

Licensing Sub-Committee Report

Item No:	
Date:	27 February 2020
Licensing Ref No:	19/08907/LIPN - New Premises Licence
Title of Report:	Unit 2 15 Bedford Street London WC2E 9HE
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 7654 Email: jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	21 July 2019		
Applicant:	Lothbury Property Trust Company Limited		
Premises:	Unit 2		
Premises address:	15 Bedford Street London WC2E 9HE	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	This is an application for a new premises licence which intends operate as a restaurant.		
Premises licence history:	This is a new premises application and therefore no Premises Licence history exist.		
Applicant submissions:	The application follows pre-application advice ref: 19/06576/PREAPM. A copy of this report can be found at Appendix 2.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:		Opening hours shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	15 th August 2019
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The premises is located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday between 10.00 and 23.30 hours, Friday and Saturday 10.00 to 00.00 hours and Sunday between 12.00 to 22.30 hours. New Year's Eve to New Year's Day. 2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Thursday between 23.00 and 23.30 hours, Friday and Saturday 23.00 to 00.00 hours. New Year's Eve to New Year's Day. 3. To provide regulated entertainment 'indoors' comprising <ul style="list-style-type: none"> • Recorded Music Monday to Thursday between 10.00 and 23.30 hours, Friday and Saturday 10.00 to 00.00 hours and Sunday between 12.00 to 22.30 hours. New Year's Eve to New Year's Day. 	

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End CIA.
2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CIA.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance within the West End CIA.

The applicant has provided additional information with the application which is being addressed.

Correspondence from Environmental Health and the applicant dated 18 February 2020.

Further to the recent planning consent for the above premises 19/05768/FULL can you comment on the points below regarding the impact on your premises licence application.

- Patron capacity reduced to 125 persons
- Hours of operation 10:00 to 23:00 Monday to Thursday, 10:00 to 23:30 Friday and Saturday and 10:00 to 22:00 Sunday
- No post-meal bar operation
- New address proposed as 16A Bedford Street to ensure taxi's pickup from Bedford Street and not Bedford Court;
- Entrance to be lobbied
- A porter will be provided at the ground floor entrance lobby during the most noise sensitive periods 7pm-close. The porter will manage customer smoking; entrance/exit and ensure there is no loitering outside the entrance by customers or staff.
- There will be a second member of staff placed outside ½ hour before closing time managing customers leave appropriately etc
- Additional CCTV will be located externally to mitigate anti-social behaviour.

The application is listed for Thursday 27th February and I will be looking for the hours of operation to match the above plus conditions to reflect the closing time arrangements.

- No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team including the provision of an entrance lobby at which time this condition shall be removed from the Licence by the licensing authority.
- A staff member shall be positioned at the entrance to the premises from 19.00 hours to close of business to manage patrons wishing to smoke and persons arriving and leaving, including staff, to ensure they do not loiter outside. A second member of staff shall be stationed at the entrance 30 minutes prior to closing to assist patrons leaving.
- There shall be no smokers in Bedford Court and all smokers shall be directed to Bedford Street.

Responsible Authority:	Licensing Authority
Representative:	Angela Seaward
Received:	16th August 2019

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority has considered your application in full. The Licensing Authority has concerns in relation to this application and how

the premises would promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of Children from harm

The application seeks the following Licensable Activities:

Recorded Music: Monday to Thursday: 10:00 – 23:30
Friday to Saturday: 10:00 – 00:00
Sunday: 12:00 – 22:30

Late Night Refreshment: Monday to Thursday: 23:00 – 23:30
Friday to Saturday: 23:00 – 00:00

**Retail by Sale of Alcohol
On and off the premises:** Monday to Thursday: 10:00 – 23:30
Friday to Saturday: 10:00 – 00:00
Sunday: 12:00 – 22:30

Opening Hours Monday to Thursday: 07:00 – 00:00
Friday to Saturday: 07:00 – 00:30
Sunday: 07:00 – 23:00

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1, RNT2 and PB2.

At present, The proposed licensable hours fall within the Westminster's Core Hours Policy HRS1 which states that

"Applications for hours within the core hours set out in the policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy".

The applicant proposes to operate the premises as a restaurant and has subsequently offered the full model condition 66 to fall in line with the council policy RNT2 of which it is the councils policy to grant application subject to other policies. However the operating schedule suggests the premises will also operate the use of an ancillary bar area with the proposed condition.

- *Notwithstanding condition 1, alcohol may be supplied and consumed prior to their meal in the bar area by up to a maximum at any one time, of 20 persons dining at the premises.*

Paragraph 2.5.3 states that the council is particularly concerned that restaurant premises in the cumulative impact areas do not, event in part, come to operate as bars. Therefore the ancillary bar area aspect of this application must be considered under the Council's PB2 Policy of which Paragraph 2.5.23 of the Council's Statement of Licensing Policy states that it is of particular concern in Cumulative Impact Area where there had been a growth in the number of premises that primarily serve alcohol, resulting in or adding to cumulative impact. On the basis, the Licensing Authority considers that the grant of variations or new licences for pubs and bars in the cumulative impact area should be limited to exceptional circumstances.

The Licensing Authority would like the applicant to provide further submissions into how the ancillary bar area will be operated and controlled i.e will the bar area be waiter/waitress service and will the customers be seated? also where the bar area is proposed to be located, as currently the plans submitted with the application do not show any bar/servery area .

The Licensing Authority also notes that the applicant has applied for the Sale of Retail of Alcohol on and off the premises, the application form described the proposed operation of the premises as a restaurant and therefore would encourage the applicant to provide further submissions and information as to the proposed operation of 'Off Sales' from the premises and how this is intended to be operated and controlled from the premises, to ensure that there is no adverse impact within the West End Cumulative impact area.

Furthermore the Licensing Authority notes the following proposed conditions;

- *All tables and chairs shall be removed from the outside area by 23.00 hours each day.*
- *Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables*

The applicant is encouraged to provide further submissions on where the outside seating area is to be located, currently the plans do not highlight this.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	18th August 2019		
<p>The [REDACTED] believes that this application if granted with the Hours and Conditions proposed will harm the Public Nuisance Licensing Objective because of the impact of noise associated with the premises.</p> <p>This representation is being made by the [REDACTED] ([REDACTED]).</p> <p>This premises is a large basement restaurant (indicative capacity is in excess of 100 covers) with its entrance in the passageway of Bedford Court, a narrow alley leading from Bedford Street towards Bedfordbury. The proposed restaurant would have licensable activities in line with Westminster's Core Hours but open earlier (at 7am) and closing 30 minutes after they end.</p> <p>The restaurant does not yet have planning permission, an application (19/05768/FULL) has been made but the closing date is later than that of this Licensing Application and so it is likely to be determined after this Licensing Application.</p> <p>The [REDACTED] believes that the operation of the premises to the hours and in the way proposed will harm the Licensing Objective of the Prevention of Public Nuisance.</p> <p>Our specific concerns are about the following:</p> <ul style="list-style-type: none"> • The arrival and departure of customers via an entrance just behind the fully enclosed part of Bedford Court causing disturbance to those living above the entrance and in the 			

heavily residential area towards the West section of Bedford Court and Bedfordbury.

- The use of Bedford Court for deliveries and for collection of waste outside daytime hours, again causing a disturbance in the surrounding area.
- Noise from the movement of waste to the ground level external storage area.
- The management of any collection of takeaway by delivery businesses which may cause a noise nuisance in the area.
- Locations for customer and staff smoking areas.
- Impact of external tables and chairs (mentioned in proposed conditions but not shown on the plans).

A number of comments from local residents and building owners (on behalf of their tenants) have already been made in the response to the Planning Application (19/05768/FULL). These raise similar concerns to those listed above. We attach these to our Representation as evidence in support our concerns. We recognise that Planning and Licensing are separate regimes but many of the comments mention the issue of noise. This is a concern for both Planning (because of the impact on Amenity) and Licensing (because of the impact on Public Nuisance). Residents and owners may also make their own Licensing Representations if they have been made aware of this Licensing Application.

In order to support the Licensing Objective we believe that the following changes are required.

Hours

The proposed hours of operation are far too early, and late, given the sensitive location of the entrance and exit door in the narrow passageway just beneath residential windows, where every sound is likely to echo at times when it is otherwise quiet. Our view is that Licensable activities should be limited so that they end at 23:00 Monday to Thursday, 00:00 Friday and Saturday and 22:30 on Sunday. Customers should not be permitted to be on the premises after these times.

The opening time of the premises should start no earlier than 08:00 Monday to Friday, 09:00 on Saturday and 10:00 on Sunday.

The end times we are proposing are earlier than WCC's Core Hours on Monday to Thursday. Policy HRS1 states that:

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.

In this case we believe that the proposal is contrary to Policy PN1 and so does not satisfy the requirement of HRS1. This is because the proposed location of the entrance/exit for this 100+ cover restaurant is on a narrow alley with residents above and in the immediate vicinity. There have been no proposals made in the operating schedule to '*minimise and control noise from customers arriving at the premises, or open air site outside it and departing from it*' as required by PN1 -1(d). In fact given the location of the proposed entrance we do not believe that there are any measures, other than restricting the hours, which can satisfy PN1.

