

Licensing Sub-Committee Report

Item No:	
Date:	26 May 2016
Licensing Ref No:	16/01609/LIPN - New Premises Licence
Title of Report:	The Pavilion Merchant Square London W2 1LA
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Darren O'Leary Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: doleary@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	8 th February 2016		
Applicant:	Paddington Basin Management Ltd		
Premises:	The Pavilion		
Premises address:	The Pavilion Merchant Square London W2 1LA	Ward:	Hyde Park
		Cumulative Impact Area:	None
Premises description:	According to the application it will be used to house popup events so as to support local artist and performers.		
Premises licence history:	None.		
Applicant submissions:	Following discussions with EH and Police regarding their representations, the applicant has agreed proposed conditions.		

1-B Proposed licensable activities and hours							
Provision of Films:				Indoors, outdoors or both			In
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations:			N/A				
Non-standard timings:			N/A				

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations:			N/A				
Non-standard timings:			N/A				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations:			None				
Non-standard timings:			None				
Adult Entertainment:			N/A				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Anil Drayan
Received:	7 th March 2016
<p>The applicant is seeking the following:</p> <ol style="list-style-type: none">1. To provide the following regulated entertainments indoors between 12:00 and 23:00 hours Monday to Sunday:<ul style="list-style-type: none">• Plays• Films• Live Music• Recorded Music• Performances of Dance2. To provide for the Supply of Alcohol 'On' the premises between 12:00 and 23:00 hours Monday to Sunday: <p>I wish to make the following representations based on the plans submitted and the supporting operating schedule:</p> <ol style="list-style-type: none">1. The hours for and types of Regulated Entertainments requested may lead to an increase in Public Nuisance in the area and may adversely affect Public Safety2. The hours requested for and the Supply of Alcohol may lead to an increase in Public Nuisance in the area <p>The applicant has offered some undertakings in the operating schedule which are under consideration and will need to be converted to conditions on the Licence</p> <p>Further clarification is also sought on the nature of the licensable activities as it is not clear if the provision of alcohol will only be during events or permanent. It is also unclear on the likely size of any event as there is no indication of any maximum capacity.</p> <p>The applicant is therefore requested to contact the undersigned to arrange a site visit, which will be accompanied by the Licensing District Surveyor, to discuss all of the above issues.</p> <p>Environmental Health may then propose further conditions to allay its concerns.</p>	
Responsible Authority:	Metropolitan Police (Withdrawn)
Representative:	Bryan Lewis
Received:	3 rd March 2016
<p>With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a new Premises Licence as it is our belief that if granted the application may undermine the Licensing Objectives.</p> <p>Our objections relate to the following:</p>	

- There are insufficient measures proposed by the applicant to support the licensing objectives.
- More information is required regarding the intended business operation to properly assess the application.

2-B Other Persons			
Name:		Mr Michael Clarke	
Address and/or Residents Association:		3 Merchant Square London	
Status:	Outstanding	In support or opposed:	Opposed
Received:	29 th February 2016		
<p>I am writing on behalf of a number of residents in 3 Merchant Square, including myself, to object to the Application for a Licence for the building known as The Pavilion under The Licensing Act 2003. This building was constructed as a Marketing Suite for the sale of the next phase of Merchant Square development-as yet to be started.</p> <p>The main grounds of our objection are on the basis of Public Nuisance.</p> <p>The application is for use for Plays, Live and Recorded music, Films, Dancing and the Sale of alcohol from 1200 till 2300 SEVEN days /week.</p> <p>This building is immediately adjacent to my block of flats (3 Merchant Square) being approximately 25 feet away. It is in the East end of the Development which is almost entirely residential (their application is totally incorrect in stating that "it is located away from the residential part of the development"- and seems to confirm their complete lack of knowledge of the site or else a deliberate misleading statement.</p> <p>It is unclear exactly what is going to take place, or how often it will be used.</p> <p>Our MAIN CONCERN is Noise-even with the best will in the world- there is going to be noise from whatever takes place inside the building and worse still the noise of people leaving after alcohol and late at night-especially at the weekends, with the proposed very late finishing times.</p> <p>The existing temporary Planning Permission stipulated its use for marketing of the proposed flats only. Its construction could only take place between 08.00 and 18.00 Monday to Friday, 08.00 and 13.00 Sat .and NOT at all on Sundays or bank holidays. These conditions were to protect the environment of neighbouring residents as per CS29 and CS32 of Westminster's City Plan - Strategic policies. The same protection must surely apply to this new Application in terms of noise and hours of use.</p> <p>The building is a temporary structure and is unlikely to have significant soundproofing for the proposed use.</p> <p>The existing planning does not permit the proposed use or the proposed hours of use (see Planning No.13/06471/FULL Clause 5 + 7).</p> <p>There will clearly be noise at unsociable hours particularly at weekends from the proposed use; There is virtually no public parking available in the vicinity-indeed the original planning</p>			

permission expressly made the developer provide underground parking for all the flats- and access is further limited by the closure of the gates between Westcliffe-Peninsula-and Balmoral blocks of flats in the early evening to prevent noise from people entering and leaving the restaurants and thus would further reduce access to The Pavilion.

Since these planning constraints already exist-and no new planning application has been submitted- operation of the proposed New Licence would be a Breach of planning control. They are, therefore, applying for this licence flagrantly outside planning permission and one cannot be encouraged that they would operate a licence responsibly - If granted.

Name:		Ms Ginger Sheriff	
Address and/or Residents Association:		3 Merchant Square London	
Status:	Outstanding	In support or opposed:	Opposed
Received:	2 nd March 2016		

Our apartment is immediately above the pavilion in question, our bedrooms being approximately 40 feet above the building, which is situated ten feet to the side of the residential block of apartments.

Noise is a big consideration particularly when considering this was constructed as a showroom and undoubtedly not with suitable soundproofing required to reduce noise levels that this change of use will create.

Name:		Mr John Zamit	
Address and/or Residents Association:		SEBRA (South East Bayswater Residents' Association) 2 Claremont Court Queensway LONDON W2 5HX	
Status:	Outstanding	In support or opposed:	Opposed
Received:	6 th March 2016		

As an adjoining recognised residents' association we share the concerns of the PW&MV Society to this application and the very good points they have raised (as per their objection of 29 February attached) so we also object to the grant of the licence.

Merchant Square (and West End Quay adjacent) has several large blocks of flats and their interest and right to quiet enjoyment must be paramount.

We are very surprised that no planning application has been made for change of use to accommodate proposed venture.

We assume CCTV will be provided to satisfaction of police.

Also assume deliveries etc will be during normal business hours together with other 'standard model conditions.

Name:	Mr Gerhard Hammerle		
Address and/or Residents Association:	4 Merchant Square Apt 708 London		
Status:	Outstanding	In support or opposed:	Opposed
Received:	19 th February 2016		

Please ensure that the live music and people won't disturb the neighbours. The Grand Union Pub already attracts many drunk people, who even after the garden closes at 10pm, stand outside and scream and shout. Especially in the warmer summer months this can go on far beyond midnight.

This cannot happen with a second place along the canal.

Name:	Mrs Elizabeth Virgo (Paddington Waterways & Maida Vale Society)		
Address and/or Residents Association:	4 Browning House 19-21 Formosa Street London W9 2JS		
Status:	Outstanding	In support or opposed:	Opposed
Received:	29 th February 2016		

Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues). We are concerned with the well-being and sense of community of its residents, including those who live in the vicinity of Paddington Station and those who use the station either for travel or for passing through.

Introduction

We recognise that this proposal is designed to provide services for locals as well as people who are not residents in this area.

However, the application raises a number of issues which lead us to conclude that it should be refused.

Our representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance. It could also impair the prevention of crime and disorder.

In the first place, we are somewhat perplexed by this application as the existing building does not, in our view, have planning permission for these activities and we understand a closing time of 21.00. Nor has any appropriate application come before us yet to consider.

The building is quite close to residential accommodation in Merchant Square and activities in it need careful regulation to minimise the disruption for neighbours in terms of noise and anti-social behaviour.

If this were to be given serious consideration we would ask that there be no drinking outside at all and that provision be made to contain the impact of smoking on nearby housing. We would like to know how this will be physically policed. We would ask that all patrons leaving are

requested to do so quietly, and directed away in an appropriate direction, causing as little nuisance to the nearby residents as possible.

No mention is made of the seated capacity and we wonder what provision is made for fire exits. We would be very concerned about the emission of noise externally from the activities, particularly the varied types of music to be played and would seek reassurances, if not conditions on how this might be contained. As this is a temporary structure, we would ask for sound insulation to be a necessary condition.

We note that there is no indication as to how often events would take place- we would ask for limits to be put on the frequency.

We note that the hours proposed for opening are the same as those for serving alcohol and feel there should be at least half an hours drinking up time at the end. Sunday times should be brought into line with Core Hours anyway.

3. Policy & Guidance

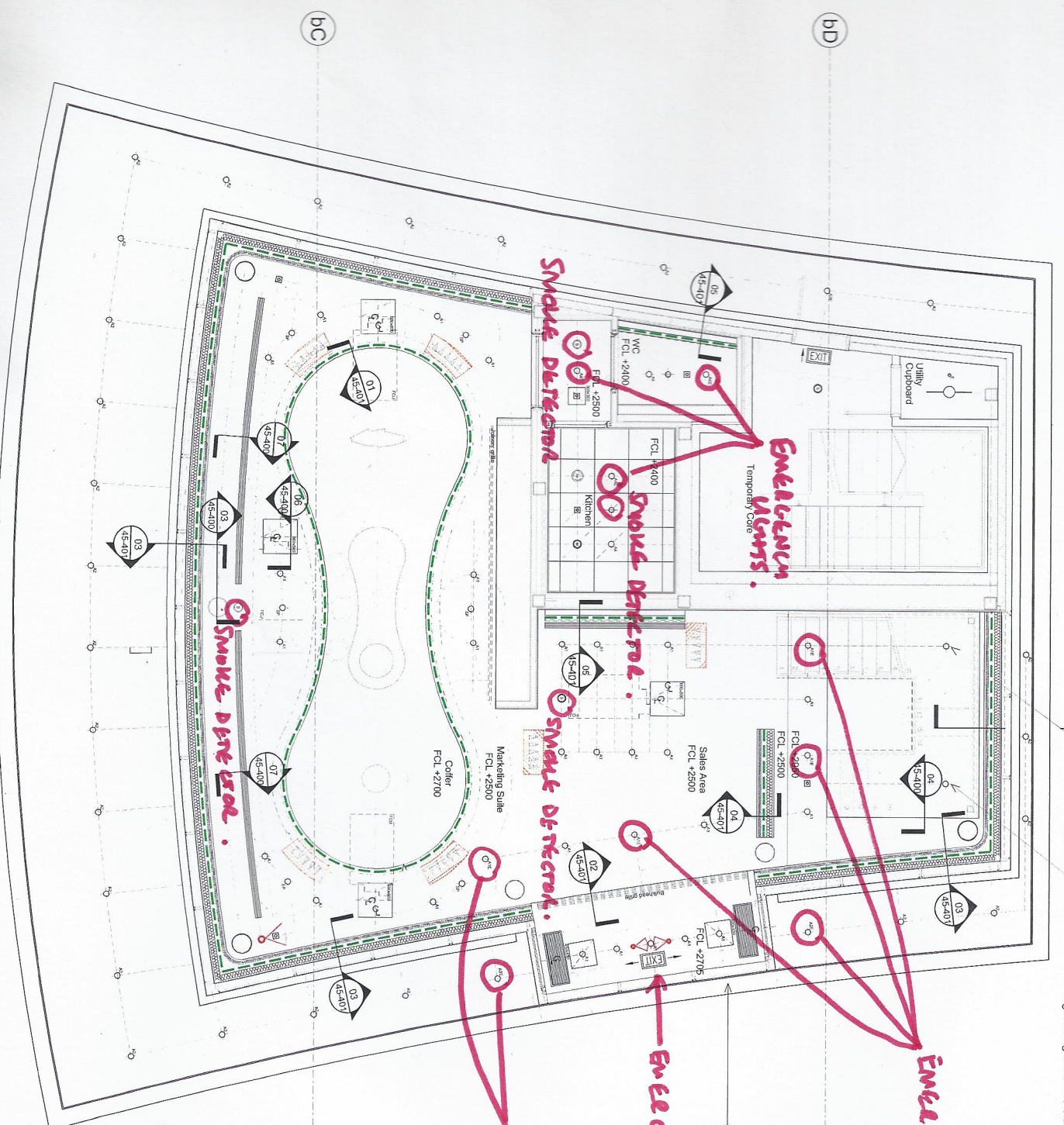
The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy 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 set out below in this policy will be considered on their merits, subject to other relevant policies
Policy MD1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Appendices

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

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— Collier subframes have been CNC cut in order to achieve a true curve and clad in two layers of 6mm GRG.

