
 All services penetrations to be tightly packed with mineral wool • All joints to be sealed with flexible sealant • Allow for COROFIL "C144" / intumescent collars & polythene foam backer rods

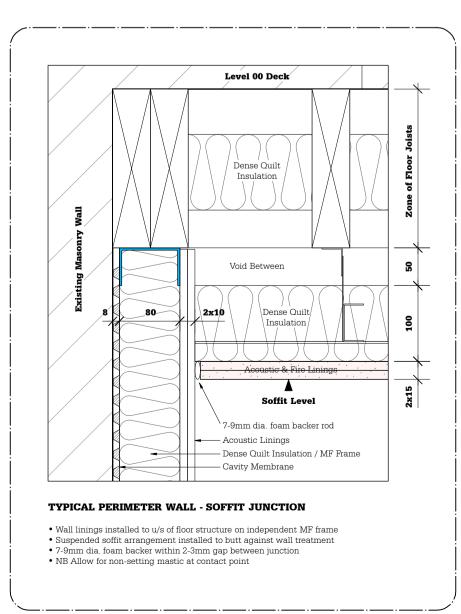




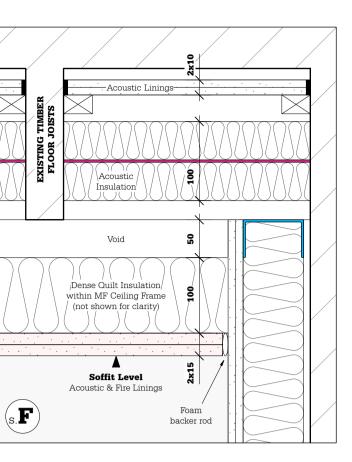
• DELTA MEMBRANES "PT Lath" cavity membrane fixed to masonry walls • NB TBC with installer / manufacturer details / lapped with cavity floor membrane

• Rendered wall finish (TBC with Int.Designer)





Appendix 2e



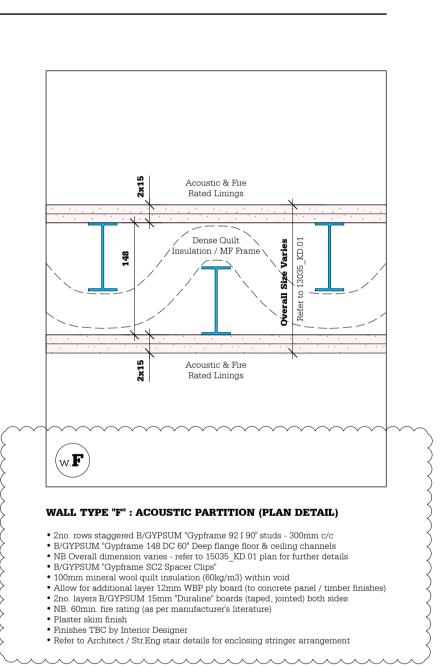
SOFFIT TYPE "F" : TIMBER FLOORS (ACOUSTIC SEPARATION)

• Timber floor structure retained as existing • 2no. layers EUROFORM 10mm "Versapanel" boards, on timber battens NB. Resilient strips to edges • CMS "Quietslab" mineral wool insulation between existing floor joists (60kg/m3)

B/GYPSUM "Gypframe GAH-1" acoustic hangers / resilient MF ceiling
Proprietary fixing grid UNISTRUT or similar by others TBC (AV/HVAC fixing) • NB installed within acoustic zone with resilient / neoprene hangers below (TBC) Mineral wool insulation (60kg/m3) with clear cavity above • 2no. layers B/GYPSUM 15mm "Duraline" boards (taped, jointed)

• NB. 60min. fire rating (as per manufacturer's literature) • 7-9mm dia. foam backer rod within 2-3mm gap to perimeter at wall junction Plaster skim finish

Finishes TBC by Interior Designer



REVISED **TENDER ISSUE**

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REFER TO KP ACOUSTIC DESIGN & DETAILS REFER TO CAVITY DRAIN INSTALLER DETAILS & SPEC.



