



City of Westminster

# Licensing Sub-Committee Report

Item No:

Licensing Ref No:

Date:

Classification:

Title of Report:

Report of:

Policy context:

Financial summary:

Report Author:

Contact Details:

22/11955/LIREVP

23 February 2023

For General Release

Simmons  
11 Woodstock Street  
London  
W1C 2AE

Director of Public Protection and Licensing

City of Westminster Statement of Licensing Policy

None

Emanuela Meloyan  
Senior Licensing Officer

Telephone: 0207 641 6500  
E-mail: emeloyan@westminster.gov.uk

## APPLICATION DETAILS

<b>Application Type:</b>	A Review of Premises Licence application made under section 51 of the Licensing Act 2003 ("The Act").		
<b>Applicant:</b>	████████████████████	<b>Date Application Received:</b>	15 December 2022
<b>Premises Name and Address:</b>	Simmons 11 Woodstock Street London W1C 2AE		
<b>Ward Name:</b>	West End	<b>Cumulative Impact Area:</b>	None
<b>Description of Premises:</b>	The Premises currently operates as a Public House.		
<b>Preliminary Note:</b>	None		

## 2. SUMMARY OF APPLICATION

- 2.1 An application submitted by two local residents and supported by the Licensing Authority for a Review of the Premises Licence for Simmons 11 Woodstock Street, London, W1C 2AE ("The Premises") was received on 15 December 2022 on the grounds of the Prevention of Public Nuisance. A full copy of the application can be found at **Annex 1**.
- 2.2 Home Office Guidance issued under section 182 of the Act on page 94 (para 11.2 refers) states that "at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives".
- 2.3 As such, in accordance with section 52(2) of the Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations. The requirement to hold a hearing is mandatory in nature.
- 2.4 The Premises currently benefits from a Premises Licence under reference number 22/11866/LIPVM that permits the following licensable activities:

### Late Night Refreshment

Monday to Sunday:	23:00 to 00:30
Non-standard Timings:	New Year's Eve until 01:30

### Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	New Year's Eve until 01:30

- 2.5 Further documents mainly in the form of email correspondence that were submitted as part of the review application can be found at **Annex 1 (Appendix 1-11)**
- 2.6 On submission of this application, the Applicant provided an in-depth description of the issues relating to the Premises which stated the following commentary:

*“The aim of this review is to ensure that music noise and vibrations are inaudible in residents’ flats. Simmons Bar have opened a new venue next door and below to residential premises, in a building immediately adjacent to our own (both terraced houses) causing severe noise nuisance to residents due to the high volume of music being played. This is an issue both during daytime and resting hours for residents at [REDACTED], which we represent. We are also aware that residents at [REDACTED] have been impacted. The business have asked and have been granted Temporary Event Notices to 3am for every single week from now until end of the year. WCC noise officers have visited our residential premises a number of times, as per the timeline below, and have repeatedly witnessed statutory nuisance under Environmental Protection Act 1990 and asked the business to reduce their noise emissions.*

*A meeting was facilitated by [REDACTED] and WCC officers to try and resolve the situation amicably, by setting noise levels to be inaudible from within our premises, but that did not resolve the issue as the business considered WCC requirements not commercially viable (despite it having been established that a statutory nuisance exists). We understand that a noise abatement notice was issued on Nov 28th, but despite that the nuisance has continued as previously reported.*

*The business is currently only licensed to serve alcohol and late night refreshment, although they do offer and advertise regulated entertainment (on their website, fliers, window signs, etc.).*

*We are aware that recorded music is deregulated in certain circumstances and so the only way we can achieve enforceable conditions on the licence to cease the nuisance and prevent its reoccurrence is by way of a licence review”.*

- 2.7 Additional submissions received from the Applicant can be found at **Annex 2**.
- 2.8 At the time of producing this report the Premises Licence Holder has yet to submit his submissions. However, any late written submissions will be presented to the Licensing Sub-Committee and all relevant parties prior to the hearing taking place.

### **3. REPRESENTATIONS:**

- 3.1 The application has also received a representation in support of the Review from the Environmental Health Service on the 11 January 2023 on the grounds of Prevention of Public Nuisance and can be found at **Annex 3**.
- 3.2 The application has also received representations in support of the Review from interested parties on the grounds of public nuisance and can be found at **Annex 4**.

### **4. OPTIONS:**

- 4.1 The Applicant is seeking Revocation of the Premises Licence due to the weight of evidence that has been submitted and the Premises failure to promote the licensing objectives, namely:-
  - 1) The potential for crime and disorder
  - 2) The potential for public nuisance

The Applicant believes that a nightclub style of operation is not appropriate for this location.