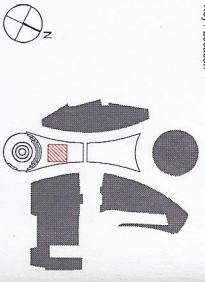
- Linear Ceiling Broom Air RAL 9002 Frame Size TEC by HL
- Air supply/extract aluminium grille
- Recessed Frame Size TEC by HL
- Surface mounted emergency luminaire with directional signage
- Recessed downlight
- Recessed downlight with emergency power pack
- Recessed downlight
- Recessed downlight with emergency power pack
- Recessed downlight
- Recessed downlight
- Recessed downlight with emergency power pack
- Small recessed downlight
- Surface mounted LED light and medium resistant luminaire
- Linear LED lighting
- Heat detector
- Smoke detector
- Extract valve
- Fan Coil Unit
- Curtain track
- Sheer Blind Track
- Speaker
- plywood lattices to ceiling as required for fins
- PIR
- Security camera

AS BUILT

Rev	Notes	Date	By
AB	AS BUILT	09.10.14	
10	For Construction	25.07.14	
09	For Construction	11.07.14	
08	For Construction	04.07.14	
07	For Construction	25.06.14	
06	For Construction	24.06.14	
05	For Construction	19.06.14	
04	For Construction	09.06.14	
03	For Construction	07.05.14	
02	For Construction	09.04.14	
01	For Construction	27.01.14	
00	Tender	07.08.13	

Consultants:
 Mott MacDonald
 Main Surveyors:
 Landscape Architects:
 Structural:
 Structural

Henry Lee
 ETLA
 TLA
 WSP

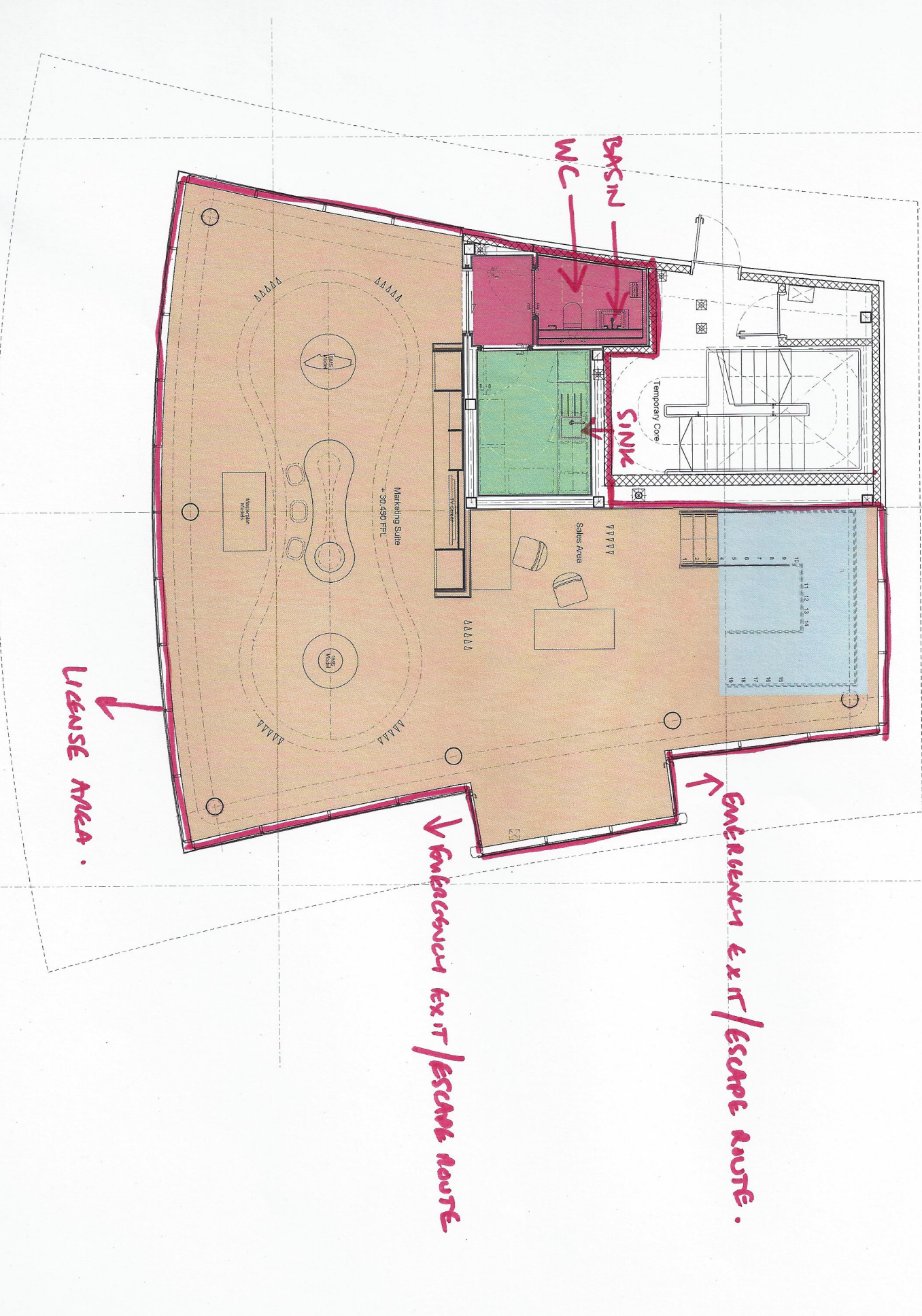


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Client
 1 MARCHANT SQUARE (RIBBY)

Gridline: Empire light fittings
 Standard: TV plenary, stair rods and handrails, pocket doors
 standard door, bathroom cabinet, WC framework
 SES: blockwork to temporary cover (SMS works)
 Skygreen: Kalzip roof



Key

116.6 Sq. m (includes wall)
11.1 Sq. m
6.5 Sq. m
5.9 Sq. m

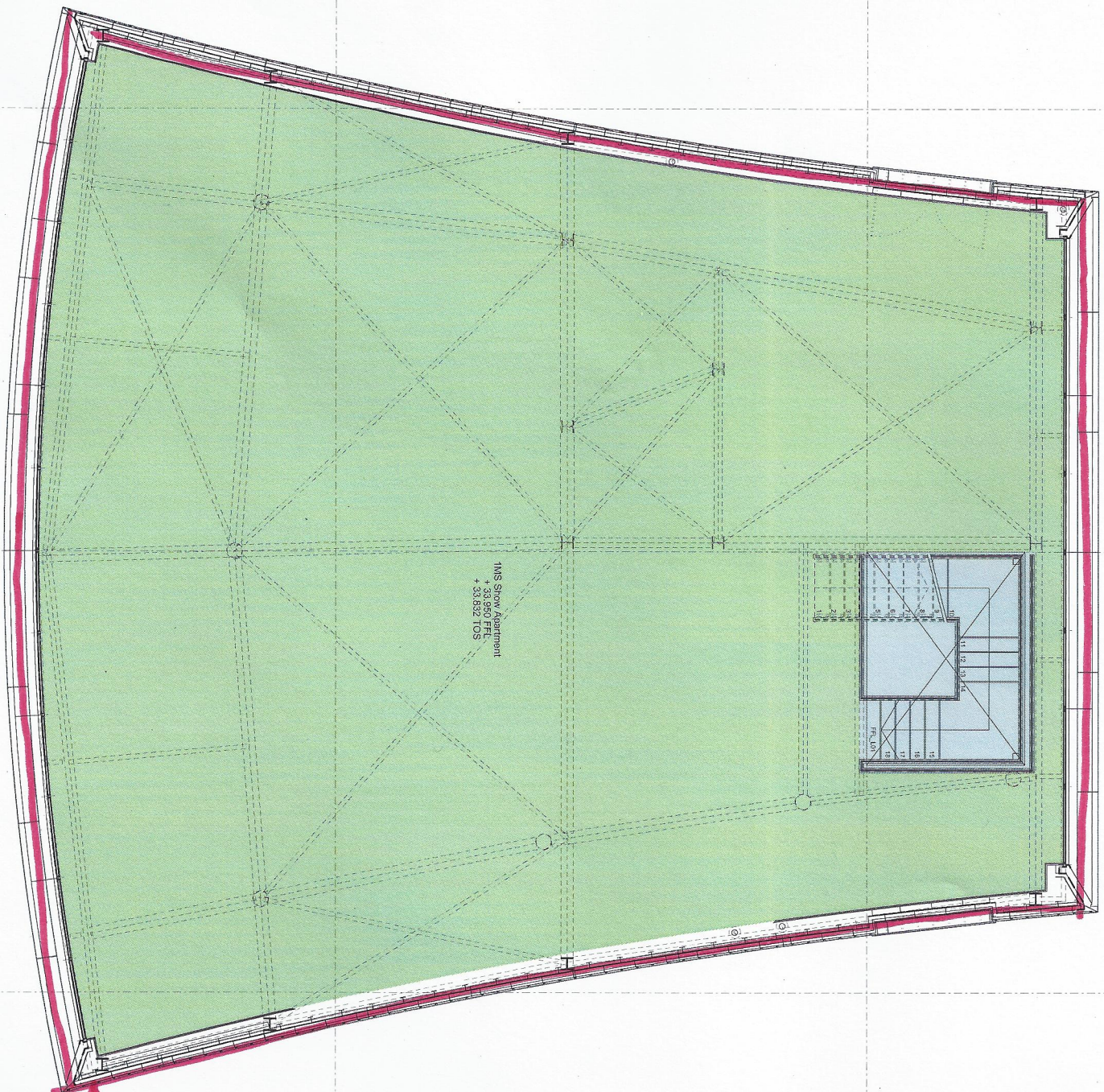
00 For Information
Rev Notes

A Stair updated to align with L3

Rev Notes
Consultants
M&E
Quantity Surveyors:
Landscape Architects:
Structural
Structures



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IMS Show Apartment
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← UENCE AREA

NO FIXED SEATING .



Merchant Square Pavilion
Acceptability of noise breakout from a range of
activities occurring within the Pavilion building

Report ref.