Conditions

In order to support the Public Nuisance Licensing Objective we would ask for the following additional conditions. These are to minimise the noise associated with the operation of the premises and so assist with meeting the requirements of PN1.

#	Proposed Condition	Reason
1	The premises will agree with WCC Licensing an Operational Management Plan and all staff will be trained in its implementation. The plan will be kept up to date and available on request from the premises. This will, at a minimum, require the Licence Holder to use his best endeavours to discourage customers arriving at and leaving the premises from the Western end of the enclosed part of Bedford Court and restricting the time of any noise associated with the operation of the premises to hours when residents are usually awake.	This is to require a plan to limit nuisance to residents immediately above the entrance and those in Bedford Court. The detail is up to the Licence Holder
2	There will be a member of staff present at the Bedford Court entrance to the premises after 20:00 until the last customer has left the premises in order to supervise the entrance and exit of customers from the premises and support the implementation of the Operational Management Plan.	This is because this is likely to be the most sensitive period for residents.
3	Members of the public will not be admitted to the premises in the last 60 minutes prior to the end of Licensable activities.	This is to reduce the risk of a large number of people being in the premises at the time that it closes.
4	The address of the premises will be published as being on Bedford Street and not Bedford Court	This is in order to reduce the risk that taxi/PHV drivers use Bedford Court to access the premises and so to avoid a situation where Sat Nav's suggest a route via Bedfordbury / Bedford Court.
5	Deliveries to the premises will only be permitted between 08:00 and 18:00 Monday to Friday, 09:00 to 18:00 on Saturday and 10:00 to 18:00 on Sundays.	This is to limit noise nuisance caused by deliveries.
6	All deliveries to the premises will comply with TfL's Code of Practice for Quieter Deliveries. If the Licence Holder is unable to ensure this compliance then they will cease to use the supplier concerned until the supplier becomes compliant.	This is to ensure that all deliveries to the premises are made with a minimal level of disturbance to residents in the area.

7	Waste generated by the premises will be stored inside the building and only moved to the proposed outside bin store between 09:00 and 20:00 on any day.	This is because the movement of waste to the external bin store will itself cause noise which will be a nuisance.
<i>Note: The [REDACTED] view is that the use of an external bin is inappropriate. It should be feasible for the premises to have an internal bin store and this should be required by Planning.</i>		
#	Proposed Condition	Reason
8	Waste will only be collected from the premises between 08:00 and 18:00 Monday to Friday, 09:00 to 18:00 on Saturday and 10:00 to 18:00 on Sundays.	This is to limit noise nuisance caused by waste collections. Those from other premises already cause a nuisance to residents.
9	Where a takeaway meal is supplied for delivery to the customer, the licence holder shall ensure that specific procedures are in place and that the activity does not cause nuisance at or near to the premises.	This is prevent a nuisance to residents from delivery drivers / riders.
10	The location of any smoking area(s) for customers and staff will be positioned so as to prevent a nuisance to residents above the premises or in Bedford Court.	

Condition 14 proposed by the applicant refers to external tables and chairs. The time limit proposed is 23:00. But no tables and chairs have been proposed on the plan and no external area has been indicated as being licensed. Without the details of the location it is not possible to judge whether 23:00 is an appropriate time for the use to cease in order to support the Licensing Objectives. We suggest that this condition is removed, and, if a tables and chairs application is made then a Licence Variation Application is made.

We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

(Please see Appendix 2 for additional submission in regards to planning permission)

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	17th August 2019		

I object to the planned development on a number of grounds, which I set out below. In particular, I object on the basis that the application if granted would represent a public nuisance.

Noise: I already suffer from a significant number of noise disturbances late at night due to the three surrounding restaurants on Bedford Street and Chandos Street (Wagamamas, Wahaca and Nando's) where the staff constantly slam doors while taking out rubbish at a late hour, after midnight.

They are also constantly smoking and creating noise during the evenings and after midnight. They are not allowed to smoke there and the restaurants have constantly said they will stop this but nothing changes. It is no deterrent.

There are constant deliveries to these restaurants in the morning which wake us up early also.

Due to the constant noise, we had to change our windows to try to reduce the noise. However, this has only had a limited effect.

This is only going to get worse if a new restaurant is added to the mix. It is more staff making more noise at an unsociable hour.

Rubbish: Our building has had significant issues with rubbish in Bedford Court. The bins in the courtyard are already overflowing on a regular basis (despite regular complaints to the council) and have been causing significant health and safety issues (rats and foxes as well as the homeless nearby using the bins to defecate). This is not just from the above-mentioned restaurants but also from many shops and restaurants in Bedfordbury and Bedford Street.

The situation is unacceptable as it is and once again this will only get worse with a new restaurant and retail premises.

Deliveries: Bedford Court is already packed in the mornings with noisy deliveries to the other restaurants. There is no space for our car to come out of our garage space on Bedford Court. This problem will only deteriorate.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support of opposed:	Opposed
Received:	18th August 2019		

We wish to register a strong objection to this application.

We did not receive a letter from you advising of this application, we were told by neighbours. We did not receive any information from the developer and have not been invited to any form of consultation.

In short we object for the following reasons:

1. Bedford Court is overlooked by several blocks of residential flats and the two existing restaurants already using the Court already cause a great deal of nuisance to residents.
2. The proposed vehicle movement schedule is unacceptable and will result in disturbance to residents very early in the morning and late at night. If it is allowed, other businesses will want to follow suit.
3. The external bin store is unacceptable. Wagamama and Wahaca store their bins inside. More outside bins will inevitably result in mess around the bins with the attendant health issues. Moreover, this will be an eyesore. Bear in mind countless tourists walk along Bedford Court to and from Covent Garden.
4. The use of the present fire exit in the alleyway will cause more noise, cigarette end mess and nuisance to resident and the hundreds of people that pass through the alley.

5. The request for an extended licence is unacceptable. If the extended alcohol licence is granted, other restaurants will want to follow suit.

6. Staff will need to work after the restaurant closes, e.g., filling the outside bins, which means noise until the early hours of the morning for residents.

7. The proposed ventilation system would have to be almost silent in order not to aggravate the noise nuisance already be caused by the Wahaca system, which seems already to be beyond reasonable limits.

This is our summary, one of our neighbours, [REDACTED] has written a very comprehensive objection which applies to this and the related applications 19/05768/FULL and 19/05769/FULL.

We want you to understand that we endorse all of his comments and wish them to be considered carefully.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	18th August 2019		

We heavily object to this change of use - the restaurant entrance is in a tiny alley surrounded by residential properties - [REDACTED] - it will affect the quality of life to anyone whom is living at the property - the impact of delivery and noise and refuse in an area already and clients of over 100 with very late operations is detrimental to the any resident and their right to live and exist with some quality of life in this area - the notice had come very late to our notice and I'm sure once all the residents are aware [REDACTED] - more people will be opposed to this.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	17th August 2019		

Objection basis - licensing principle "prevention of public nuisance"

The operating methodology provided by the applicant does not support the key licensing object of "The prevention of public nuisance". In order to supply the licensed activities of "late night refreshment" and "sale of alcohol" during the times stated in the application the applicant will have to operate in a manner which produces excessive nuisance noise. The points raised in my letter submitted via email to the Licensing Department demonstrates an unquestionable and unavoidable increase in nuisance noise with Bedford Court. It is understandable that it's impossible to expect a restaurant to operate in total silence. However, nuisance noise at anti-social hours outside of the current incumbents' curfew is simply not acceptable to residents. Granting a new licence which is significantly less restrictive than existing premises could set a dangerous precedent leading to further applications for loosening of their conditions and a several fold increase in nuisance noise subsequently.

██████████ I object to this application. My family have owned an apartment ██████████ since the mid 1980's and we have seen the gradual erosion of our quality of life to pave the way for corporate gain. Although I do not object to a restaurant at this location, with adequate disturbance mitigation measures in place, the application and supporting documents provided with the concurrent planning consent demonstrate an operating methodology which will be incredibly invasive to the residents on account of the noise that will be generated. It suggests an ignorance of the existing working eco-system within the small space. It also shows convenient naivety of what could be considered an acceptable level of nuisance and what servicing a restaurant premises actually requires.

(Please see Appendix 3 for additional submission from objector submitted on 17th August 2019)

Name:		██████████	
Address and/or Residents Association		██████████ ██████████ ██████████ ██████████	
Status:	Valid	In support or opposed:	Opposed

Received: 18th August 2019

The proposed application is for a premises of no uniqueness there are multiple places of this nature in the area.

Why then is one suggested with an entrance down a mainly residential alleyways where the type of operation applied for will only create unsafe congestion security risks which will make accessing residents' property very difficult.

The alleyway acts like an echo chamber and the noise from the comings and goings will be intolerable people will not be able to open their windows for ventilation without unacceptable noise and passive smoking dangers from the queuing people and the staff on breaks. Deliveries will be happening all night so the disturbance will never stop.