- 4.2 The Authority under section 52 (4) of the Act must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the

licensing objectives. The steps are:

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition added.

- 4.3 In accordance with section 52(6) of the Act, if the Authority takes measures to modify conditions or exclude licensable activities from the licence, it may stipulate that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
- 4.4 The licensing authority's determination of this application does not have effect until the 21 day appeal period has expired or if the decision is appealed the date the appeal is determined and / or disposed of.

## 5. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

<b>List of Appendices:</b>	<p>Annex 1 – Application for Review</p> <ul style="list-style-type: none"><li>• Appendix 1 – Full Premises Licence</li><li>• Appendix 2 – 11-11-2022</li><li>• Appendix 3 – 15-11-2022</li><li>• Appendix 4 – 15-11-2022_b</li><li>• Appendix 5 – 16-11-2022</li><li>• Appendix 6 – 23-11-2022_a</li><li>• Appendix 7 – 23-11-2022_b</li><li>• Appendix 8 – 23-11-2022_c</li><li>• Appendix 9 – 23-11-2022_d</li><li>• Appendix 10 – 29-11-2022_a</li><li>• Appendix 11 - 29-11-2022_b</li></ul> <p>Annex 2 – Applicant's further submissions Annex 3 – Environmental Health submission Annex 4 – Interested Parties representation Annex 5 – Licence History/Appeal History Annex 6 – Residential Map and List of Premises in the Vicinity</p>
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### Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (October 2021)
- Revised Home Office Guidance issued under section 182 of the Licensing Act 2003 (December 2022)

**Annex 1**  
**Application for a Review and Supporting Documents from the Applicant**



# City of Westminster

## **APPLICATION FOR REVIEW**

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

Licensing Service  
REVIEWS  
Westminster City Council  
Westminster City Hall  
14th Floor  
64 Victoria Street  
London  
SW1E 6QP

## **AND**

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

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

Continued.....

4. Development Planning Services  
Westminster City Council  
64 Victoria Street  
London  
SW1E 6QP

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

6. Director of Public Health  
Inner North West London Primary Care Trusts  
(Hammersmith and Fulham, Kensington and Chelsea, Westminster)  
15 Marylebone Road, London  
NW1 5JD

**For boats only**

The Navigation Authority (for vessels not permanently moored)

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

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

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

And

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

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

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I [REDACTED].....  
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

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

Postal address of premises or, if none, ordnance survey map reference or description 11 Woodstock Street	
Post town London	Post code (if known) W1C 2AE

Name of premises licence holder or club holding club premises certificate (if known) Simmons Covent Garden Limited, Third Floor, 120 Charing Cross Road London WC2H 0JR
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Number of premises licence or club premises certificate (if known) 22/09392/LIPDPS
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#### Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Current postal  
address if  
different from  
premises  
address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)



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

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

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

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
  - 2) public safety
  - 3) the prevention of public nuisance
  - 4) the protection of children from harm

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

The aim of this review is to ensure that music noise and vibrations are inaudible in residents' flats.

Simmons Bar have opened a new venue next door and below to residential premises, in a building immediately adjacent to our own (both terraced houses) causing severe noise nuisance to residents due to the high volume of music being played.

This is an issue both during daytime and resting hours for residents at [REDACTED] which we represent. We are also aware that residents at [REDACTED] have been impacted. The business have asked and have been granted Temporary Event Notices to 3am for every single week from now until end of the year.

WCC noise officers have visited our residential premises a number of times, as per the timeline below, and have repeatedly witnessed statutory nuisance under Environmental Protection Act 1990 and asked the business to reduce their noise emissions.

A meeting was facilitated by [REDACTED] and WCC officers to try and resolve the situation amicably, by setting noise levels to be inaudible from within our premises, but that did not resolve the issue as the business considered WCC requirements not commercially viable (despite it having been established that a statutory nuisance exists).

We understand that a noise abatement notice was issued on Nov 28<sup>th</sup>, but despite that the nuisance has continued as previously reported.

The business is currently only licensed to serve alcohol and late night refreshment, although they do offer and advertise regulated entertainment (on their website, fliers, window signs, etc.).

We are aware that recorded music is deregulated in certain circumstances and so the only way we can achieve enforceable conditions on the licence to cease the nuisance and prevent its reoccurrence is by way of a licence review.

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

#### Introduction

██████████ is a terraced house, ██████████ to the premises in object at 11 Woodstock Street, ground and lower ground floor.