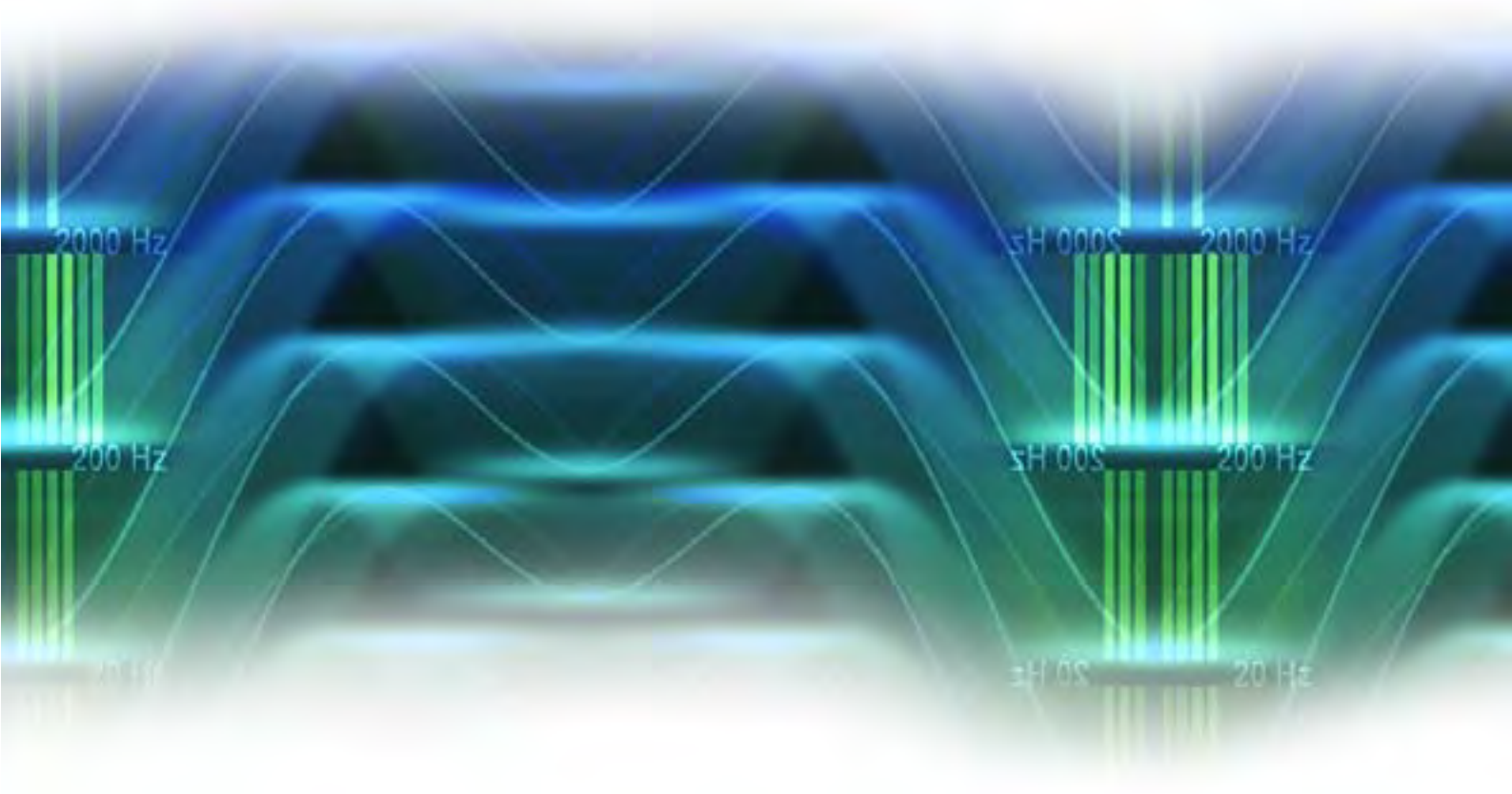
PJB7793/16164

Date

May, 2016

Issued to

European Land and Property Ltd



Issued by

Phill Banks B Eng MIOA
Principal Consultant



SECTION	TITLE	PAGE
1.	INTRODUCTION.....	1
2.	SITE DESCRIPTION.....	1
2.1	PROPOSALS.....	1
3.	GUIDELINES FOR ACCEPTABILITY OF NOISE FROM THE PROPOSALS.....	2
4.	AMBIENT NOISE SURVEY.....	2
4.1	SURVEY DATE, LOCATION AND EQUIPMENT.....	3
4.2	RESULTS.....	3
5.	ANALYSIS OF NOISE BREAKOUT FROM PAVILION BUILDING.....	4
5.1	NUMERICAL NOISE MODEL.....	4
5.2	SOUND REDUCTION INDICES.....	4
5.3	NOISE SOURCE LOCATIONS AND RECEPTOR LOCATIONS.....	4
5.4	ALLOWABLE SOUND LEVEL WITHIN THE PAVILION BUILDING.....	4
5.5	RESULTANT NOISE LEVEL AT NEARBY RESIDENCES.....	5
6.	DISCUSSION.....	5
6.1	CINEMA.....	5
6.2	SUPPER CLUBS, ART EXHIBITIONS, SHOWCASES, POP-UP SHOPS.....	5
6.3	CORPORATE EVENTS.....	6
6.4	GENERAL COMMENTS.....	6
7.	CONCLUSION.....	6

Appendix A: Plan showing 3 Merchant Square, Pavilion Building and noise monitoring location

Appendix B: Plan and elevation drawings of the Pavilion Building

Appendix C: Chart showing noise monitoring results

Appendix D: Isometric drawing showing numerical noise model

Appendix E: Results from Predictor model



1. INTRODUCTION

Spectrum Acoustic Consultants have been engaged by European Land and Property to provide acoustic consultancy advice for a range of buildings within the overall Paddington Basin redevelopment. European Land and Property Ltd now propose to hire out the Pavilion building at Merchant Square for a range of events and functions. Spectrum have been appointed to undertake an analysis of the potential for these activities to give rise to noise disturbance for surrounding noise-sensitive premises and, where necessary, recommend noise mitigation measures.

2. SITE DESCRIPTION

Merchant Square is a mixed use development of high quality residential, office and retail units located in Paddington Basin between Harrow Road to the north, Harbet Road to the east, North Wharf Road to the west and the Paddington Basin canal to the south. At present, 5 Merchant Square to the south west and 3 & 4 Merchant Square to the south east of the site are complete and occupied. The Pavilion building is located centrally toward the south of the site approximately 5m to the west of 3 Merchant Square. The second floor residences on the western side of 3 Merchant Square are the nearest noise-sensitive locations.

A plan of the overall area is shown in Appendix A.

The Pavilion building has temporary planning permission for 5 years as a marketing suite. It comprises a 2 storey, free-standing building with the first floor plan area larger than the ground floor so that the first floor cantilevers over the ground floor on all 4 sides. At ground floor level, the perimeter is formed by curtain walling (glazing) apart from the north-west corner, which is rendered blockwork. At first floor level on the eastern and western sides, the building fabric is sheet metal cladding externally with insulation and cementitious board lining within. On the north and south elevation are large glazed areas, framed by cladding.

Plan and elevation drawings for the Pavilion building are shown in Appendix B.

2.1 PROPOSALS

European Land are seeking to obtain the requisite planning and licensing consents to utilise the existing Pavilion building for a range of flexible uses for a temporary period only. Consent is sought for continued use as a marketing suite (as per the current consent) and also for events / functions that fall within the following planning use classes:

- A1
- A3
- D1, and
- D2.

Examples of the proposed functions / events that are proposed include:

- Pop up Cinema
- Supper Club
- Art exhibition/showcases
- Pop up shops, and
- Corporate events



Proposed operating hours are from 12.00 midday to 11.00 pm Monday to Sunday. There will be no more than 60 attendees on site at any one time and all uses will take place within the building. This arrangement is consistent with the manner in which the existing marketing suite use consented under planning permission ref: 13/06471/FULL can operate. There will be no cooking / food preparation on site that would require mechanical services equipment.

Planning permission is sought for a temporary period from beginning of June 2016 until the end of November 2016.

3. GUIDELINES FOR ACCEPTABILITY OF NOISE FROM THE PROPOSALS

There are no limits or guidelines for the acceptability of noise specifically from the uses noted above in British Standards, Planning Guidance, general acoustic guidance documents, etc. Neither are there widely agreed procedures for the assessment of this noise in the acoustics industry.

The range of potential activities described above is potentially wide. Factors which will affect the risk of disturbance include:

- The ambient noise environment in the surrounding area
- The time of day / night at which the activity occurs
- The level of sound produced by the activities, both in absolute terms and relative to the ambient noise environment
- The character of the sound
- The number of occurrences of the event (e.g. 3 'noisy' events per year may be tolerated to a greater extent than events that occur on the same night every week)
- The individual sensitivity of residents to noise disturbance
- The attitude of residents to the activity occurring.

At the extremes, sound from the Pavilion building which is inaudible will clearly be acceptable and sound which dominates the noise environment will be generally unacceptable. It is common for noise criteria to be set adopting a cautious approach by preventing disturbance for most people, rather than to allow a higher level of noise emission which, say, only half of the population would find acceptable.

In this analysis, we have adopted a guideline for acceptability outside residences in which noise breakout is around 10 dB lower than the minimum measured L_{90} level in all octave bands for the quietest 1 hour of daytime period during the proposed times of use. This is considered to be between the NOAEL (no observed adverse effect level) and LOAEL (lowest observed adverse effect level) as described in the Planning Practice Guidance on Noise. As such, this will provide acoustically acceptable for surrounding residents.

4. AMBIENT NOISE SURVEY

Achieving the noise standards specified in Section 3 depends upon knowledge of the external noise environment prevailing at the nearest noise sensitive locations. Accordingly, an ambient noise survey has been conducted as described below.



4.1 SURVEY DATE, LOCATION AND EQUIPMENT

Ambient noise measurements were carried out during a site survey between Friday 6 and Tuesday 10 May 2016. This survey consisted of long-term, unattended ambient sound level measurements at the nearest convenient location to the residences at 3 Merchant Square. This was at 3m above ground level, approximately 5m to the north of the pavilion building within the existing site compound. The microphone was located in free field conditions.

The long-term noise monitoring location is shown in the site location plan in Appendix A.

The following equipment was used during the survey:

- Bruel & Kjaer Type 2260 Sound Level Meter s/n 2120238
- Bruel & Kjaer type 4189 Microphone s/n 2385826
- Bruel & Kjaer Type 4231 Acoustic Calibrator s/n 2115516
- Bruel & Kjaer Type UA 1404 Outdoor microphone attachment, and
- Bruel & Kjaer Type AO 0441 10m microphone extension cable

Before and after the survey, the sound level meter was field-calibrated in accordance with the manufacturer's guidelines, and no significant drift was observed. The meter, microphone and field calibrator are laboratory calibrated biennially in accordance with UKAS procedures or to traceable National Standards.

4.2 RESULTS

The measurements have been summarised into contiguous 5 periods to present the noise profile throughout the monitoring period. Noise parameters consisted of equivalent continuous (L_{Aeq}) noise levels and maximum (L_{Amax}) noise levels as well as statistical noise levels (termed L_n , where n is the percentage of time the level is exceeded during the measurement period). For example L_{A90} is the noise level that is exceeded for 90% of the time and is often taken to be the background or typical minimum noise level. Overall and octave band measurements were stored for later analysis.

The results of the measurements are shown graphically in Appendix C. In addition, the results have been summarised into relevant daytime (09:00-17:00 hours) and 1-hourly evening periods, coinciding with the widely agreed definitions. Table 1 below summarises the measured daytime and night-time L_{Aeq} levels and design L_{Amax} levels along with other salient parameters.

The measurement chart in Appendix C shows a noise environment which is relatively steady throughout the daytime periods (although affected by some variability during this time) which exhibits the expected diurnal variation, with some drop in continuous noise levels and a reduction in the incidence of the highest L_{max} noise levels overnight, largely in line with road traffic volumes on surrounding roads. It was noted when the equipment was set out and collected that significant construction noise was occurring on the north-west side of North Wharf Road, although this will have ceased during the evenings and at weekends.

	$L_{Aeq,T}$ dB(A)	$L_{A90,T}$ dB(A)	$L_{90,T}$ Octave Band Centre Frequency (Hz)								
			31	63	125	250	500	1k	2k	4k	8k
Daytime (8hr)	62	58	-	61	53	52	53	55	49	39	26
Lowest evening (1hr)	60	57	-	60	52	51	52	55	48	36	30

Table 1: Summary results of noise monitoring



5. ANALYSIS OF NOISE BREAKOUT FROM PAVILION BUILDING

The procedure that has been adopted within this investigation to determine the acceptability of noise emitted from the various proposed activities and events is summarised as follows:

1. Generate a numerical noise model of the Pavilion building and 3 Merchant Square.
2. Use information provided on the construction of the Pavilion building envelope to estimate the sound insulation (Sound Reduction Index) of each of the façade elements.
3. Within the noise model, include components of noise breakout from each of the external components (e.g. roof, walls, glazing, etc.) assuming an arbitrary internal noise level and taking into account the sound reduction provided by each building element.
4. Calculate the level of noise breakout for a number of residential locations at 3 Merchant Square at different heights and façade positions, including components from all external building elements.
5. Scale the level of sound assumed to be occurring inside the Pavilion building model so that the resultant noise level at the *most* affected residence is 10 dB below the lowest measured L_{90} both overall and in octave bands.
6. Compare the internal sound level obtained with typical noise levels for the types of activities proposed.
7. Where necessary, propose outline noise control measures to ensure that the proposed activities are acoustically acceptable.