There are vulnerable people living in the alley in the Peabody estate there are also young families in the social housing.

Altogether about 200 residents access their properties from the alleyway and it's extension I think it would be uncaring and dismissive of people's rights to a peaceful enjoyment of their properties and lives to agree this proposal.

Name:		██████████	
Address and/or Residents Association		██████████ ██████████ ██████████ ██████████	
Status:	Valid	In support or opposed:	Opposed

Received: 29th July 2019

██████████
██████████ We wish to register our strong objection to this application for a new premises license on the grounds of the noise and disruption it will cause. The main grounds of our objection are:

1. The conversion of the existing shop fire exit door into the main entrance to the restaurant. This will result in a major increase in noise to our flat from customers entering and leaving the

restaurant, gathering outside to phone and smoke, arriving by taxi along Bedford Court. The proposed new entrance is located in a 'tunnel' of buildings and noise echoes loudly from this area.

2. The construction of a new bin compound in the courtyard to house nine waste receptacles, directly opposite our bedroom. There will be a great deal of noise when rubbish is put out and when rubbish is collected. This will be done outside of operating hours, consequently late at night or early in the morning. It should be noted that vehicles servicing the courtyard have to reverse along Bedford Court to access this area. Normal vehicle noise is increased by the 'vehicle is reversing' alarms.

3. Servicing the restaurant. The fact that Bedford Court is a residential area with housing on both sides of the street and a cul-de-sac means that vehicle traffic is very intrusive. Noise echoes loudly in this area which is directly overlooked by bedrooms. As it currently stands the street is regularly blocked by service vehicles and there is no capacity to service an additional restaurant.

4. Noise from customers lingering after leaving the restaurant in the courtyard outside of Bedford Court, shouting and laughing, playing music on their phones and smoking. Bedford Court provides a shortcut to the train station, tube and buses and it is to be expected that groups of customers will linger in this area outside our bedroom windows before going their separate ways. This noise will be very disruptive to sleep.

5. Noise from restaurant staff on their breaks. Restaurant staff will congregate in the courtyard or passageway smoking and causing noise and disturbance. Noise from this area is heard loudly in our bedrooms.

It is important that customers or staff do not gather to smoke in the passage way between Bedford St and Bedford Court as noise echoes loudly from there to the bedrooms at Bedford Court. Similarly I am concerned that staff not gather at the back of the building on their breaks and that rubbish not be put outside (or bottles crushed) late at night.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	18th August 2019		

I attach a document that sets out the objections I have to the above application.

[REDACTED]

While writing, I wish also to complain that I never actually received a copy of a letter setting out the application - but was only made aware of it by a fellow local resident.

Please can the attached objection be lodged on the file on my behalf.

(Please see Appendix 3 for additional submission from objector submitted on 17th August 2019)

Name:	[REDACTED]
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Address and/or Residents Association		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	18th August 2019		
<p>[REDACTED] we wish to record our strong objection to the licence application referred to above at 15 Bedford Street.</p> <p>We wholeheartedly support all the comments and arguments made in the attached objection.</p> <p><i>(Please see Appendix 3 for additional submission from objector submitted on 18th August 2019)</i></p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	16th August 2019		
<p>Lothbury Property Trust has applied for a licence to permit the sale of alcohol and the playing of recorded music at the above listed premises.</p> <p>Firstly: The final date for submission of comments is 18 August. Today is 16 August and there is no longer a sign displayed on the Bedford Street facade; only around the corner in the alleyway on the BACK side of the door which has been propped open for a number of days while workman are inside.</p> <p>Secondly: These premises are the subject of a planning application which is still current! Submissions are being accepted until August 21st. Then the objections will be considered and a decision made. It is clear that Lothbury consider that the decision is a forgone conclusion and the "consultation" process is a sham. Hence their assumption that this early submission will not turn out to be a waste of time and money! I would have thought that these are sufficient grounds to request that Lothbury withdraw this application and await the outcome of the proper democratic process. My own objections to the planning application referenced this point as well as proposing a redesign placing the entrance on Bedford STREET not in Bedford Court. If this were to be done, I might well NOT be making this submission.</p> <p>As it is I object to this license application on the following grounds.</p> <p>The entrance being off the main road and down the alley, will mean that a significant number of patrons will continue along the alley down in the roadway of Bedford Court on which there are no less than FIVE residential blocks. There are no retail outlets in Bedford Court, nor any other restaurant/bars/pubs until you get to the bottom of Bedfordbury. We are already subject to enough night time noise for our sleep to be impaired, not to mention the added cumulative effect of all the servicing requirements. The Licensing Act highlights the potential negative effects on local residents of patrons having consumed alcohol. Disturbances can occur while patrons are going to or from</p>			

premises, accessing taxis/ubers etc or heading for public transport. While most of it (is) "high spirits" it can be very disturbing especially late at night when the ambient noise level is lower. Playing music, even as background, can cause patrons to have to raise their voices to be heard and this can continue after leaving the premises. This certainly is the (received) experience of residents in this area.

Bedford Court is an unusually densely populated residential enclave in Covent Garden. It is entirely unsuitable as a walkthrough from customers leaving a premises right outside of, and adjacent to these residential blocks.

I would urge the council to reject or at least postpone consideration of this application until the planning process is concluded. There are other licensed premises on Bedford STREET where it could be hoped that patrons would access premises and depart from them along THAT main well used road. In which case there would be fewer grounds for any objections to this application.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<p>Policy HRS1 applies</p>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30</p> <p>Friday and Saturday: 10:00 to midnight</p> <p>Sundays immediately prior to Bank Holidays: Midday to midnight</p> <p>Other Sundays: Midday to 22:30</p> <p>For premises for the supply of alcohol for consumption off the premises:</p> <p>Monday to Saturday: 08:00 to 23:00</p> <p>Sundays: 10:00 to 22:30</p> <p>For premises for the provision of other licensable activities:</p> <p>Monday to Thursday: 09:00 to 23.30</p> <p>Friday and Saturday: 09:00 to midnight</p> <p>Sundays immediately prior to Bank Holidays: 09:00 to midnight</p> <p>Other Sundays: 09:00 to 22:30</p>
<p>Policy CIP1 applies</p>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the CIA.</p>
<p>Policy RNT2 applies</p>	<p>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</p>

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, Marriages and Civil Partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

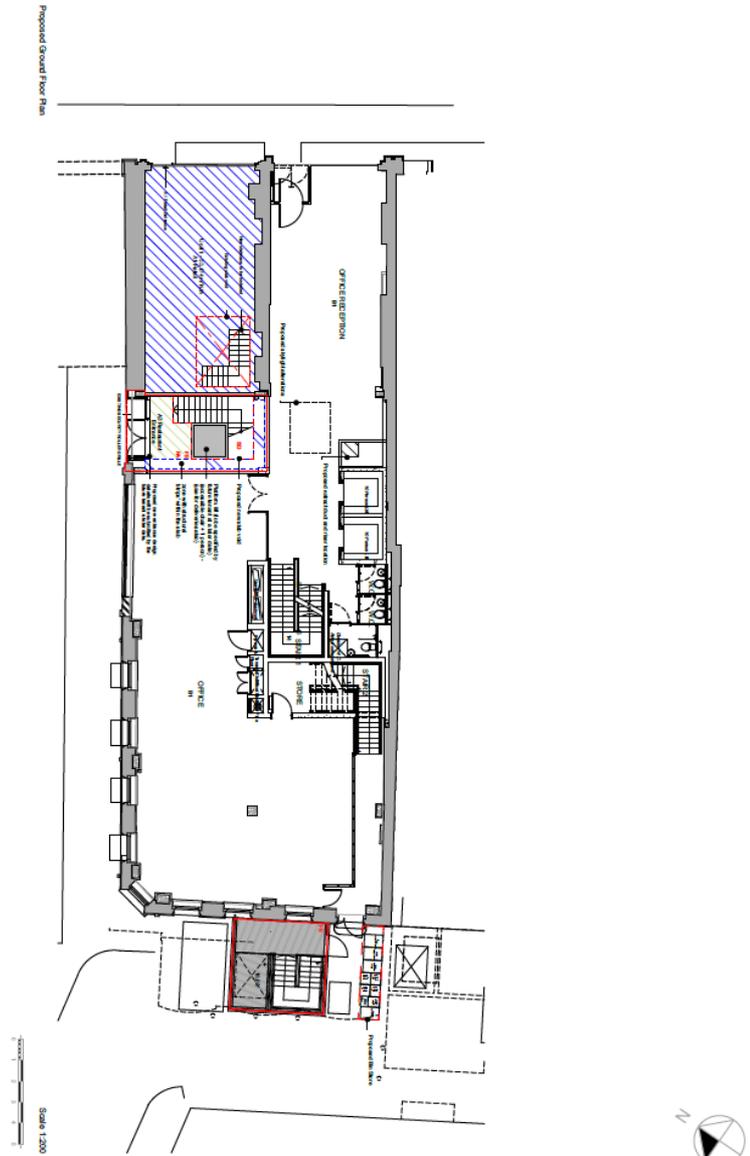
5. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Submission from [REDACTED]
Appendix 4	Submission from [REDACTED]
Appendix 5	Premises history
Appendix 6	Proposed conditions
Appendix 7	Residential map and list of premises in the vicinity
Report author:	Miss Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 7654 Email: jdonovan@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Representation	15 th August 2019
5	Licensing Authority Representation	16 th August 2019
6	Resident Representation 1	18 th August 2019
7	Resident Representation 2	17 th August 2019
8	Resident Representation 3	18 th August 2019
9	Resident Representation 4	18 th August 2019
10	Resident Representation 5	17 th August 2019
11	Resident Representation 6	18 th August 2019
12	Resident Representation 7	29 th July 2019
13	Resident Representation 8	18 th August 2019
14	Resident Representation 9	18 th August 2019
15	Resident Representation 10	16 August 2019



IMPORTANT: Licenseable activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only. Firefighting equipment is indicated but may be moved subject to the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.