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FOR Warwick Avenue

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	1		
DATE	SCALE	PROJECT NO. DRAWING NO. REVISION	
STATUS	TEND	ER ISSUE	
TITLE	Туріс	al Floor, Wall & Soffit Details	
PROJEC	T 8-10 I	over Street, W1S 4LQ	
κ <u>ε</u> ν	DALE	NOTED	
REV	DATE	Soffit Type F Added	
A	07.01.16		
В	19.02.16	Revised Tender Issue	
-	-	-	
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⁽w.**C**)(f.**C**) FLOOR / WALL TYPE "C" : LEVEL 00 PERIMETER (DOVER ST) • Timber floor structure (as Str.Eng. design)

[•] Plywood deck to replace existing (where required) - allow for levelling • Nominal floor finishes (TBC with Int.Designer) • MF frame independent wall lining (B/GYPSUM or similar approved) • 75mm mineral wool quilt insulation (60kg/m3) between

^{• 2}no. layers 10mm VERSAPANEL boards fixed to MF frame (taped / jointed) Plaster skim finish - Finishes TBC by Interior Designer



Appendix 2f

Damian Lavelle Development Planning Westminster City Council PO BOX 732 Redhill RH1 9FL 3rd February 2016 **Ref:** 15-0754 L01-0

Dear Mr Lavelle

8-9 Dover Street-Application Ref 15/10428/Full

I refer to the above application.

Cole Jarman are acoustic consultants. We are familiar with City of Westminster planning requirements with respect to plant noise having submitted many reports in relation to planning applications in Westminster over more than 20 years.

We have been appointed by Mr David Green of 47 Albemarle Street to review the planning application with respect to noise, in particular in relation to plant noise and the acoustic reports that have accompanied the planning application.

Two acoustic reports have been submitted:

- a) Environmental Noise Measurement Report Waterloo Acoustics dated 30th September 2014
- b) Environmental Noise Assessment Report Waterloo Acoustics dated 2nd November 2015. This report has been supplied in two sections covering the main text with the calculations in a separate appendix.

I comment on these:

Environmental Noise Measurement Report

The results of a noise survey at the site are recorded in this report.

It is noted the survey was undertaken using precision instrumentation extending over three days. The authors note that existing plant serving the premises was operational for some of the time. However it is noted that plant did not operate each day and so in deriving plant noise limits the minimum background noise levels over the complete survey are used. The minimum recorded levels were



Daytime (0700-2300)	52dBA
Night-time (2300-0700)	51dBA

In the report it is recorded that the noise levels were recorded at a height of 1.5m (para 5.5), but the position was also at first floor level (para 5.1). The position was also close to other plant serving other premises (para. 2.3)

My client's property is at 2nd floor level overlooking the well area between Dover Street and Albemarle Street. Whilst he overlooks the plant area he is not directly adjacent to the existing plant.

Upon reading the report I was concerned that the background noise levels in the report were not representative of my client's property. We therefore undertook a background noise survey at the suite on 20-21st January.

The noise survey was carried out using a Rion NL-52 precision sound level meter with windshield. The mater was calibrated before and after the noise survey using a Rion type NC-74 and found to have not drifted significantly. There was no rain during the survey. The readings were made on my client's roof terrace 1m from the façade at the terrace edge, the position indicated on the attached figure 15/0754/F1. Noise levels were recorded over repeating 15 minute periods.

The results are shown on the attached figure 15/0754/TH01. The recorded minimum background noise levels were as follows:

Daytime 0700-2300 hours	49 dBA
Night-time 2300-0700 hours	47 dBA

It can be seen that the minimum background noise levels were 3dBA lower daytime and 4dBA lower night-time than in the Waterloo Acoustics report.

In setting plant noise limits City of Westminster expects plant noise levels to be 10dBA below minimum background noise levels. (At quiet locations a lower standard is acceptable, but that does not apply in this case).

Therefore with measured background noise levels at Albemarle Street 3-4dBA lower, the noise limits to be applicable at Albemarle Street should be 3-4dBA lower than proposed by Waterloo.

The appropriate limits for Albemarle Street residences should therefore be:

Daytime 0700-2300 hours	39 dBA
Night-time 2300-0700 hours	37 dBA



As noted in the Waterloo Acoustics report where plant is tonal a 5dB weighting is applied.

Environmental Noise Assessment

In this report Waterloo assess the plant noise against their own derived noise limits. They work to the daytime limit they derived of 42dBA, i.e. assuming that the plant would operate to 2300 hours each day only.

In their calculations they assess noise levels to three locations one on Dover Street and two on Albemarle Street. At the three positions they calculate noise levels as follows:

Position A Albemarle Street - 41dBA

Position B Dover Street – 41 dBA

Position C Albemarle Street - 41dBA

In their calculations for positions A and C they ignore the contributions for two condensers and noise breakout from the air handling units, apparently on the grounds that location B is the most critical.