Further description of these steps is provided below.

5.1 NUMERICAL NOISE MODEL

Noise breakout from the various parts of the Pavilion building will affect each nearby residential receptor differently depending upon distance attenuation, ground reflection, screening and angle of view to these building surfaces. Therefore, analysis has been undertaken using Bruel and Kjaer's 7810 'Predictor' software. This acoustic model implements the procedures set out in ISO 9613-2:1996 Acoustics – Attenuation of sound during propagation outdoors – Part 2: General method of calculation. The walls, roof and glazing of the Pavilion Building have been modelled as emitting surfaces. The Pavilion and 3 Merchant Square have been modelled as solid bodies, at their existing height and location.

5.2 SOUND REDUCTION INDICES

Information on the as-built construction of the Pavilion building yields the following descriptions:

Glazing: Schuco FW 50+SG having R_w of at least 38 dB.

Roof: 1mm thick aluminium standing seam roof with 160mm of 32kg/m³ mineral fibre and .7mm steel inner liner, having an R_w of at least 38 dB.

Walls: Powder coated aluminium outer sheet with 100mm air gap plus 60mm mineral fibre insulation to 12.5mm cementitious board lining sheet having an R_w of at least 45 dB.

5.3 NOISE SOURCE LOCATIONS AND RECEPTOR LOCATIONS

A figure taken from the Predictor software showing the locations of buildings, noise sources and receptor locations is provided in Appendix D.

5.4 ALLOWABLE SOUND LEVEL WITHIN THE PAVILION BUILDING

The sound level inside the Pavilion building that gives rise to a noise level outside the most affected nearby residential location that is 10 dB below the typical lowest L_{90} level, both overall and in octave bands, is shown in Table 2.



	dB(A)	$L_{90,T}$ Octave Band Centre Frequency (Hz)								
		31	63	125	250	500	1k	2k	4k	8k
Allowable level	101	-	76	71	78	93	99	92	83	79

Table 2: Predicted indoor sound level to comply with the proposed criterion at residences.

5.5 RESULTANT NOISE LEVEL AT NEARBY RESIDENCES

The resultant noise levels predicted outside the nearest residential receptors at 3 Merchant Square when this level of sound is occurring inside the Pavilion building is shown in Appendix E, sorted from most affected to least affected. These show that the proposed criterion is met at all locations.

6. DISCUSSION

As described in Section 5, having derived the internal sound level that will ensure that noise emission is 10 dB below the L_{A90} at all surrounding residences, it is then necessary to compare this internal sound level with the typical level of sound generated by the types of activity proposed. This is discussed below.

6.1 CINEMA

Spectrum have measured the sound level in commercial cinemas in the past, for a range of screenings (including loud 'blockbuster' type films). Over a 1 hour period, the typical L_{Aeq} is as shown in Table 3 below.

	dB(A)	$L_{90,T}$ Octave Band Centre Frequency (Hz)								
		31	63	125	250	500	1k	2k	4k	8k
Typical cinema level	79		81	80	76	77	73	71	63	58

Table 3: Typical cinema internal sound levels.

The overall (dBA) level inside a typical cinema is very much below the allowable level inside the Pavilion building. The sound level at 63 and 125 Hz shown in Table 3 is above that in Table 2. Therefore, some control of the balance of the film soundtrack will be required for a cinema event within the Pavilion, whereby lower sound frequencies are controlled by equalisation.

It is likely that lower low-frequency sound levels would occur in any event. This is because the size of the venue is smaller than a commercial cinema; the number of people attending is lower; and the type of film to be shown would not be expected to be the loudest, blockbuster type films.

6.2 SUPPER CLUBS, ART EXHIBITIONS, SHOWCASES, POP-UP SHOPS

Although the range of activities that these categories cover is broad, the main noise sources involved are human voices and cutlery and crockery impacts. In all cases, these functions would not be louder than a busy restaurant, whose typical sound levels are shown below:

	dB(A)	$L_{90,T}$ Octave Band Centre Frequency (Hz)								
		31	63	125	250	500	1k	2k	4k	8k
Typical restaurant level	77		69	69	69	73	74	69	62	57

Table 4: Typical busy restaurant internal sound levels.



This is below the allowable overall and octave-band internal sound levels for the Pavilion building.

6.3 CORPORATE EVENTS

While the nature of corporate events could be varied, it is likely that this will involve single presenters / speakers with amplified voice reinforcement. Given the size of the venue and the limited number of attendees, the level of amplified sound would not need to be high. As an example, a single speaker shouting at maximum effort would generate a sound level similar to that shown in Table 5.

	dB(A)	$L_{90,T}$ Octave Band Centre Frequency (Hz)								
		31	63	125	250	500	1k	2k	4k	8k
Typical cinema level	81			41	65	75	78	75	67	59

Table 5: Male voice shouting sound level.

This level of sound is again below the allowable indoor level, both overall and in octave bands.

6.4 GENERAL COMMENTS

It is important to note that, within this analysis, the typical highest activity sound levels have been compared with an environmental noise level that is 10 dB lower than the lowest measured L_{90} (typical minimum level). 10 dB is equivalent to a subjective halving in loudness. Therefore, there are significant 'factors of safety' that are built-in to the analysis to ensure that the assessment considers a true worst case and that, mostly, the noise impact will be lower than estimated.

Accordingly, the minor excesses that are indicated in Table 3 in low frequency octave bands are unlikely to eventuate and, in any case, can be easily remedied by adjustments to the cinema sound output. For all other activities, the criterion is safely and significantly met, even under worst case conditions.

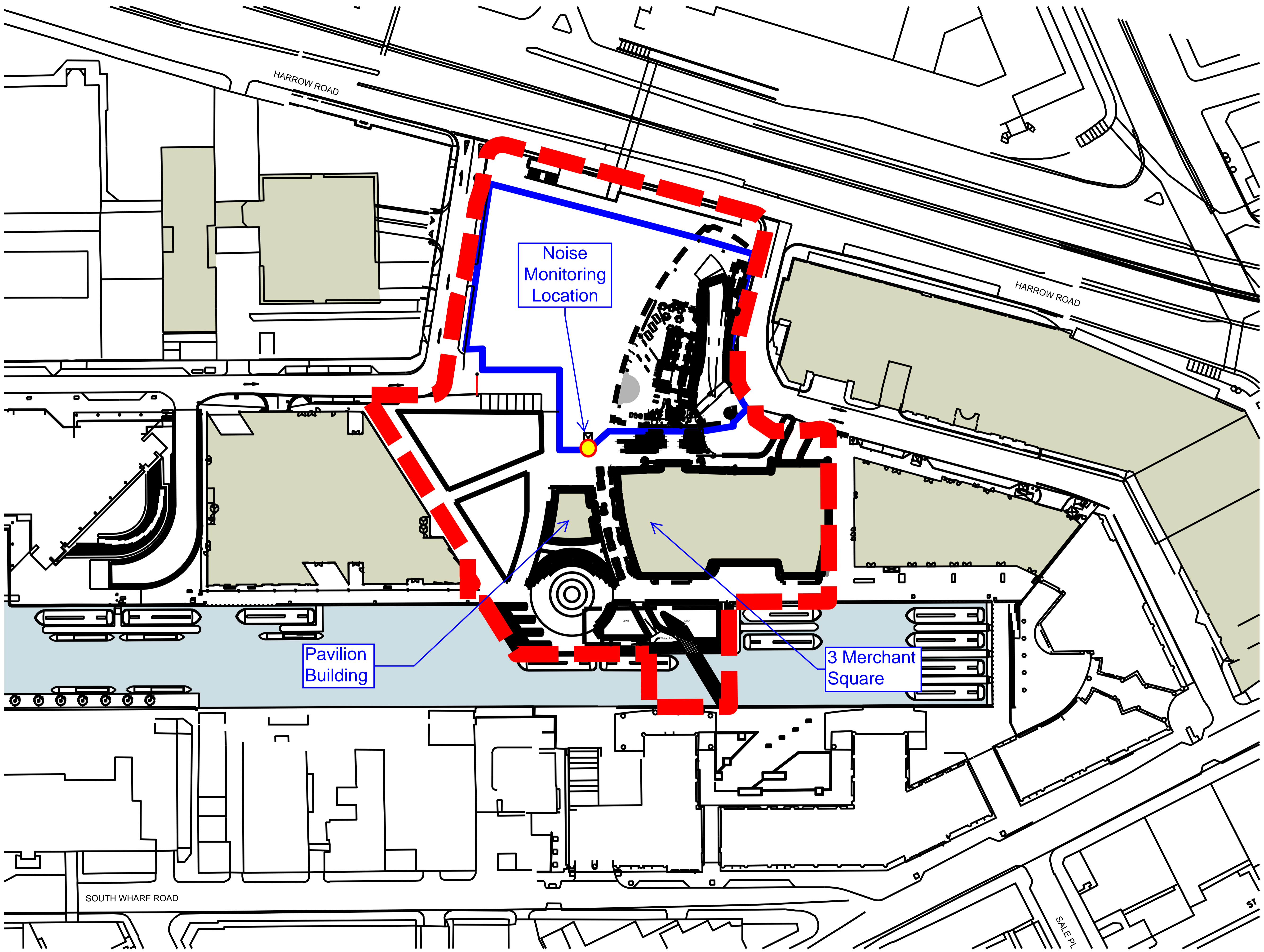
7. CONCLUSION

The proposed use of the Merchant Square Pavilion Building for the proposed functions and activities will be acoustically acceptable when assessed using robust analysis methods and cautiously low criteria for acceptability.



A P P E N D I X A

Plan showing 3 Merchant Square, Pavilion Building and noise monitoring location



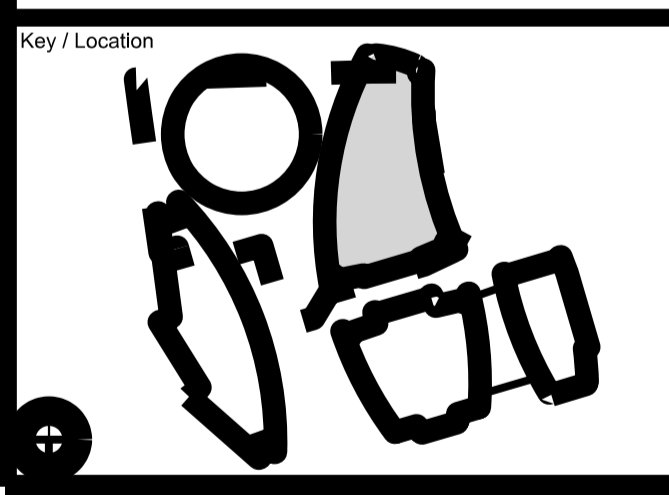
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Notes
GA DRAWINGS ISSUED FOR REFERENCE ONLY.
PLEASE REFER TO WSP DRAWINGS FOR MORE DETAILED INFORMATION.