FE = FIRE EXTINGUISHER
 FA = FIRE ALARM
 SD = SMOKE DETECTOR

project	15-16 Bedford Street, London								
document	Proposed Ground Floor Plan Licensing Issue								
reference	prop	origin	zone	level	type	ide	no.	status	rev
ref no.	3081	MA	ZZ	ZZ	DR	A	00115	SP	P02
ref no.	3081	paper size		A3		scale 1:200			

architectural / interiors / landscape

maber Group + individual work
 maber.co.uk
 london

00115

Our work is based on the highest standards of professional practice and we are committed to the highest standards of ethical behaviour. The full range of our services is available to our clients and we are committed to the highest standards of ethical behaviour. The full range of our services is available to our clients and we are committed to the highest standards of ethical behaviour.

Pre-Application Advice report

Trading name of business and Address: 15-16 Bedford Street, WC2E 9HE Reference Number if Applicable: 19/06576/PREAPM		
Premises Licence: No	Applicant/Solicitor: Andrew Wong Keystone Law	CI Area: Yes West End
Type of Business: Restaurant Proposed Licensed Areas: Ground and Basement Floors. Proposed Activities: Supply of Alcohol and Late Night Refreshment Proposed Alcohol Hours Monday to Thursday 10.00 to 23.30 hours Friday and Saturday 10.00 to 00.00 hours and Sunday 12.00 to 22.30 hours.		
<p>Pre application advice purpose: To comment on appropriate conditions including capacities for a new premises licence for the above premises. Advise on technical suitability and policy implications in advance of the appropriate application.</p> <p>Issues discussed and actions taken:</p> <p>Inspection carried out by Ian Watson (Environmental Health – EH) and Alan Lynagh (District Surveyor – DS) of the ground and basement floor to fully assess the proposed operation. The findings are detailed below.</p> <p><u>District Surveyor Comments</u></p> <p>Means of Escape:</p> <ul style="list-style-type: none">• For a capacity of 220 in the basement as discussed with the applicant all exit doors to the main entrance/exit and the rear alternative exit should be 1100mm clear width. As a very minimum this could drop down to 1050mm given the use of the premises.• The staircase widths to the front and rear should be a clear width of 1100mm also.• Given the alternative exit is adjacent to the main kitchen/prep area, which is open it is recommended that any cooking facilities are provided with a suitable suppression system. <p>General Advice</p> <ul style="list-style-type: none">• All protected exit routes to be provided with a minimum of 30 minutes fire separation to other parts of the premises.• Fire detection and alarm system within the premises is in accordance with BS 5839 Part 1 2002 Category L2 protection (this is advisory but this would give good flexibility with capacities and approval).• All Fire doors protecting escape routes will be provided with intumescent strips and smoke seals and all fire doors will comply with the relevant provisions of Table B1 of ADB.• Every escape route (other than those in ordinary use) will be marked by emergency exit signs complying with BS 5499: Part 1 and these will be located in accordance with the recommendations of BS 5499: Part 4.		

Public Facilities and Capacity

The licensed area will be ground and basement floors with a total capacity of up to 220 persons excluding staff. In line with BS 6465 part1 table 10 the minimum number of toilets required would be, 5 x WC's female, 2 x WC's plus 2 urinals male plus 1 x disabled.

Staff changing and toilet facilities should also be provided with a minimum of 2 WC's required if more than 5 staff are at work.

Licensing Policy:

The premises are located within a recognised cumulative impact area and therefore policy CIP1, HRS1, RNT2 will apply. Policy RNT2 states that it is the licensing's authority's policy to grant applications subject to other policies.

Policy 2.3.2 of HRS1 states that it is the intention to generally grant licenses or variations to licenses where the hours when customers are permitted to be on the premises are within the 'core hours'.

Policy 2.4.2 of CIP1 states that the licensing authority is generally prepared to grant reasonable limited longer hours by way of the core hours for all premises across the city.

Therefore, appropriate conditions will need to be proposed to address the supply of alcohol on the premises along with conditions to address the licensing objectives of Public Safety, Prevention of Public Nuisance, Crime and Disorder and Protection of children from Harm.

Licensing Position:

Supply of Alcohol 'On' and 'Off' the premises

Monday to Thursday 10.00 to 23.30 hours

Friday and Saturday 10.00 to 00.00 hours

Sunday 12.00 to 22.30 hours

Sunday before a Bank Holiday 12.00 to 00.00 hours.

Late Night Refreshment 'Indoors'

Monday to Thursday 23.00 to 23.30 hours

Friday and Saturday 23.00 to 00.00 hours

Sunday before a Bank Holiday 23.00 to 00.00 hours.

New Year's Eve to New Year's Day.

Proposed conditions.

To address policy RNT2 and the licensing objective of Public Safety, Prevention of Public Nuisance, Crime and Disorder and Protection of Children from Harm the following model conditions are proposed.

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

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

- 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.
- 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.
- Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- All sales of alcohol for consumption off the premises shall be sealed containers only and shall not be consumed on the premises.
- All tables and chairs shall be removed from the outside area by 23.00 hours each day.
- 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.
- 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 premise 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.
- 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.
- 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.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder

- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any visit by a relevant authority or emergency service.

- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- No rubbish including bottles shall be removed or placed in an outside area between 23.00 hours to 08.00 hours Monday to Sunday.
- No deliveries to the premises shall take place between 20.00 and 08.00 hours on the following day.
- 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.
- 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.
- All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
- 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.
- No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the environmental health consultation team at which time, this condition shall be removed from the licence by the Licensing Authority.

Conclusions

Due to the premises being located within the West End CIA they will need to fully address policy with regard to style of operation and hours for a new application. Conditions have been proposed to address the licensing objectives including Prevention of Crime and Disorder in line with police concerns. The works and capacity condition will allow the responsible authorities comfort in assessing the premises on completion.

As part of the application process it is advised that the other responsible authorities will also need to assess the proposals and may wish to make additional comments.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

Resident/Owners Comments for Planning Application 19/05768/FULL
(supporting [REDACTED] concerns)

Downloaded from WCC Planning Register – 17/8/19

(Objects) Comment submitted date: Fri 16 Aug 2019

I wish to endorse all the comments made by my fellow residents at [REDACTED] Bedford Court and especially regarding noise, traffic movements and loss of amenity.

I do not recall receiving any letters regarding the consultations that the developers describe and certainly no invitation to a display of what was proposed. In all the paperwork submitted to you I cannot see any mention of the closest residential properties to the development, [REDACTED]

[REDACTED] The fact that only 2 residents attended the display and information event implies a cursory consultation process. That apart, and in addition to the points mentioned briefly above, I am concerned that the rough sleepers, currently sleeping in the passageway part of Bedford Court will move closer to our front doors.

"Additional CCTV cameras have been proposed overlooking Bedford Court to ensure that anti-social behaviour isn't simply displaced within the immediate vicinity."

A proposal is not a commitment to doing this nor to maintain a regular level of monitoring of the situation. The bins that we already have are a convenient cover for drug deals and human waste is often apparent.