The authors of the report do not have confidence in their calculations stating that 42dBA "...appears achievable in theory" (para 7).

I have a number of issues with respect to the assessment carried out. These are outlined below:

- a) An application for a new premises licence has been made (ref 16/00517/LIPN). This requests the premises be licenced for music and refreshments until 0330 hours. Therefore clearly the plant will operate at night and plant should be designed to achieve the appropriate night-time noise limits, not daytime as assumed by Waterloo.
- b) With the assessments to Albemarle Street the background noise levels used are higher than we have recorded. For Albemarle Street the lower night-time noise limit derived above of 37dBA should be used, not 42dBA as used by Waterloo.
- c) With the noise calculations at no time has a 3dB façade reflection correction been applied. The standard Westminster condition (C46) is clear that limits apply at 1m from the windows of residential/ noise sensitive windows.
- d) With respect to the noise calculations for the condenser plant this has been done solely on the basis of manufacturer's sound pressure levels at 1m. In some situations noise levels around a unit can vary and therefore where possible equipment sound power levels should be used. These are values of the total sound output of plant, rather than a sound pressure level at one position. We have been able to obtain manufacturers' sound power data for the units:

PUHZ-ZRP140YKA – 70dBA PUHZ-ZRP250YKA – 77dBA PUHZ-ZRP100YKA – 69dBA



PURY-P250YLMA – 83.5dBA PUHY-P400YKB – 83dBA

The Waterloo Acoustics noise calculations do not show their derivations of sound power levels, however we assess their calculations understate the noise levels as follows:

PUHZ-ZRP250YKA – 4dBA understatement PUHZ-ZRP100YKA – 3 dBA understatement PURY-P250YLMA – 7.5dBA understatement PUHY-P400YKB – 4dBA understatement

For the PUHZ-ZRP140YKA any difference is not derivable from their calculations.

- e) My client's property extends towards the locations of the proposed plant such that it is closer to the plant than taken by Waterloo in their calculations to Albemarle Street. Generally the nearest window will be 6-9m from plant whereas Waterloo Acoustics take it at 8-13m generally. Typically this means distance noise attenuation under assessed by 2-3dBA.
- f) In totalling noise levels to Albemarle Street the contributions from the PUHZ ZRP140YKA condensers and breakout noise from the air plant is ignored.

Taking account of all these deficiencies in the calculations I would assess that the total façade incident plant noise levels at Albemarle Street would be around 49 dBA, some 8dBA higher than Waterloo Acoustics.

This means plant noise levels some 12dBA above the derived appropriate noise limit of 37dBA, thereby very clearly not conforming to City of Westminster planning policy.

Conclusions

I have reviewed the Waterloo Acoustics reports submitted with the planning application for new plant at 8-9 Dover Street.

We have found that minimum background noise levels at our client's property are 4dB lower than the applicant's levels, the difference thought due to the applicant's consultants measuring close to existing plant, rather than at the Albemarle Street residences

I have noted several errors in the noise calculations that cumulatively lead to a significant under assessment of the plant noise levels.

I assess that the total façade incident plant noise levels at Albemarle Street would be around 49 dBA, some 8dBA higher than assessed by Waterloo Acoustics.



This means plant noise levels some 12dBA above the derived appropriate noise limit of 37dBA, thereby very clearly not conforming to City of Westminster planning policy. Therefore the current application should be refused on noise grounds.

It may be that the applicants will want to review their assessment and consider further noise mitigation.