Key

00	CONCRETE TENDER	26.02.16	RPP	RPP
Rev	Notes	Date	Dwn	Iss

Consultants
Structural Engineer: - WSP Group
M&E Engineer: - HOARE LEA



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Client
2 Merchant Square
Limited Partnership

Project
2 Merchant Square
Drawing Title
Existing Development Plan

Scale	Drawn By	Issued By
1:500 @ A1	RPP	RPP

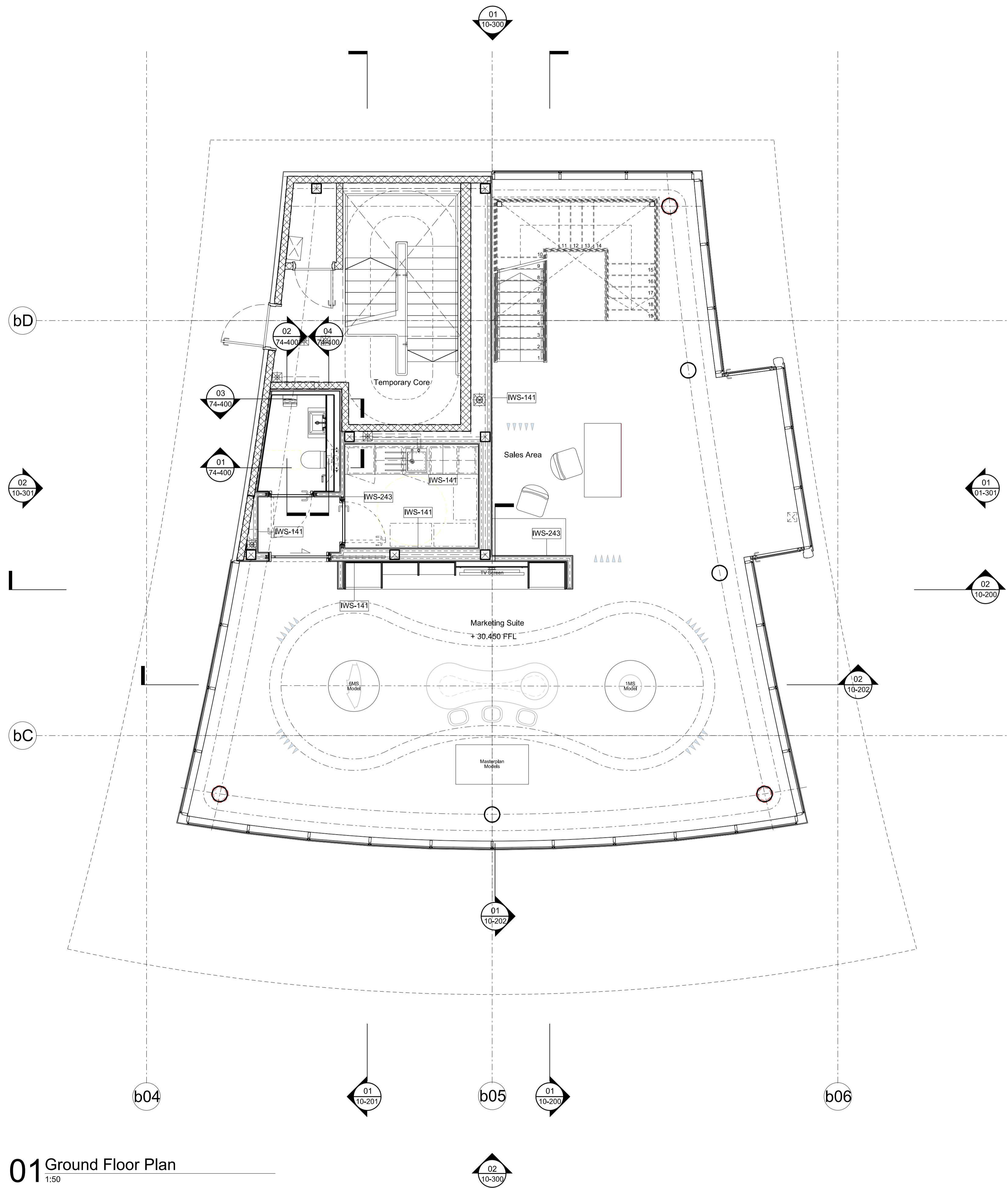
TENDER		
Project No.	Drawing No.	Revision
10016	2MS A 10 001	00

01 Existing Development Plan
1:500



A P P E N D I X B

Plan and elevation drawings of the Pavilion Building



01 Ground Floor Plan
1:50

Disclaimer
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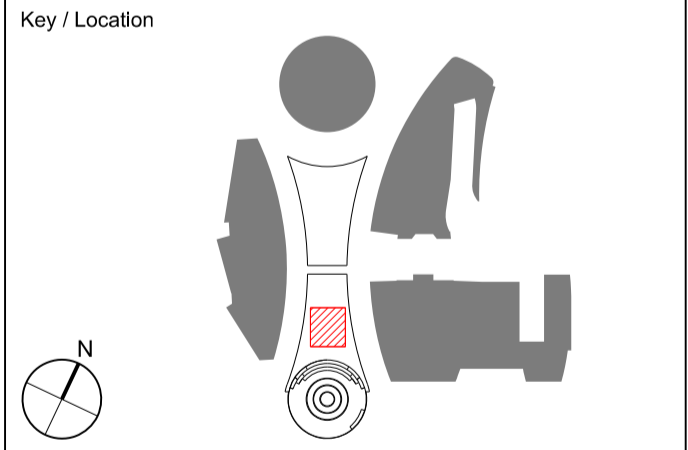
As-Built Drawing References:

AJE Facades: All cladding, sto render wall
Howdens: Kitchen joinery
L.S.J Engineering: Steelwork, staircase
Maze: All M&E
Outdoor Design: Amphitheatre planter
Openwood: Entrance doors, glazing, schulco glazing
Optelma: Bespoke light fittings
SE Joinery: Tv joinery, stair treads and handrails, pocket door, standard door, bathroom cabinet, WC framework
SES: Blockwork to temporary core (3MS works)
Skygreen: Katzip roof

AS BUILT

Rev	Notes	Date	Dwn	Iss
AB	AS BUILT	09.10.14	RPP	
03	For Construction	07.05.14	RPP	
02	For Construction	09.04.14	RPP	
01	For Construction	27.01.14	RPP	
00	Tender	07.08.13	RPA	

Consultants	
M&E:	Hoare Lea
Quantity Surveyors:	EC Harris
Landscape Architects:	T.L.A.
Planning Consultant:	DPS
Structures:	WSP

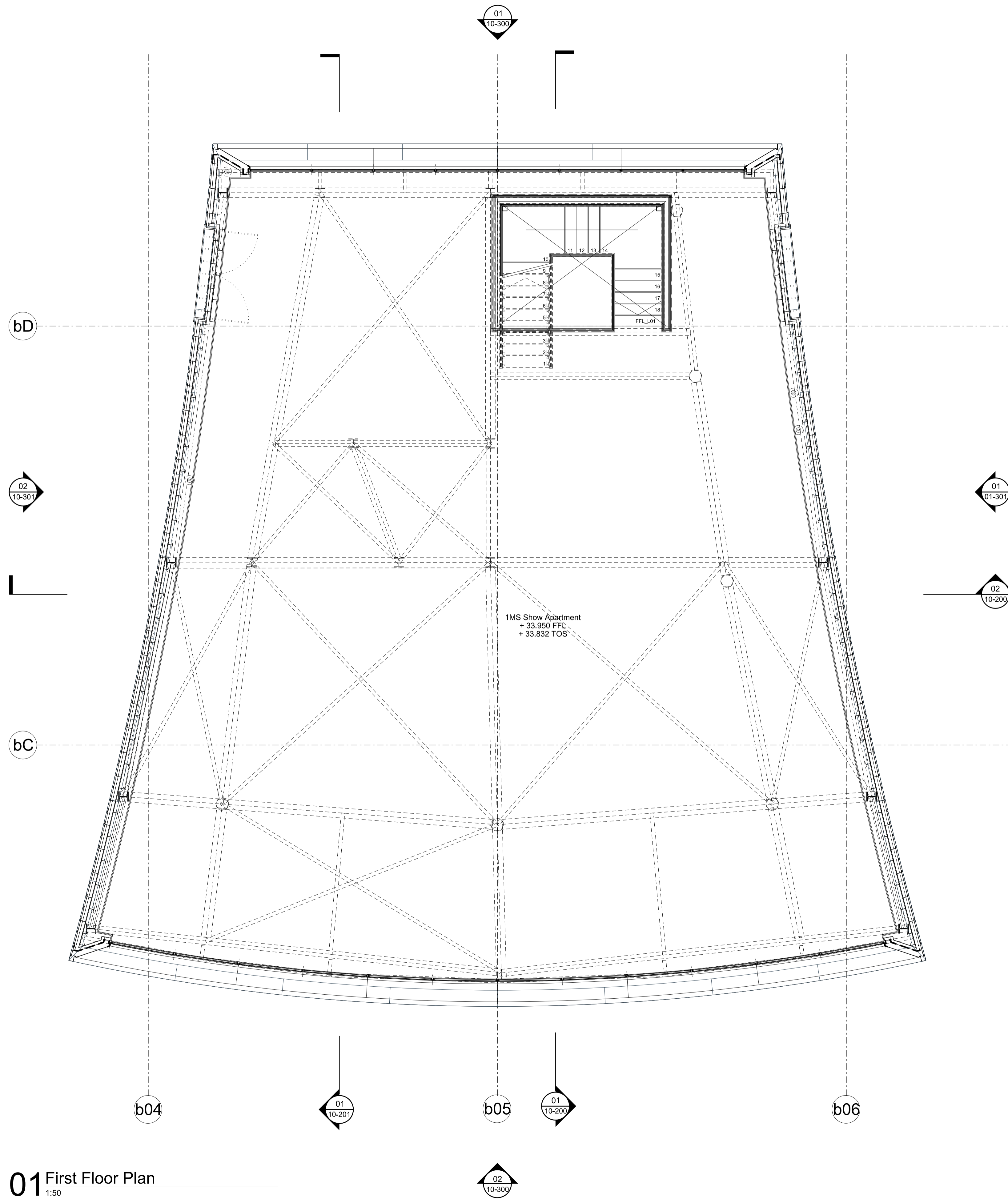


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Client

1 MERCHANT SQUARE (JERSEY) LIMITED
 Oper House
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 St Helier
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 JE4 9WG

Project		
1MS Marketing Pavilion		
Drawing Title		
AS BUILT GA Plan - Ground Floor		
Scale	Drawn By	Issued By
1:50@ A1	-	RPP
Project No.	Drawing No.	Revision
13011	1MSMP_A_10_100	AB



01 First Floor Plan
 1:50

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As-Built Drawing References:

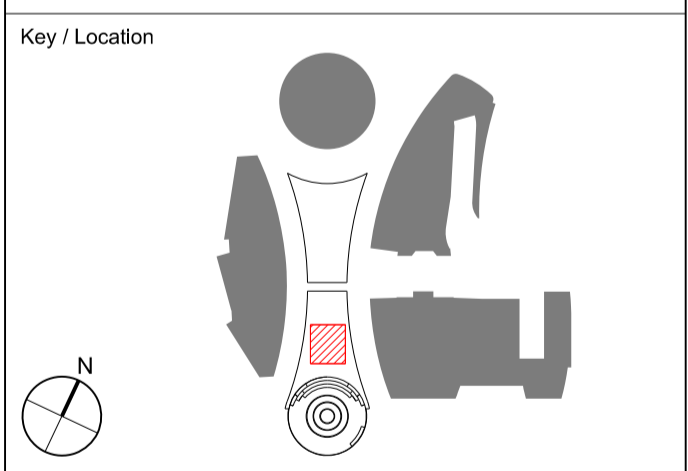
A.J.E. Facades: All cladding, sto render wall
Howdens: Kitchen joinery
L.S.J. Engineering: Steelwork, staircase
Maze: All M&E
Outdoor Design: Amphitheatre planter
Openwood: Entrance doors, glazing, schulco glazing
Optelma: Bespoke light fittings
SE Joinery: Tv joinery, stair treads and handrails, pocket door, standard door, bathroom cabinet, WC framework
SES: Blockwork to temporary core (3MS works)
Skygreen: Kalzip roof

AS BUILT

AB	AS BUILT	09.10.14	RPP
03	For Construction	07.05.14	RPP
02	For Construction	28.02.14	RPP
01	For Construction	27.01.14	RPP
00	Tender	07.08.13	RPA

Rev	Notes	Date	Dwn	Iss
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Consultants	
M&E:	Hoare Lea
Quantity Surveyors:	EC Harris
Landscape Architects:	TLA
Planning Consultant:	DPS
Structures:	WSP