(Objects) Comment submitted date: Thu 15 Aug 2019

[REDACTED] We wish to register our strong objection to this application. The main grounds of our objection are:

1. The conversion of the existing shop fire exit door into the main entrance to a restaurant - this will result in a major increase in noise from customers entering and leaving the restaurant, gathering outside to phone and smoke, arriving by taxi along Bedford Court. It is inappropriate to have a restaurant entrance on this quiet cul-de-sac.
 2. The construction of a new bin compound in the courtyard to house nine waste receptacles - this will create a great deal of noise when rubbish is put out and when rubbish is collected. This will be done outside of operating hours, consequently late at night or early in the morning. It should be noted that vehicles have to back up Bedford Court to access this area. Normal vehicle noise is increased by the 'vehicle is reversing' alarms.
 3. Servicing the restaurant - again, the fact that Bedford Court is a residential area and a cul-de-sac means that vehicle traffic is very intrusive. Noise echoes loudly in this area which is directly overlooked by bedrooms. As it currently stands the street is regularly blocked by service vehicles and there is no capacity to service an additional restaurant.
 4. Customers lingering after leaving the restaurant in the courtyard outside of [REDACTED] Bedford Court, shouting and laughing, playing music on their phones and smoking. Also, staff from the restaurant on their breaks similarly causing a noise nuisance.
-

(Objects) Comment submitted date: Thu 15 Aug 2019

You would have received a very comprehensive objection letter to this application [REDACTED] [REDACTED]
[REDACTED]

We, [REDACTED] also wish to register our strong objection to this application & fully support the [REDACTED], extract of this below;

"Objection basis - planning policy

I base my objection on the following points:

1) Conversion of existing shop fire exit door into main entrance to restaurant. The passageway section of Bedford Court currently acts as a valuable buffer zone between the hustle and bustle of Bedford Street and the relative quiet of BC. The introduction of a restaurant entrance, operational late into the night, in this area will serve to reduce this function as disturbance will be created by:

- Restaurant clientele entering and exiting the premises
- Restaurant clientele standing outside to make mobile phone calls (away from the internal background noise of the restaurant and the poor phone reception underground)
- Restaurant clientele smoking (it's noted that the application does not specifically address this standard site requirement)
- Taxi waiting, collection and drop offs. Despite the applicant's view on matter the location of this activity will ultimately be decided by clients and drivers not the applicant. Given a choice between busy Bedford Street (with no waiting bays) and Bedford Court where vehicles can stop without bother it's clear that this activity will most likely occur in BC giving rise to noise and disturbance to residents.

The property already has prime frontage onto Bedford Street. I would urge that an alternative solution be proposed which uses this frontage for access to both the ground floor retail space and the basement restaurant area so as to prevent nuisance to neighbours.

2) The construction of a new bin compound in BC to house nine waste receptacles. Unlike the other two restaurants in BC this proposes that the bins be stored outside rather than inside a room insulated from the street.

- The noise of waste being tipped into receptacles or moved in wheelie bins along roads and over kerbs can be loud. The use of a sonic bottle crusher is welcomed by condition. Point 6.6 says that movements won't take place during restaurant operational hours. By logical conclusion this transfer will have to take place after the restaurant has closed i.e. very late at night or early in the morning so as to be ready for morning collection. These bins are located a mere six metres from the bedroom [REDACTED] and close to many more of the properties above and adjacent as they are wheeled along Bedford Court to the store. This level of disturbance into the early hours of the morning is very anti-social.

- The applicant suggests that the bin store will be secure however there is no gate shown on the compound. In fact what is being created is a narrow corridor leading to the fire exit steps. These steps are already frequently as an area for drug takers to base themselves. This corridor will provide a more appealing location as it affords more shelter from onlookers.

I would urge that a solution be sought which confines operational waste activities into an insulated indoor area during anti-social hours (in line with Wahaca and Wagamama's operating procedures) and this be a condition of planning / licensing. This is to safeguard the environment of the court for residential neighbours. Bins movements on the street should be treated with the same curfew times as vehicles.

3) A Delivery and Servicing plan has been proposed, to which I have the following comments / concerns: - The sole vehicle bay measures 4.4m by 3.3m therefore it is suitable only for cars and the smallest of vans. As such this bay is unsuitable for any waste collection vehicles in the form of hydraulic compactor bin lorries or panel vans with tail lifts. The photo in the proposal shows a minivan completely filling the space. Waste collection and recycling companies do not use vehicles of this size (see photo below of current recycling collection vehicle for Wahaca and bin lorries are familiar to you I'm sure). Furthermore it is extremely unlikely that food and beverage suppliers will use vans of this small size either. The majority of London food and beverage suppliers use 3.5 ton refrigerated medium and long wheel base "Sprinter" style vans, "Luton" panels vans or larger lorries. (See photo below of the smallest of, one of the UK's largest grocers, Fresh Direct's fleet van at 5.9 metres). None of the regular grocer vehicles will fit this bay, especially those with the added length of a tail lift. These vehicles either sit in the public road or will extend into the "Clear Zone" which should be kept clear for building evacuation and/or emergency vehicle access. I believe that the proposed plan is not practical (contrary to point 9.7).

- Currently licensing conditions protect residents from vehicle movements in advance of 8am weekdays and 9am on weekends and bank holidays. The proposal suggests that deliveries will start from 6am, apparently in the interest of minimising disruption to local residents!! Night deliveries should be forbidden outside of the hours stipulated by condition, not "wherever possible" as this is wholly non-committal.

Vehicle operations in the early hours of the morning are not just a mere inconvenience. Being woken up in the early hours by loud reversing beacons followed by loud revving of engines driving the hydraulics of the bin lorries crushing rubbish is extremely distressing at the time and leads to long term stress issues. The photo below shows the proposed bin store (in green). This lorry is operating a mere four metres from the nearest beds, not bedrooms, beds. I'm sure you can appreciate the severity of this.

- Estimation of number of vehicles is unrealistic. The data set includes reference to MGV's. As established above the vehicle bay is not large enough to hold a vehicle of this size (or even large vans) therefore a higher number of smaller vehicles would have to be used instead if the bay is to be used as proposed.

As a restaurant operator is yet to be assigned this vehicle plan is based on a number of assumptions. These assumptions play down the anticipated impact on the local environment and appear on closer inspection it to be impractical. As it stands in reality the additional restaurant service vehicles will either deprive residents of their sleep before 8am or compete with Wahaca and Wagamama vehicles for space on the public highway section of BC normal "normal" hours. I would urge the planning department to consider the noise generated by loading and unloading of vehicles within this confined space, especially during antisocial hours, and request by condition that mitigation precautions be taken. As a very minimum vehicle curfew should be brought in line with the other existing restaurants otherwise a dangerous precedent could be set leading to appeals from the incumbents.

4) There are a number of other details which are omitted from the application or are questionable:

- No mention is made of a designated smoking area for staff, or assurances that staff members won't congregate in BC while on breaks.

- No mention is made of a designated smoking area for clients, or assurances that they won't congregate in BC. - Details on the proposed low level louvers is scant. It's not detailed as to whether these are moving air in or out or whether baffles are integral to limit noise escape.

- It should be noted that the baseline noise readings refer to "background plant noise". This noise is principally emitted by a single nearby extraction fan at ground level that runs constantly. It is a topic of debate as to whether this fan had the relevant planning permission when it was installed.

Objection basis - licensing principles

The operating methodology provided by the applicant does not support the key licensing object of "The prevention of public nuisance". The points raised above demonstrate an unquestionable and unavoidable increase in nuisance noise. In particular nuisance noise outside of the current curfews imposed on incumbent operators. Granting a new license which is significantly less restrictive than existing neighbours could set a dangerous precedent leading to further applications for loosening of conditions and a several fold increase in nuisance noise.

Summary

In summary, I would like to see the planning department and applicant take learnings from the recent change of use application of 17-19 Bedford Street and apply the same conservation principles to this current application. Although residents have endured teething problems by and large it's felt that Wagamama have been a responsible operator. The council should be commended for their work on this application in particular with regards to the conditions imposed to safeguard nuisance noise (see 14/06731/FULL)."

We reiterate both our objection to this application & our support of [REDACTED] objection letter as this proposal would severely compromise the amenity of our immediate local area.

Regards,

[REDACTED]

[REDACTED]

(Objects) Comment submitted date: Wed 14 Aug 2019

[REDACTED], [REDACTED]
[REDACTED]

Although I do not object to a restaurant at this location with adequate disturbance mitigation measures in place the application and supporting documents demonstrate an intended operational methodology which will be incredibly invasive to the residents of Bedford Court on account of the noise that will be generated as a result. It suggests an ignorance of the existing eco-system and a convenient naivety of what could be considered an acceptable level of nuisance and what servicing a restaurant requires.

Bedford Court is one of the few remaining relatively quiet areas of Covent Garden and has a high residential density.

Currently Bedford Court is formally used to service Wahaca at 66 Chandos Place and Wagamama at 17 Bedford Street. Informally other commercial delivery vehicles in the area also use the space if they can't get any closer to their intended recipients due to prevailing traffic conditions. (e.g the St Martins Lane Hotel and other F&B premises on Bedford Street) With the planned pedestrianisation of New Row, to the north, traffic will worsen as a dead end on Bedfordbury will be created and BC used as a turnaround area.

At present residents of the court are subject to multiple deliveries and waste collections from these two restaurants (as well as our own waste collections of course). Thoughtfully Westminster Council Planning and Licensing imposed licensing conditions on the existing restaurants which restrict such movements to only being between the hours of 08:00 and 12:00 Monday to Saturday and 09:00 and 12:00 Sundays and Bank Holidays (Source). Despite affording the condition "to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted Nov 2013 and STRA 25, TRANS 20 and TRANS 21 of the unitary Development Plan adopted in Jan 2007" vehicles

frequently attend the area to carry out their duties outside of the times. Waste compaction vehicles have been on site as early as 4am. Although followed up with Council EHO's breaches continue to regularly occur with restaurant management not caring.