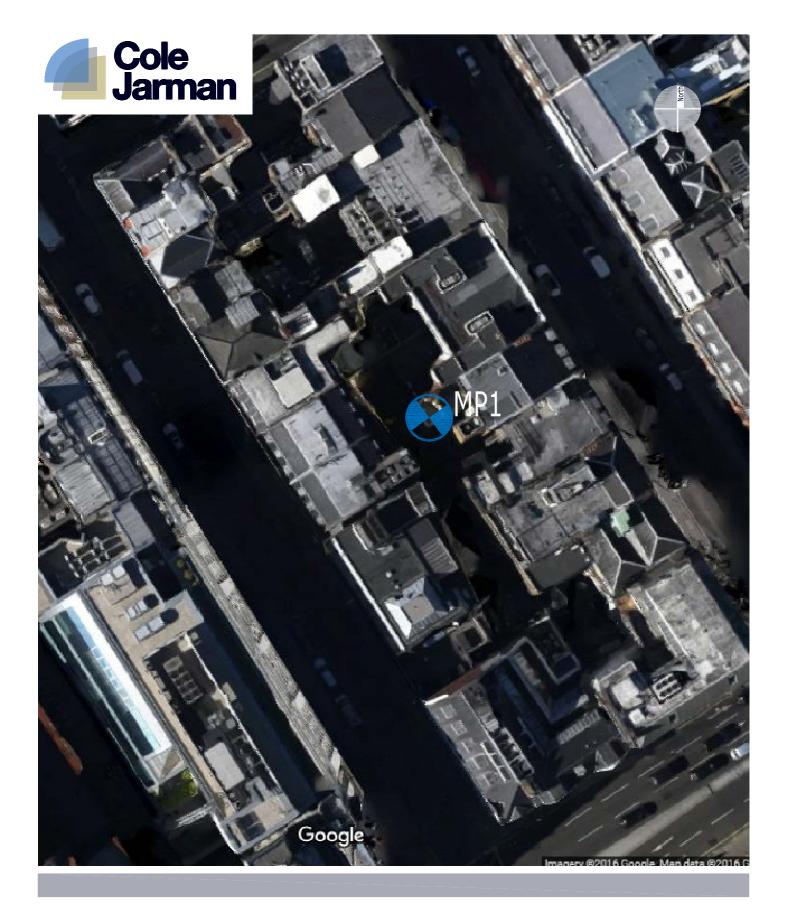
With respect to the air handling plant control of breakout from fan casings could be readily achieved by having that plant installed within the building envelope in the same way that the main kitchen extract is proposed to be, with only louvres to the rear area. This would also reduce the visual impact of the plant, which whilst not an acoustic issue, is a concern of my client. With respect to condenser plant these would need additional acoustic treatment.

Other Matters

The planning application related to the installation of plant associated with 8-9 Dover Street. In 2014 a Certificate of Lawful use was granted for the use of the basement at 47 Albemarle Street as ancillary space (office, kitchen and storage space) to restaurant use at 8-10 Dover Street. It is most important to my client that this continue as the permitted use only. If there were public spaces with music entertainment sound would readily pass up the walls of the building and impact upon my client residential amenity.

Yours sincerely

Neil Jarman BSc (Hons) CEng MCIBSE MIOA



Site plan illustrating the measurement position MP1 Title:

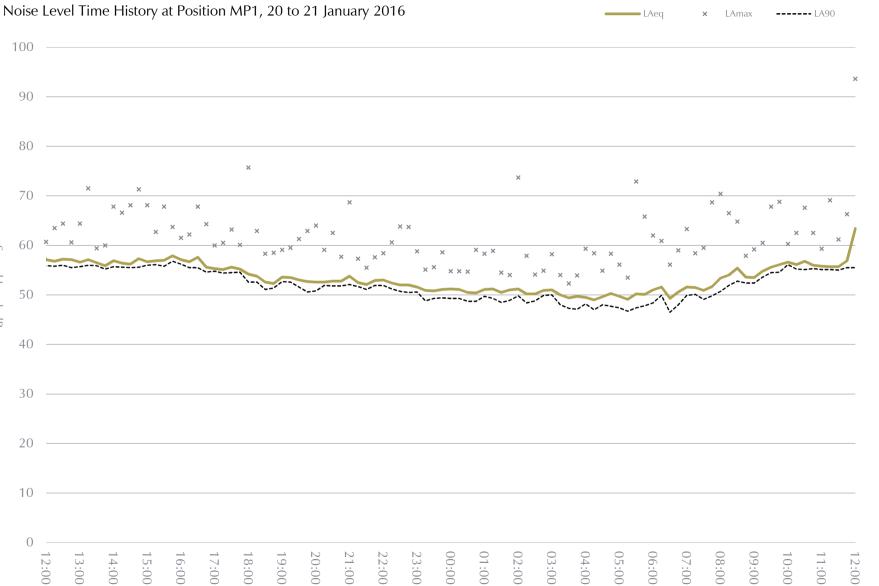
- Project: 8-9 Dover Street
- Date:
 - January 2016
- Not to scale Scale:

Revision: -

Figure 15/0754/F1

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John Cree House, 24B High Street, Addlestone, Surrey KT15 1TN e info@colejarman.com w www.colejarman.com



Measurement Time

8-9 Dover Street

Sound Level, dB

Figure 15/0754/TH01

Licence history for: Dover Street Wine Bar Ground Floor Left 8-9 Dover Street London W1S 4LD