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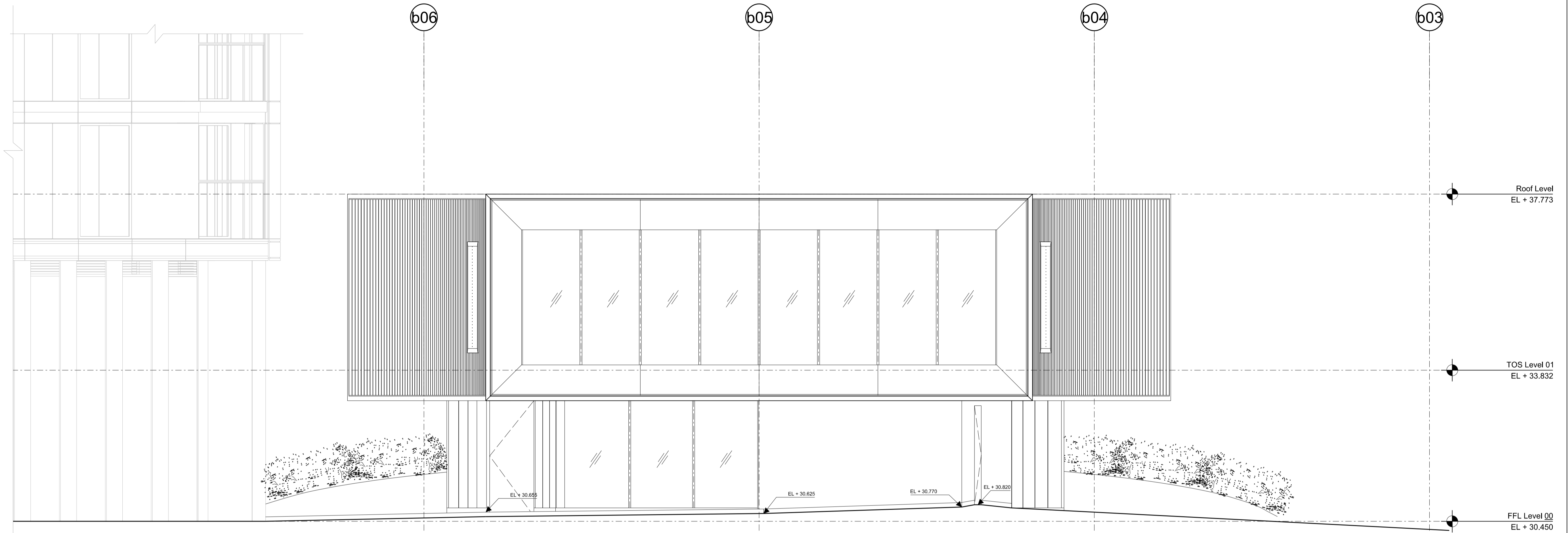
1 MERCHANT SQUARE (JERSEY)
 LIMITED
 Oper House
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 Jersey
 JE4 9WG

Project
 1MS Marketing Pavilion

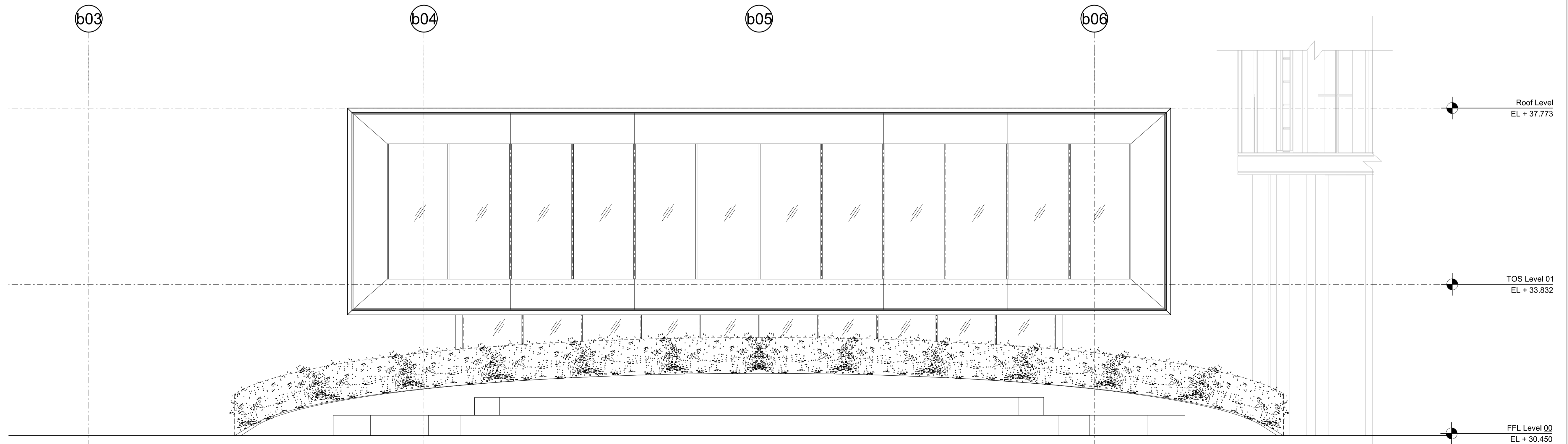
Drawing Title
 AS BUILT
 GA Plan - First Floor

Scale	Drawn By	Issued By
1:50@ A1	-	RPP

Project No.	Drawing No.	Revision
13011	1MSMP_A_10_101	AB



01 North Elevation
1:50



02 South Elevation
1:50

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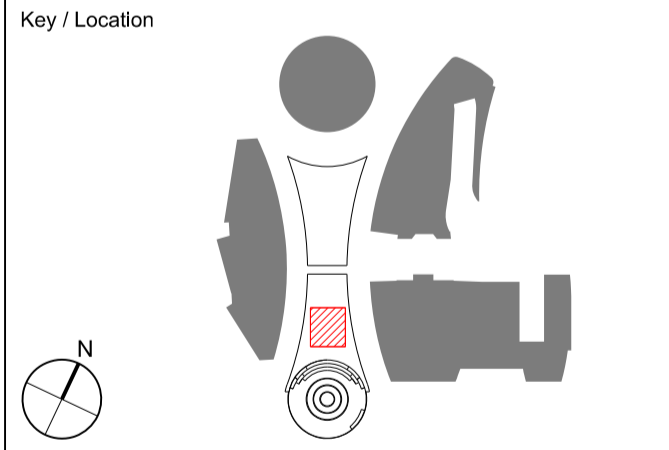
As-Built Drawing References:
AJE Facades: All cladding, sto render wall
Howdens: Kitchen joinery
LSJ Engineering: Steelwork, staircase
Maze: All M&E
Outdoor Design: Amphitheatre planter
Openwood: Entrance doors, glazing, schulco glazing
Optelma: Bespoke light fittings
SE Joinery: Tv joinery, stair treads and handrails, pocket door, standard door, bathroom cabinet, WC framework
SES: Blockwork to temporary core (3MS works)
Skygreen: Katzip roof

AS BUILT

AB	AS BUILT	09.10.14	RPP
03	For Construction	08.09.14	RPP
02	For Construction	28.02.14	RPP
01	For Construction	27.01.14	RPP
00	Tender	07.08.13	RPA

Rev	Notes	Date	Dwn	Iss
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Consultants
M&E: Hoare Lea
Quantity Surveyors: EC Harris
Landscape Architects: TLA
Planning Consultant: DPG
Structures: WSP



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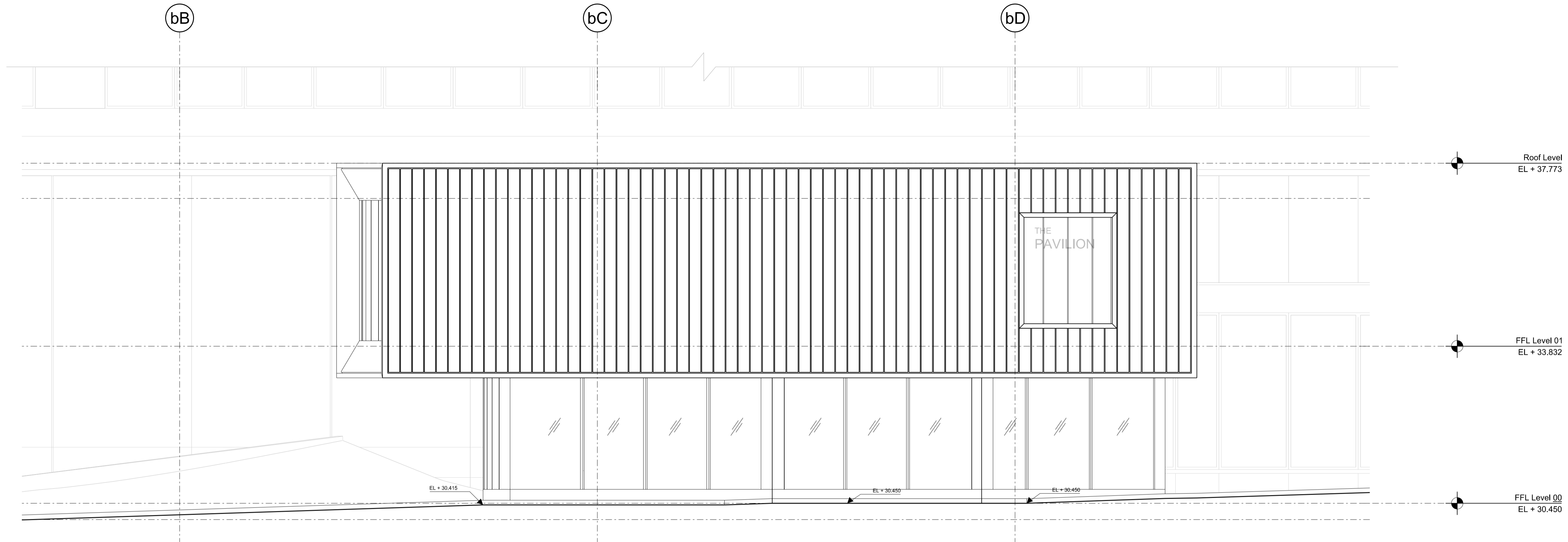
Client
1 MERCHANT SQUARE (JERSEY)
LIMITED
Opier House
The Esplanade
St Helier
Jersey
JE4 9WG

Project
1MS Marketing Pavilion

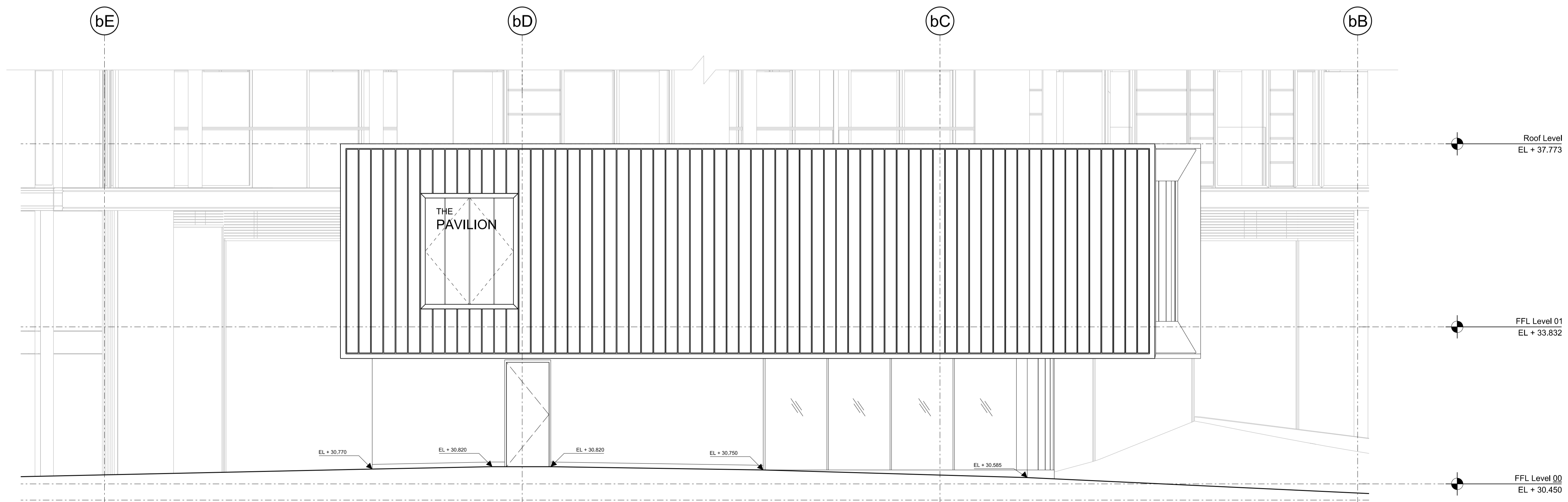
Drawing Title
AS BUILT
Elevation - North & South