Objection basis - planning policy

I base my objection on the following points:

1) Conversion of existing shop fire exit door into main entrance to restaurant. The passageway section of Bedford Court currently acts as a valuable buffer zone between the hustle and bustle of Bedford Street and the relative quiet of BC. The introduction of a restaurant entrance, operational late into the night, in this area will serve to reduce this function as disturbance will be created by:

- Restaurant clientele entering and exiting the premises
- Restaurant clientele standing outside to make mobile phone calls (away from the internal background noise of the restaurant and the poor phone reception underground)
- Restaurant clientele smoking (it's noted that the application does not specifically address this standard site requirement)
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The property already has prime frontage onto Bedford Street. I would urge that an alternative solution be proposed which uses this frontage for access to both the ground floor retail space and the basement restaurant area so as to prevent nuisance to neighbours.

2) The construction of a new bin compound in BC to house nine waste receptacles. Unlike the other two restaurants in BC this proposes that the bins be stored outside rather than inside a room insulated from the street.

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- The applicant suggests that the bin store will be secure however there is no gate shown on the compound. In fact what is being created is a narrow corridor leading to the fire exit steps. These steps are already frequently used as an area for drug takers to base themselves. This corridor will provide a more appealing location as it affords more shelter from onlookers.

I would urge that a solution be sought which confines operational waste activities into an insulated indoor area during anti-social hours (in line with Wahaca and Wagamama's operating procedures) and this be a condition of planning / licensing. This is to safeguard the environment of the court for residential neighbours. Bins movements on the street should be treated with the same curfew times as vehicles.

3) A Delivery and Servicing plan has been proposed, to which I have the following comments / concerns: - The sole vehicle bay measures 4.4m by 3.3m therefore it is suitable only for cars and the smallest of vans. As such this bay is unsuitable for any waste collection vehicles in the

form of hydraulic compactor bin lorries or panel vans with tail lifts. Furthermore it is extremely unlikely that food and beverage suppliers will use vans of this small size anyway. The majority of London food and beverage suppliers use 3.5 ton refrigerated medium and long wheel base "Sprinter" style vans, "Luton" panels vans or larger lorries. None of the regular grocer vehicles will fit this bay, especially those with the added length of a tail lift. These vehicles either sit in the public road or will extend into the "Clear Zone" which should be kept clear for building evacuation and/or emergency vehicle access. I believe that the proposed plan is not practical (contrary to point 9.7).

- Currently licensing conditions protect residents from vehicle movements in advance of 8am weekdays and 9am on weekends and bank holidays. The proposal suggests that deliveries will start from 6am, apparently in the interest of minimising disruption to local residents!! Night deliveries should be forbidden outside of the hours stipulated by condition, not "wherever possible" as this is wholly non-committal.

Vehicle operations in the early hours of the morning are not just a mere inconvenience. Being woken up in the early hours by loud reversing beacons followed by loud revving of engines driving the hydraulics of the bin lorries crushing rubbish is extremely distressing at the time and leads to long term stress issues. The photo below shows the proposed bin store (in green). This lorry is operating a mere four metres from the nearest beds, not bedrooms, beds. I'm sure you can appreciate the severity of this.

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As a restaurant operator is yet to be assigned this vehicle plan is based on a number of assumptions. These assumptions play down the anticipated impact on the local environment and appear on closer inspection it to be impractical. As it stands in reality the additional restaurant service vehicles will either deprive residents of their sleep before 8am or compete with Wahaca and Wagamama vehicles for space on the public highway section of BC normal "normal" hours. I would urge the planning department to consider the noise generated by loading and unloading of vehicles within this confined space, especially during antisocial hours, and request by condition that mitigation precautions be taken. As a very minimum vehicle curfew should be brought in line with the other existing restaurants otherwise a dangerous precedent could be set leading to appeals from the incumbents.

4) There are a number of other details which are omitted from the application or are questionable:

- No mention is made of a designated smoking area for staff, or assurances that staff members won't congregate in BC while on breaks.

- No mention is made of a designated smoking area for clients, or assurances that they won't congregate in BC. - Details on the proposed low level louvers is scant. It's not detailed as to whether these are moving air in or out or whether baffles are integral to limit noise escape.

- It should be noted that the baseline noise readings refer to "background plant noise". This noise is principally emitted by a single nearby extraction fan at ground level that runs constantly. It is a topic of debate as to whether this fan had the relevant planning permission when it was installed.

Objection basis - licensing principles

The operating methodology provided by the applicant does not support the key licensing object of "The prevention of public nuisance". The points raised above demonstrate an unquestionable

and unavoidable increase in nuisance noise. In particular nuisance noise outside of the current curfews imposed on incumbent operators. Granting a new license which is significantly less restrictive than existing neighbours could set a dangerous precedent leading to further applications for loosening of conditions and a several fold increase in nuisance noise.

(Objects) Comment submitted date: Tue 13 Aug 2019

Bedford Court cannot cope with another restaurant backing onto this small area. We have had to make complaints already about the fire exit from the back of Nando's and Wahaca due to the noise and smoking that goes on here, we have contacted the licences and planning department about this already because although as part of their licence they are not meant to use this area for chatting this is of course ignored. My concern is that the licence will be permitted with conditions attached about the noise that will be ignored.

The main noise issues are between 10pm-1am which is the time where people need to sleep. There is also noise issues again from 7am because of bin collections and deliveries.

Where the fire exit is and where the restaurant will back onto is a primarily residential road and has already impacted negatively upon our living conditions. The noise travels in such a small area and when we have spoken to the Westminster noise team about this they say it is not their problem so there is no one to help with this. If you tell the employees from the restaurants to be quiet you just get a barrage of abuse which we cannot cope with more of. The noise comes from the employees as well as a constant banging of the fire exit and the step where people sit. You also hear all the bottle crushing from the restaurants which is extremely noisy.

Added to this is of course the issue of rubbish. Already there are numerous overflowing wheelie bins which people continually put against our building which is not allowed and means lots of people use the bins as a toilet area causing smells and mess. There is no mention here of where they plan to put more bins but it will be an issue. As you will see it is already a very small area where the bedrooms in our block of flats back onto.

This is a daily issue and I ask that you think about the residents here as it really is very problematic and any licence conditions will be ignored. The road is already congested because of deliveries and cannot cope with any further deliveries or bin collections.

As another user commented, we too have had to have our windows replaced in an attempt to deal with this but there are still issues.

(Objects) Comment submitted date: Mon 12 Aug 2019

I object to the planned development on a number of grounds, which I set out below.

Noise: I already suffer from a significant number of noise disturbances late at night due to the three surrounding restaurants on Bedford Street and Chandos Street (Wagamamas, Wahaca and Nando's) where the staff constantly slam doors while taking out rubbish at a late hour, after midnight.

They are also constantly smoking and creating noise during the evenings and after midnight. They are not allowed to smoke there and the restaurants have constantly said they will stop this but nothing changes. It is no deterrent.

There are constant deliveries to these restaurants in the morning which wake us up early also.

[REDACTED] I object to this application. Although I do not object to a restaurant at this location, with adequate disturbance mitigation measures in place, the application and supporting documents provided with the concurrent planning consent demonstrate an operating methodology which will be incredibly invasive to the residents on account of the noise that will be generated. It suggests an ignorance of the existing working eco-system within the small space. It also shows convenient naivety of what could be considered an acceptable level of nuisance and what servicing a restaurant premises actually requires.

Bedford Court is one of the few remaining relatively quiet areas of Covent Garden and has a high residential density. The map below shows:

- Highlighted yellow – residential (inc hotel) units with **direct line of sound** to one or more of the three noise centres which will be created by the proposed plans
- Red cross – applicant vehicle loading / unloading of goods
- Blue cross – applicant waste being dropped into bins / bins moved and also emptying of bins into refuse vehicles
- Black – people noise from customers (and staff)



Background and existing

Formally Bedford Court is used to service Wahaca at 66 Chandos Place and Wagamama at 17 Bedford Street. Informally additional delivery vehicles also use the space if they can't get any closer to their intended recipients due to prevailing traffic conditions. For example: the St Martins Lane Hotel, ENO and other licensed premises on Bedford Street. With the recent pedestrianisation of New Row, to the north, traffic has worsened significantly as a dead end on Bedfordbury has been created and BC used as a turnaround area. The map below shows:

- Blue cross – Wahaca service exit and internal waste store
- Blue circle – area used by Wahaca vehicles servicing this entrance
- Red cross – Wagamama service entrance/exit (internal service bay to be used with door closed, by planning condition)
- Red circle – reality of area used by Wagamama vehicles (as condition not always met)
- Large green rectangle – proposed vehicle bay for 15-16
- Small green rectangle – proposed outdoor bin store for 15-16



At present residents of the court are subject to multiple deliveries and waste collections from these two restaurants (as well as our own waste collections of course). Thoughtfully Westminster Council Planning and Licensing imposed conditions on the existing restaurants which restrict such movements to only being between the hours of 08:00 and 12:00 Monday to Saturday and 09:00 and 12:00 Sundays and Bank Holidays ([Source](#)). Despite affording this condition “**to protect the environment of people in neighbouring properties as set out in S42 of Westminster’s City Plan: Strategic Policies adopted Nov 2013 and STRA 25, TRANS 20 and TRANS 21 of the unitary Development Plan adopted in Jan 2007**” their vehicles frequently attend outside of these times. Waste compaction vehicles have been on site as early as 4am. Although complaints are followed up by Council EHO’s breaches continue to regularly occur and it is an ongoing battle.