Application	Details of Application	Date Determined	Decision
Conversion application	Application to convert the licence under the	18.09.2005	Granted under delegated authority
	Licensing Act 2003		
05/07928/LIPC			
Transfer application	Application to transfer the premises licence	02.02.2015	Granted under delegated authority
14/10693/LIPT	from Dover Street Restaurant Limited to		actogated dationty
	Mr Boris Kofman & Mr		
	Saul Lewin		

There is no appeal history for the premises

Licence history for: Dover Street Wine Bar Ground Floor Left 8-9 Dover Street London W1S 4LD

Application	Details of Application	Date Determined	Decision
Conversion application	Application to convert the licence under the	18.09.2005	Granted under delegated authority
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14/10693/LIPT	from Dover Street Restaurant Limited to		actogated dationty
	Mr Boris Kofman & Mr		
	Saul Lewin		

There is no appeal history for the premises

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

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

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

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

Mandatory Conditions

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

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

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

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

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

P = D+(DxV)

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

Conditions consistent with the operating schedule

9. After 00.00 hours (midnight) the supply of alcohol shall be ancillary to the provision of substantial food and/or music and dancing.

- 10. 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.
- 11. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed:

Ground Floor	100 persons
Basement	480 persons

With no more than 480 persons on the premises at any one time.

This condition has been modified following agreement with Environmental Health.

- 12. 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.
- 13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 16. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- 17. All windows and internal entrance doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
- 18 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.
- 19. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and

mechanical equipment, shall at all material times be maintained in good condition and full working order.

- 20. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- 21. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
- 22. All self-closing doors shall be effectively maintained and not held open other than by an approved device.
- 23. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- 24. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
- 25. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 26. 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.
- 27. Patrons permitted to temporary leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- 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 sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
- 29. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.
- 30. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- 31. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons

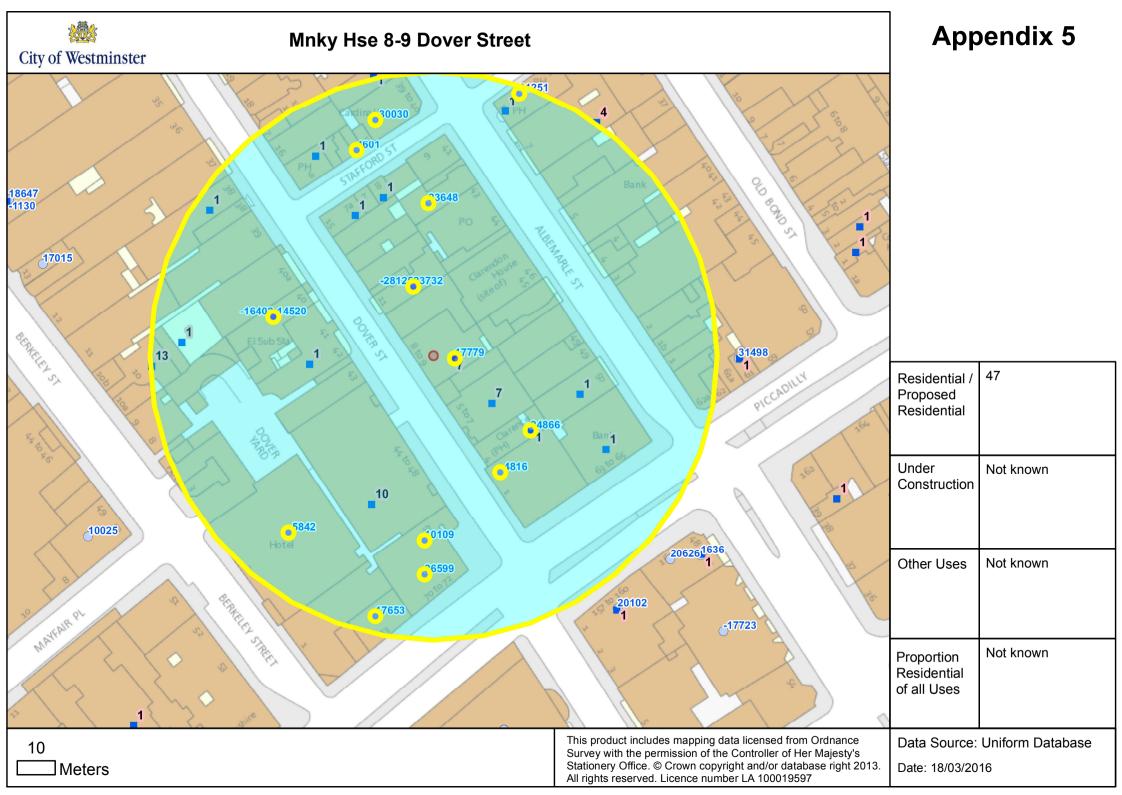
(f) any faults in the CCTV system or searching equipment or scanning equipment (g) any refusal of the sale of alcohol