Scale	Drawn By	Issued By
1:50 @ A1	-	RPP

Project No.	Drawing No.	Revision
13011	1MSMP_A_10_300	AB



01 East Elevation
1:50



02 West Elevation
1:50

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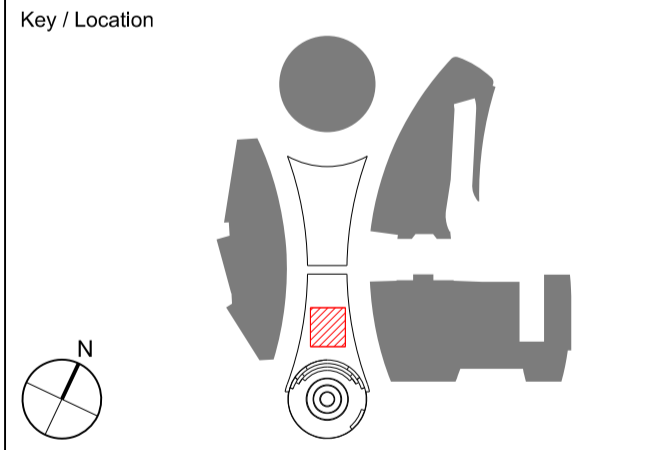
As-Built Drawing References:
A.J.E. Facades: All cladding, sto render wall
Howdens: Kitchen joinery
L.S.J. Engineering: Steelwork, staircase
Maze: All M&E
Outdoor Design: Amphitheatre planter
Openwood: Entrance doors, glazing, school glazing
Optelma: Bespoke light fittings
SE Joinery: Tv joinery, stair treads and handrails, pocket door, standard door, bathroom cabinet, WC framework
SES: Blockwork to temporary core (3MS works)
Skygreen: Katzip roof

AS BUILT

AB	AS BUILT	09.10.14	RPP
03	For Information	18.09.14	RPP
02	For Construction	28.02.14	RPP
01	For Construction	27.01.14	RPP
00	Tender	07/08/13	RPA

Rev	Notes	Date	Dwn	Iss
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Consultants
M&E: Hoare Lea
Quantity Surveyors: EC Harris
Landscape Architects: TLA
Planning Consultant: DPS
Structures: WSP



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St Helier
Jersey
JE4 9WG

Project
1MS Marketing Pavilion

Drawing Title
AS BUILT
Elevation - East & West

Scale	Drawn By	Issued By
1:50 @ A1	-	RPP

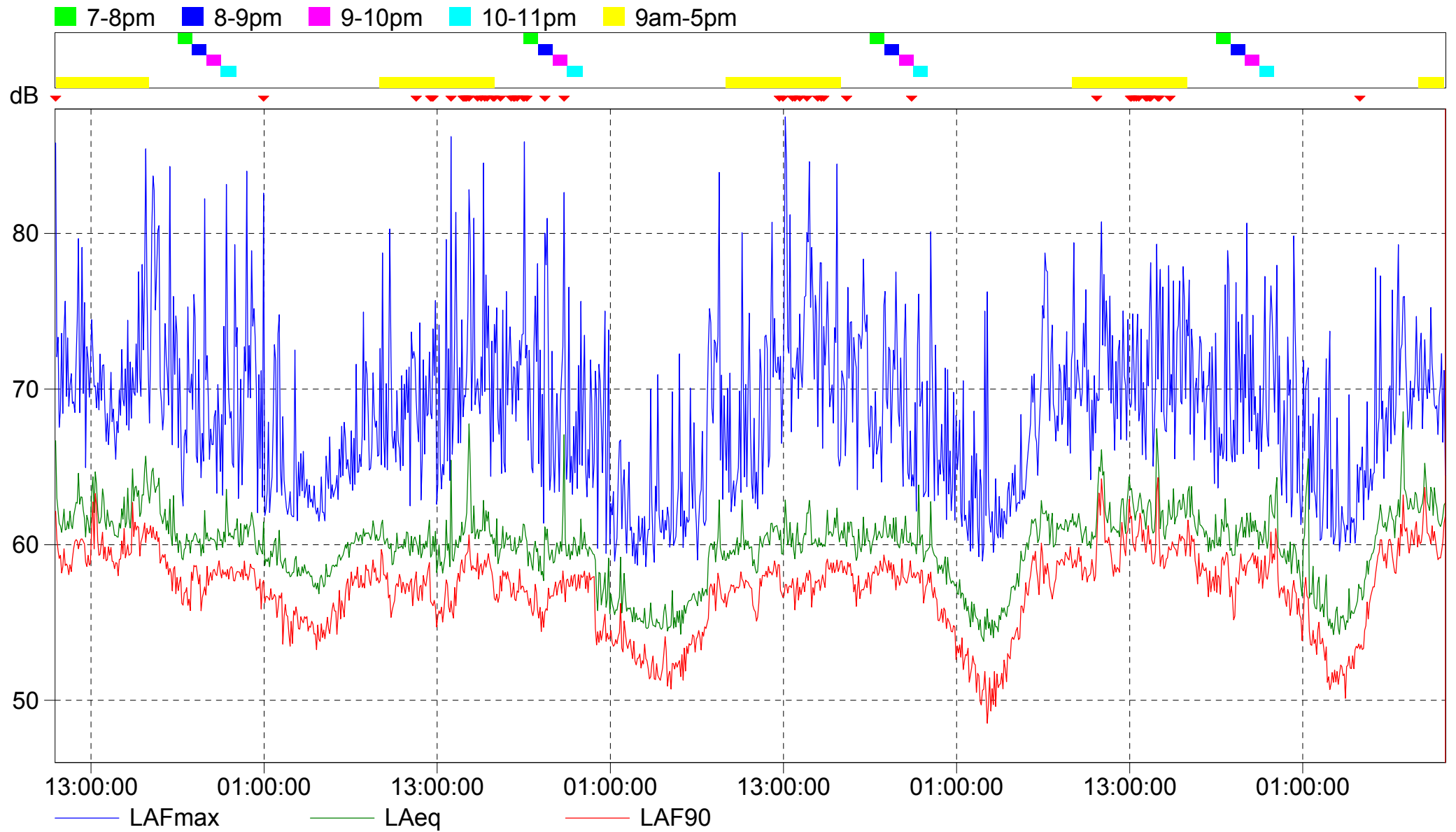
Project No.	Drawing No.	Revision
13011	1MSMP_A_10_301	AB



APPENDIX C

PI Chart showing noise monitoring results

Merchant Square Pavilion Noise Monitoring Data - May 2016



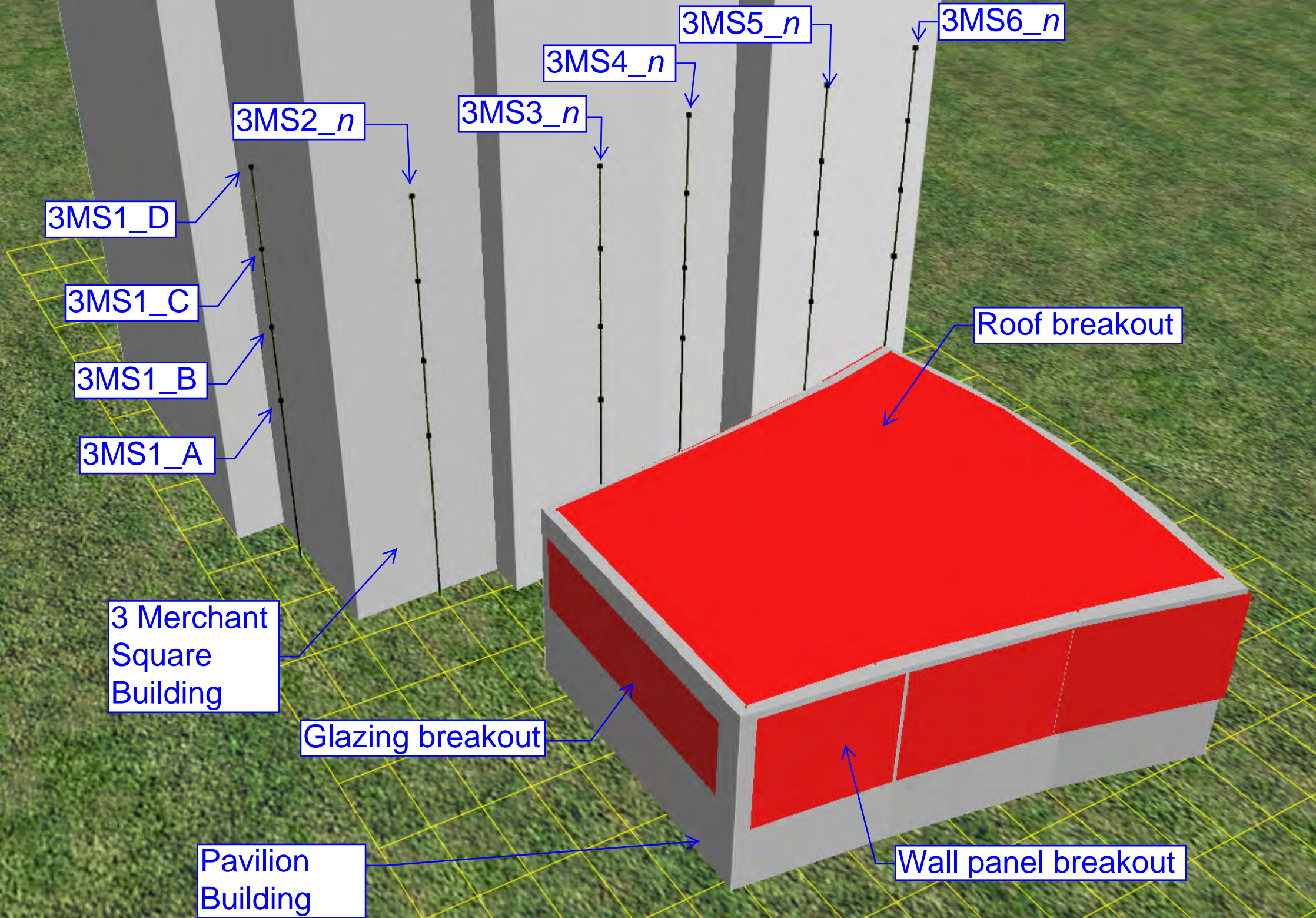
Merchant Square Pavilion Noise Monitoring Data - May 2016