Objection basis – licensing principle “prevention of public nuisance”

The operating methodology provided by the applicant does not support the key licensing object of “**The prevention of public nuisance**”. In order to supply the licensed activities of “**late night refreshment**” and “**sale of alcohol**” during the times stated in the application the applicant will have to operate in a manner which produces excessive nuisance noise. The points raised below demonstrate an unquestionable and unavoidable increase in nuisance noise within Bedford Court. It is understandable that it’s impossible to expect a restaurant to operate in total silence. However, nuisance noise at anti-social hours outside of the current incumbents’ curfew is simply not acceptable to residents. Granting a new license which is significantly less restrictive than existing premises could set a dangerous precedent leading to further applications for loosening of their conditions and a several fold increase in nuisance noise subsequently.

I base my objection on the following four points:

- 1) Conversion of the existing shop fire exit door into main entrance to restaurant. The passageway section of Bedford Court currently acts as a valuable buffer zone between the hustle and bustle of Bedford Street and the relative quiet of BC. The introduction of a new restaurant entrance, operational late into the night, in this area will serve to reduce this function as disturbance will be created by:
 - Restaurant clientele entering and exiting the premises
 - Restaurant clientele standing outside making mobile phone calls (away from the internal background noise of the restaurant and poor phone reception underground)
 - Restaurant clientele smoking (it’s noted that the application does not specifically address this standard site requirement)
 - Taxi waiting, collection and drop offs. Despite the applicant’s view that customers will primarily approach from Bedford Street the location of this activity will ultimately be decided by clients and drivers not the applicant. Given a choice between busy Bedford Street (with no waiting bays) and Bedford Court where

vehicles can stop/wait without bother it's clear that this activity will most likely occur in BC giving rise to noise and disturbance to residents.

This property already has office and vacant retail frontage onto Bedford Street. I would urge that an alternative solution be offered which uses this combined frontage for access to the offices, the ground floor retail space **and** the basement restaurant area so as to prevent nuisance to neighbours.

- 2) The construction of a new bin compound in BC to house nine waste receptacles. Unlike the other two restaurants in BC this proposes that bins be stored outdoors rather than inside a room insulated from the street. Waste is to be ferried by staff to this location from inside of the building.

The noise of waste being tipped into receptacles is loud. As is the rattling noise of wheelie bin wheels and lids as they are moved along pavements, bumpy roadways and over kerbs. Despite direct conversation with Lothbury (the building owner) it has not been possible to get a clear answer as to when these bins will be moved and where they will be filled. The Delivery and Servicing Plan suggests that bins will be moved to/from the venue entrance over several different surfaces



and a kerb. This movement will undoubtedly create noise that can be heard within our properties. We know this from experience of the current bins which luckily are rarely moved at antisocial times. Point 6.6 says that movements won't take place during "restaurant operational hours". By logical deduction these transfers will have to take place after the restaurant has closed and the last clients left i.e. very late at night

(00:30 +) or very early in the morning so as to be ready for collection first thing. These bins are located a mere six metres from the bedroom [REDACTED] and close to many more of the properties above and adjacent as they are moved on the route shown above. This level of disturbance into the early hours of the morning is extremely anti-social.

- The applicant suggests that the bin store will be secure however there is no gate shown on the compound. In fact what is being created is a narrow corridor leading to the fire exit steps. These steps are already frequently used as an area for drug takers to base themselves. This corridor will provide a more appealing location as it affords more shelter from onlookers.
- The suggested use of a council approved sonic bottle crusher indoors is welcomed by condition.

I would urge that a solution be sought which confines operational waste activities to an insulated indoor area during anti-social hours (in line with Wahaca and Wagamama's operating procedures) and this be a condition of planning / licensing. If wheelie bins are to be moved to/from the venue or tipped into while outdoors then this activity should be acknowledged as noisy and subject to the same curfew conditions as vehicle movements. This is to safeguard the environment of the court for residential neighbours.

3) A Delivery and Servicing plan has been proposed, to which I have the following comments / concerns:

- The sole vehicle bay measures 4.4m by 3.3m therefore it is suitable only for cars and the smallest of vans. The photograph in the proposal shows a minivan completely filling the space and outstepping it.



As such this bay is unsuitable for any waste collection vehicles in the form of hydraulic compactor bin lorries or panel vans with tail lifts. Waste collection and recycling companies do not use small format vehicles. See photo below of Westminster bin lorries and current private recycling collection vehicle for Wahaca blocking the garages [REDACTED].



Furthermore, it is extremely unlikely that food and beverage suppliers will use vans of this small size either as it is not economical. The majority of London food and beverage suppliers use 3.5 ton refrigerated medium and long wheel base "Sprinter" vans, "Luton" vans or larger vehicles over 3.5T. See example photo below of the smallest of Fresh Direct's van fleet at 5.9 metres. (Fresh Direct being one the UK's largest food suppliers to the trade.) Standard grocer vehicles will not fit this bay, especially those with the added length of a tail lift. These vehicles will either sit in the public road or will extend into the "Clear Zone" which should be kept clear for building fire evacuation and/or emergency vehicle access. I believe that the proposed plan is not practical (contrary to point 9.7). See photo below of a Luton van parked "in" the bay in question. This is a key point which appears to have been overlooked or ignored in the proposed methodology of managing vehicles.





Currently licensing conditions protect residents from vehicle movements in advance of 8am weekdays and 9am on weekends and bank holidays. The proposal suggests that deliveries will start from 6am, apparently in the interest of minimising disruption to local residents (!). Night deliveries should be forbidden outside of the hours stipulated by condition, not “*wherever possible*” as this is wholly non-committal.

2.12 Vehicle arrivals associated with the proposed land uses will need to be timed carefully around each unit’s hours of operation. No vehicles will be permitted during the weekday AM Peak

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(08:00 – 10:00) and PM Peak (17:00 – 19:00) periods whilst late night deliveries will also be avoided whenever possible. This should minimise traffic congestion, interference with local pedestrian flows and disruption to local residents. The folding parking post will be raised by site security when the bay is not anticipated to be in use.

Vehicle operations in the early hours of the morning are not just a mere inconvenience. Being woken up repeatedly **every** morning in the early hours by reversing beacons followed by loud revving of engines driving the hydraulics of the bin lorries crushing rubbish is extremely distressing at the time and leads to long term sleep issues. The photo below shows the proposed bin store (in green). This lorry is operating a mere **four metres** from the nearest bed, not bedroom, actual bed. I’m sure you can appreciate the severity of this at 6am. By requesting leniency to break the current 8am working curfew in BC the applicant is displaying a blatant disregard for the wellbeing of the residents of this neighbourhood.



The estimation of number of vehicles is unrealistic. The data set quoted includes reference to MGV's. UK government definition of a Medium Goods Vehicle (MGV) is between 3.5 tons and 7.5 tons. As established above, the vehicle bay is not large enough to hold a vehicle of this size. It's not even fit for a large 3.5 ton vehicle (LGV). Therefore a larger number of smaller vehicles would be needed instead if the bay is to be used as proposed. While on the subject it should be noted that the majority of waste collection vehicles employed in the city are larger than 7.5 tons. Therefore they are classified as HGVs, which isn't made clear. Misleadingly they are just called "waste collection vehicles".

Table 3.3: Proposed Servicing Trip Generation

Land Use	Daily Vehicle Trips			Total
	Cars/ Vans	MGV	Waste Collection Vehicles	
Retail (A1)	1	0	0	1
Retail (A3)	3	1	0	4
Waste Collection	0	0	3	3
Total	4	1	3	8

As a restaurant operator has yet to be contracted this vehicle plan is based on assumptions, which is fair enough. However, these assumptions drastically play down the anticipated impact on the local environment and appear on closer inspection to be unachievable. As it stands in reality the additional restaurant service vehicles will either deprive residents of their sleep before 8am or compete with other delivery/collection vehicles for space on the public highway section of BC during "normal" hours. I would urge the planning department to consider the noise generated by loading and unloading of vehicles within this confined echo filled space, especially during antisocial hours, and request by condition that mitigation precautions be taken. **As a very minimum; vehicle curfew (including moving wheeled bins) should be brought in line with the other existing restaurants (pre 8am) otherwise a dangerous precedent could be set leading to appeals from the incumbents.**

- 4) There are a number of other details which are omitted from the application or are questionable:
- No mention is made of a designated smoking area for **clients**, or assurances that they won't congregate in BC. Nor is mention made of a second separate designated smoking area for **staff**, or assurances that they won't congregate in BC while on statutory breaks. Groups smoking generate noise and smoke / electronic vapour easily reaches the windows of the residential units on the first floor.
 - Details on the proposed low level louvers is scant. It is not stated as to whether these are moving air in or out or whether baffles are employed to limit noise escape from within.
 - It should be noted that the baseline noise readings refer to "background plant noise". This noise is principally emitted by a single nearby extraction fan at ground floor ceiling level that runs constantly. It is a topic of debate as to whether this fan had the relevant planning permission when it was originally installed.
 - As it appears impossible for the venue not to use some degree of the public road for waste transfer it would be reassuring to see a commitment, by condition, to keeping the roadway clean in the event of spills. The current waste transfers in the court regularly lead to liquid, glass and food spills which are simply left by the waste contractors and restaurateurs until such time as

the council cleans them up. Unavoidably this waste material ends up inside local residential properties and constitutes a hazard to health.