- (h) any visit by a relevant authority or emergency service.
- 32. There shall be no sales of hot food or hot drink for consumption 'off' the premises after 23.00 hours.
- 33. No deliveries to the premises shall take place between 23.00 and 07.00 hours.
- 34. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
- 35. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
- 36. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
- 37. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
- 38. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
- 39. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority by way of variation.
- 40. No licensable activities shall take place at the premises until premises licence 14/10693/LIPT (or such other number subsequently issued for the premises) has been surrendered.
- 41. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound

generating equipment shall be used on the premises without being routed through the sound limiter device.

Conditions proposed by the Police and agreed with the applicant

- 42. There shall be no admittance or re-admittance to the premises after 02:00, except for those patrons temporarily leaving the premises to smoke, save for a maximum number of 25 guests per night who may be admitted at the manager's discretion provided a legible record of these people's names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance will also be recorded.
- 43. At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises from 20:00 whilst it is open for business.
- 44. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
- 45. There shall be no sales of alcohol for consumption off the premises after 23:00.



		emises within 75 metres of: Mnky Hse, 8 - 9 [
p / n	Name of Premises	Premises Address	Opening Hours
14/09521/LIPVM	Mayfair Club	Basement 49-50 Dover Street London W1J 8DJ	Sunday 09:00 - 05:00 Monday to Saturday 09:00 - 06:00
4/10693/LIPT	Dover Street Wine Bar	Ground Floor Left 8 Dover Street London W1S 4LD	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
15/00717/LIPDPS	Gymkhana Restaurants	Basement And Ground Floor 42 Albemarle Street London W1S	Monday to Sunday 10:00 - 01:30
09/03331/LIPD	Thresher Wine Shop	12 Dover Street London W1S 4LL	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
4/08698/LIPDPS	Babbo Restaurant Limited	Ground Floor Cardinal House 39 - 40 Albemarle Street London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
2/07557/LIPDPS	The Arts Club	Basement To First Floor 40 Dover Street London W1S 4NP	Monday to Sunday 00:00 - 00:00 Monday to Sunday 08:30 - 03:30
12/11096/LIPN	The Arts Club	Basement To First Floor 40 Dover Street London W1S 4NP	Monday to Sunday 00:00 - 00:00 Sunday 08:30 - 00:00 Monday to Saturday 08:30 - 03:30
15/05632/LIPVM	Mahiki	1 Dover Street London W1S 4LA	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
9/06623/LIPN	Le Petit Cafe	5A Stafford Street London W1S 4RR	Monday to Friday 06:00 - 20:00 Saturday 08:00 - 20:00
5/04943/LIPDPS	The Clarence Public House	4 Dover Street London W1S 4LD	Monday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:30
5/05204/LIPDPS	Whisky Shop	70 Piccadilly London W1J 8HP	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
5/08193/LIPDPS	The Kings Head	The Kings Head 10 Stafford Street London W1S 4RX	Monday to Thursday 07:00 - 00:30 Sunday 07:00 - 00:30 Friday to Saturday 07:00 - 01:30
4/07481/LIPDPS	Pescatori	11-12 Dover Street London W1S 4LJ	Monday to Saturday 10:00 - 00:30 Sunday 23:00 - 00:00
5/05850/LIPDPS	Holiday Inn Mayfair	3 Berkeley Street London W1J 8NE	Monday to Sunday 00:00 - 00:00
15/04718/LIPDPS	Cafe De Pierre	73 Piccadilly London W1J 8HS	Monday to Sunday 07:00 - 23:30

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	18 January 2016	
5	Application covering letter	18 January 2016	
6	Dover Street Wine Bar Premises Licence	2 February 2015	
7	Environmental Health representation	12 February 2016	
8	Environmental Health agreement to conditions and withdrawal of representation	15 March 2016	
9	Police representation	27 January 2016	
10	Police agreement to conditions and withdrawal of representation	3 February 2016	
11	Mr David Green representation	4 February 2016	