Name	Start time	Duration	LAFmax [dB]	LAeq [dB]	LAF90 [dB]	LLF90 63Hz [dB]	LLF90 125Hz [dB]	LLF90 250Hz [dB]	LLF90 500Hz [dB]	LLF90 1kHz [dB]	LLF90 2kHz [dB]	LLF90 4kHz [dB]	LLF90 8kHz [dB]
Total	06/05/2016 10:30:09	96:20:00	87.5	60.5	55.4	58.2	50.5	50.0	50.5	52.7	46.8	35.2	---
Unmarked	06/05/2016 10:30:09	48:00:00	85.8	59.6	54.1	57.0	49.5	48.8	49.4	51.4	45.5	33.9	---
(All) 7-8pm	06/05/2016 19:00:00	4:00:00	85.9	60.3	57.3	60.2	52.3	51.3	52.0	54.2	49.0	41.6	33.6
(All) 8-9pm	06/05/2016 20:00:00	4:00:00	82.2	60.3	57.1	59.7	51.8	51.2	52.0	54.6	48.3	36.1	---
(All) 9-10pm	06/05/2016 21:00:00	4:00:00	82.6	60.8	58.0	59.4	52.1	51.7	52.5	55.6	49.0	36.4	---
(All) 10-11pm	06/05/2016 22:00:00	4:10:00	83.2	60.7	57.9	59.4	51.8	51.5	52.4	55.5	49.0	36.4	22.4
(All) 9am-5pm	06/05/2016 10:35:00	32:10:00	87.5	61.6	58.1	60.5	52.6	52.2	53.0	55.2	49.3	39.4	26.3
7-8pm	06/05/2016 19:00:00	1:00:00	75.3	59.9	56.8	61.1	53.1	51.4	52.0	53.8	48.2	40.9	33.0
7-8pm	07/05/2016 19:00:00	1:00:00	85.9	59.7	56.5	59.9	51.4	50.9	51.4	53.2	48.2	42.0	34.1
7-8pm	08/05/2016 19:00:00	1:00:00	75.4	60.6	58.3	59.8	52.6	51.9	52.8	55.6	49.7	42.1	34.2
7-8pm	09/05/2016 19:00:00	1:00:00	78.9	60.9	58.1	60.4	52.4	51.3	52.1	54.4	51.2	44.4	33.6
8-9pm	06/05/2016 20:00:00	1:00:00	82.2	60.4	57.5	59.5	51.9	51.5	52.4	55.1	48.5	36.3	---
8-9pm	07/05/2016 20:00:00	1:00:00	81.0	59.5	55.8	59.2	50.9	50.4	51.1	53.2	46.9	34.7	---
8-9pm	08/05/2016 20:00:00	1:00:00	77.5	60.9	58.3	59.6	52.7	52.1	53.0	56.1	49.2	37.1	22.9
8-9pm	09/05/2016 20:00:00	1:00:00	76.8	60.5	57.6	61.2	52.4	51.2	51.7	54.4	50.3	42.3	30.4
9-10pm	06/05/2016 21:00:00	1:00:00	72.2	60.4	58.2	59.0	51.6	51.6	52.7	56.0	49.3	36.8	22.0
9-10pm	07/05/2016 21:00:00	1:00:00	82.6	61.2	57.3	58.6	51.4	51.3	52.1	55.0	48.0	35.1	---
9-10pm	08/05/2016 21:00:00	1:00:00	75.5	60.5	57.9	59.5	52.8	51.7	52.7	55.6	49.0	37.2	23.2
9-10pm	09/05/2016 21:00:00	1:00:00	80.7	61.1	58.8	61.9	53.6	52.2	52.8	56.0	51.2	41.2	28.8
10-11pm	06/05/2016 22:00:00	1:05:00	83.2	61.0	58.1	58.9	51.6	51.7	52.7	55.9	49.2	36.7	22.4
10-11pm	07/05/2016 22:00:00	1:05:00	76.6	59.9	57.6	59.1	51.5	51.3	52.2	55.3	48.5	35.7	---
10-11pm	08/05/2016 22:00:00	1:00:00	76.1	60.4	57.7	59.3	51.7	51.3	52.3	55.3	48.6	36.5	22.3
10-11pm	09/05/2016 22:00:00	1:00:00	77.2	61.3	58.4	61.3	53.1	52.2	52.6	55.6	50.1	39.9	27.0
9am-5pm	06/05/2016 10:35:00	6:25:00	85.4	62.4	59.5	65.3	57.3	55.5	55.2	55.8	51.0	43.3	33.3
9am-5pm	07/05/2016 09:00:00	8:00:00	86.2	60.8	57.3	60.0	52.1	51.5	52.2	54.5	48.4	37.5	24.2
9am-5pm	08/05/2016 09:00:00	8:00:00	87.5	60.4	57.4	59.0	51.4	51.2	52.1	54.8	48.7	38.6	24.0
9am-5pm	09/05/2016 09:00:00	8:00:00	80.8	62.3	59.3	65.0	57.0	55.3	55.0	55.5	51.0	43.0	30.3
9am-5pm	10/05/2016 09:00:00	1:45:00	75.2	62.7	60.2	64.9	57.7	56.4	55.1	55.7	53.2	47.3	36.6



A P P E N D I X D

Isometric drawing showing numerical noise model





A P P E N D I X E

Results from Predictor model

Merchant Square Pavilion
Proposed additional activities

Worst-case noise breakout

Report: Table of Results
Model: initial model
LAeq per octave: total results for receivers
Group: (main group)
Group Reduction: Yes

Name	Receiver	Description	Height	Day								
				Total	63	125	250	500	1000	2000	4000	8000
3MS3_B			10.70	47	24	26	33	39	44	40	27	19
3MS5_B			10.70	46	22	24	33	39	44	39	27	17
3MS2_B			10.70	46	20	23	33	39	44	39	26	16
3MS5_A			7.50	46	22	24	32	39	43	40	28	19
3MS3_C			13.90	46	22	25	32	38	43	38	25	17
3MS4_B			10.70	46	22	25	31	38	43	39	26	18
3MS6_B			10.70	46	18	22	32	39	43	38	26	15
3MS2_C			13.90	45	20	22	32	38	43	38	25	15
3MS5_C			13.90	45	21	23	32	38	43	38	25	16
3MS2_A			7.50	45	20	22	31	38	42	39	26	17
3MS3_A			7.50	45	24	26	30	37	42	40	28	21
3MS6_C			13.90	45	19	21	31	38	42	37	25	14
3MS6_A			7.50	45	18	21	31	38	42	38	26	15
3MS4_C			13.90	45	21	24	31	37	42	38	25	16
3MS3_D			17.10	44	21	23	31	37	42	37	23	15
3MS2_D			17.10	44	19	21	31	37	42	36	23	14
3MS5_D			17.10	44	19	22	31	37	42	37	24	14
3MS6_D			17.10	44	18	21	31	37	42	37	24	13
3MS4_D			17.10	44	20	22	30	36	41	36	23	15
3MS4_A			7.50	44	23	25	28	35	40	39	27	19
3MS1_A			7.50	31	9	10	21	26	27	20	5	--
3MS1_B			10.70	30	9	10	20	25	27	20	4	--
3MS1_C			13.90	30	8	10	20	25	27	20	4	--
3MS7_A			7.50	30	8	9	20	25	27	19	--	--
3MS7_B			10.70	30	8	9	20	25	27	19	--	--
3MS1_D			17.10	30	8	10	20	25	27	19	4	--
3MS7_C			13.90	30	8	9	20	25	26	19	--	--
3MS7_D			17.10	29	6	8	20	25	26	19	--	--

All shown dB values are A-weighted

There is no licence or appeal history for the premises

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

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

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

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

Mandatory Conditions

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

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

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

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

Conditions proposed by Environmental Health and Police (Conditions agreed with the applicant)

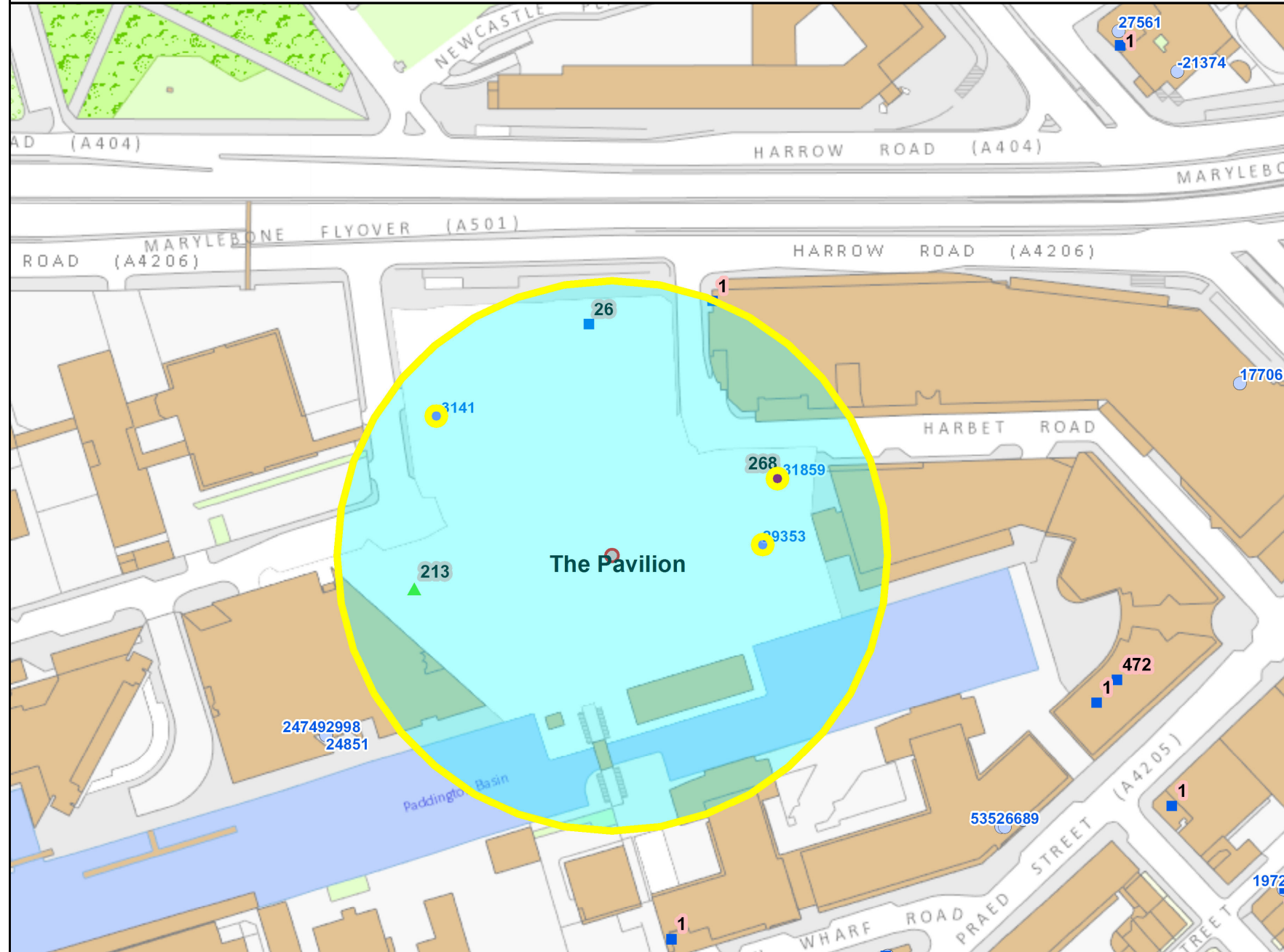
9. Admission to the premises whilst licensable activities are being carried out is restricted to persons attending pre-arranged and/or ticketed functions.
10. Drinks for consumption outside the premises shall be served in non-glass containers only.
11. The premises licence holder shall ensure that any 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.
12. 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 entire 31 day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
14. 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.
15. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
16. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
18. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
19. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. The number of persons permitted in the premises at any one time (including staff) shall not exceed (X) persons (*shall be 60 or upto 100 if agreed with Licensing District Surveyor*).
21. 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.

22. 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.
23. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following.
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system,
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
24. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Environmental Health Consultation Team where consent has not previously been given:
 - (a) dry ice and cryogenic fog
 - (b) smoke machines and fog generators
 - (c) pyrotechnics including fire works
 - (d) firearms
 - (e) lasers
 - (f) explosives and highly flammable substances
 - (g) real flame
 - (h) strobe lighting.
25. 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.
26. 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.
27. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
28. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
29. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently of flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
30. All scenery should be maintained suitably flame retarded to the appropriate standards.
31. The certificates listed below shall be submitted to the Licensing Authority upon written request:
 - (a) any emergency lighting battery or system
 - (b) any electrical installation
 - (c) any emergency warning system

32. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard Specification 4293: 1993.
33. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
NOTE: This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.



The Pavilion - 16/01609/LIPN



Residential / Proposed Residential	508 Units
Under Construction	N/A
Other Uses	N/A
Proportion Residential of all Uses	%AllUses%

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Data Source: Uniform Database
 Date: 20/05/2016

Premises within 75 metres of: The Pavilion, Merchant Square, London

p / n	Name of Premises	Premises Address	Opening Hours
-3141	Heist Bank	3 - 15 North Wharf Road London W2 1LA	Friday to Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Sunday 09:00 - 22:30
29353	Pizza Express	Units 35 And 37 3 Merchant Square City Of Westminster London W2 1BF	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

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	New Premises Licence Application Form	8 th February 2016
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