Summary

In summary, I would like to see the licensing department and applicant take learnings from the recent change of use application of 17-19 Bedford Street and apply the same conditioning to this current application. Although residents have endured teething problems by and large it's felt that Wagamama have been a responsible operator. The council should be commended for their work on this application, in particular with regards to the conditions imposed to safeguard nuisance noise (see 14/06731/FULL). The main points of my objection are:

- 1) The proposed vehicle movements in advance of 8am will cause nuisance noise, no question.

Insufficient operational detail has been considered to offer reassurance that safeguards to neighbours have been in place. In fact point 1) suggests quite the opposite is true.

Premises History

Appendix 5

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule

9. The premises shall only operate as a restaurant
- (i) in which customers are shown to their table,

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

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

10. Notwithstanding condition 1, alcohol may be supplied and consumed prior to their meal in the bar area by up to a maximum at any one time, of 20 persons dining at the premises.
11. During the hours of operation, 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.
12. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.
15. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
16. 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.
17. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
18. 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.
19. 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.

20. 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 Services 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 affected 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.
21. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
22. All tables and chairs shall be removed from the outside area by 23.00 hours each day.
23. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables
24. 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.
25. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
26. 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 refusal of sale of alcohol.
27. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.
28. A challenge 21 proof of age scheme shall be operated at the premise 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.

29. 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.
30. 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.
31. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
32. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
33. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
34. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
35. No licensable activities shall take place at the premises until the Environmental Health Consultation Team has determined the capacity of the premises and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined.
36. 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 there are minor changes to the premises layout during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

Conditions proposed by [REDACTED]

37. The premises will agree with WCC Licensing an Operational Management Plan and all staff will be trained in its implementation. The plan will be kept up to date and available on request from the premises. This will, at a minimum, require the Licence Holder to use his best endeavours to discourage customers arriving at and leaving the premises from the Western end of the enclosed part of Bedford Court and restricting the time of any noise associated with the operation of the premises to hours when residents are usually awake.
38. There will be a member of staff present at the Bedford Court entrance to the premises after 20:00 until the last customer has left the premises in order to supervise the entrance and exit of customers from the premises and support the implementation of the Operational Management Plan.
39. Members of the public will not be admitted to the premises in the last 60 minutes prior to the end of Licensable activities.
40. The address of the premises will be published as being on Bedford Street and not Bedford Court.
41. Deliveries to the premises will only be permitted between 08:00 and 18:00 Monday to Friday, 09:00 to 18:00 on Saturday and 10:00 to 18:00 on Sundays.

42. All deliveries to the premises will comply with TfL's Code of Practice for Quieter Deliveries. If the Licence Holder is unable to ensure this compliance then they will cease to use the supplier concerned until the supplier becomes compliant.
43. Waste generated by the premises will be stored inside the building and only moved to the proposed outside bin store between 09:00 and 20:00 on any day.

Note: The [REDACTED] view is that the use of an external bin is inappropriate. It should be feasible for the premises to have an internal bin store and this should be required by Planning.

44. Waste will only be collected from the premises between 08:00 and 18:00 Monday to Friday, 09:00 to 18:00 on Saturday and 10:00 to 18:00 on Sundays.
45. Where a takeaway meal is supplied for delivery to the customer, the licence holder shall ensure that specific procedures are in place and that the activity does not cause nuisance at or near to the premises.
46. The location of any smoking area(s) for customers and staff will be positioned so as to prevent a nuisance to residents above the premises or in Bedford Court.

Conditions proposed by [REDACTED]

48. Waste will only be collected from the premises after 08:00.
49. Deliveries to the premises will only be permitted between 08:00 and 18:00 Monday to Friday, 09:00 to 18:00 on Saturday and 10:00 to 18:00 on Sundays.

Note: Night deliveries should be forbidden outside of the hours stipulated by condition

Conditions proposed by the Environmental Health

50. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team including the provision of an entrance lobby at which time this condition shall be removed from the Licence by the licensing authority.
51. A staff member shall be positioned at the entrance to the premises from 19.00 hours to close of business to manage patrons wishing to smoke and persons arriving and leaving, including staff, to ensure they do not loiter outside. A second member of staff shall be stationed at the entrance 30 minutes prior to closing to assist patrons leaving.
52. There shall be no smokers in Bedford Court and all smokers shall be directed to Bedford Street.

Conditions proposed by the Licensing Authority

None



Resident count: 123

Licensed Premises within 75 Metres of 15 Bedford Street, London, WC2E 9HE

Licence Number	Trading Name	Address	Premises Type	Time Period
17/02090/LIPRW	Wagamama	17 Bedford Street London WC2E 9HP	Restaurant	Monday to Saturday; 09:00 - 00:00 Sunday; 09:30 - 23:00
19/12594/LIPDPS	All Bar One	Basement And Ground Floor 35-36 Bedford Street London WC2E 9EN	Public house or pub restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:50 Sundays before Bank Holidays; 08:00 - 00:00
18/01407/LIPVM	Nandos	67-68 Chandos Place London WC2N 4HG	Restaurant	Not Recorded
19/08018/LIPDPS	Wahaca	66 Chandos Place London SW1A 1AB	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 00:00
19/09003/LIPDPS	Blame Gloria	Ground Floor And Basement 20 Bedford Street London WC2E 9HP	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
06/13626/WCCMAC	Concert Artistes Association	20 Bedford Street London WC2E 9HP	Club or institution	Monday to Saturday; 11:00 - 01:00 Sunday; 12:00 - 22:30
16/01870/LIPN	Not Recorded	38 Bedford Street London WC2E 9EU	Cafe	Monday to Saturday; 09:00 - 23:00 Sunday; 10:00 - 22:30
17/06583/LIPDPS	Flat Iron	17 - 18 Henrietta	Restaurant	Monday to Saturday;

		Street London WC2E 8QH		10:00 - 00:30 Sunday; 12:00 - 00:00
06/08066/WCCMAP	Pasta Brown	31 Bedford Street London WC2E 9EH	Cafe	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/10749/LIPDPS	Z Hotel	31 - 32 Bedford Street London WC2E 9ED	Hotel, 4+ star or major chain	Monday to Sunday; 07:00 - 23:00
18/06136/LIPDPS	Frenchie	Basement And Ground Floor 16 Henrietta Street London WC2E 8QH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/15170/LIPDPS	Henrietta Street Hotel	15 Henrietta Street London WC2E 8QG	Hotel, 3 star or under	Not Recorded
16/11291/LIPDPS	Cinnamon	28 Maiden Lane London WC2E 7JS	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/04275/LIPCH	La Perla	28 Maiden Lane London WC2E 7JS	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00
16/11322/LIPDPS	Cinnamon	28 Maiden Lane London WC2E 7JS	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00
13/02658/LIPN	School Of Wok	61 Chandos Place London WC2N 4HG	Educational	Monday to Saturday; 10:00 - 23:00

18/16274/LIPDPS	Tesco	22-25 Bedford Street London WC2E 9EQ	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
17/14664/LIPDPS	Ping Pong	23 - 24 Maiden Lane London WC2E 7NP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/03854/LIPD	Bakery Covent Garden	Basement And Ground Floor 6 - 7 Chandos Place London WC2N 4HU	Cafe	Thursday to Saturday; 08:00 - 22:00 Sunday to Wednesday; 08:00 - 21:00
17/09999/LIPV	Bakery Covent Garden	Basement And Ground Floor 6 - 7 Chandos Place London WC2N 4HU	Cafe	Not Recorded
19/08294/LIPT	Mabels	29-30 Maiden Lane London WC2E 7JS	Night clubs and discos	Wednesday to Saturday; 09:00 - 01:30 Sunday to Tuesday; 09:00 - 01:00
17/03201/LIPDPS	Lao Cafe	60 Chandos Place London WC2N 4HG	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:30
19/06487/LIPDPS	Paul Patisserie	GF Inigo House 29 Bedford Street London WC2E 9ED	Shop	Monday to Saturday; 07:30 - 23:30 Sunday; 09:00 - 23:00
14/06782/LIPVM	The Porterhouse Public House	21-22 Maiden Lane London WC2E 7NA	Restaurant	Monday to Saturday; 09:00 - 00:30 Sunday; 12:00 - 23:00