██████████ currently resides at ██████████. All flats have been negatively impacted by the nuisance, in decreasing order from ██████████ due to the different proximity to the area whence noise is emitted. Residents have been continuously living at the property from between 2 and 12 years as their full time homes.

In addition, residential units exist at ██████████ we've been approached by the previous residents of the ██████████ who co-signed with all residents at ██████████ an initial complaint to WCC Licensing Team on 15<sup>th</sup> November 2022. The residents at ██████████ have since relocated (allegedly due to the nuisance) and no longer live at the property.

Woodstock Street is a calm, partially pedestrianised street consisting mostly of residential and commercial office space, and is a quiet area in contrast to the much busier Oxford Street to which it is connected.

The street hosts a few pubs and restaurants, which have never caused nuisance to residents aside from the odd football game causing loud noise from punters at another pub. In the evening (after 8pm), the street generally sees the odd passers-by and pub/restaurant customers, but has never experience the sort of loud crowds (including queues forming on the pavement) experienced since Simmons Bar opened.

Indeed, 11 Woodstock Street has been a pub for a very long time, but no noise nuisance deriving from loud music or related vibrations was ever experienced or reported by residents.

Since Simmons Bar opened, large crowds have been gathering to access the premises, at times causing antisocial behaviour (security guards are employed by Simmons to monitor entrances and intervene to manage rowdy behaviour, a new concern not seen before in our street); loud music can distinctively be heard in neighbouring properties and in general the character of the street has received a detrimental impact.

#### Current licence

The premises licence permits sale of alcohol and late night refreshment, with a closing time of 12.30am Mon-Sun. The licence does not permit regulated entertainment. There is a condition that:

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

The deregulation provisions of s177A Licensing Act 2003 mean that the premises can provide regulated entertainment between the hours of 8am and 11pm despite there being no permission on the licence, and that conditions related to regulated entertainment have no effect between those hours. Between 11pm and 8am, a licence is required for regulated entertainment.

#### Reasons for review application

We have experienced nuisance since the day that the current licence holder opened.

This is a timeline of events based on the best of our recollections:

#### 9th November 2022

Informal opening. loud music audible. At 10.30pm ██████████

with the manager who says "we have a licence but anyway we will close soon", the music is audible until 11pm.

#### 10th November 2022

Formal opening, loud music audible.

FB reports noise on WCC website at 7.37pm (CAS-561026-D1Q2Y5), a WCC officer visits and confirms that they witnessed statutory noise. He speaks with management but nothing changes.

MT independently reports the noise to WCC at 9:08pm (CAS-561093-W4T2R1), and later liaises with FB on the issue.

FB reports noise again on WCC website at 11pm (CAS-561112-J7K8R8), two different officers return and witness statutory noise again, but the situation stays unresolved. The music continues loud past 11pm, in absence of any entertainment licence and any TEN. FB is told to report if it occurred again, in which case an abatement notice would then be sought.

#### 11th November 2022

Loud music audible in the flats. MT reports the noise to WCC (CAS-561958-P1S9M1) at 7:00pm.

FB reports noise on WCC website 11.09pm (CAS-562015-H8Q5N5) (past 11pm, no entertainment licence nor TEN was granted for that date either).

#### 12th November 2022

Loud music audible. MT reports to WCC (CAS-562310-Z6F3D5) at 7:27pm.

FB reports noise on WCC website 22.39pm (CAS-562350-X6S2M6).

#### 13th November 2022

Loud music audible. MT reports to WCC (CAS-562714-V8J8Z7) at 8:27pm.

FB reports noise on WCC website 9.30pm (CAS-562731-P4Q4F1).

#### 17th November 2022

Loud music audible.

FB reports noise on WCC website 11.10pm (CAS-562350-X6S2M6). A WCC officer visits and witnessed statutory noise yet again.

#### 18th November 2022

Loud music audible.

FB reports noise on WCC website 23.34pm (CAS-569861-T4W6X5)

#### 19-20th November 2022

In a private conversation between MT and tenants of 11 Woodstock St, they share the disturbance was so severe for them that they decided to vacate the premises and relocate.

#### 22nd November 2022

FB agrees to have Simmons sound technician to measure noise in [REDACTED]. He is joined by MT, and two WCC council officers are also present.

The noise levels deemed acceptable by residents and WCC is deemed "not commercially viable" by Simmons.

The volume that is "commercially viable" for Simmons is deemed to be a statutory nuisance by the WCC noise officers present.

Simmons management are told to lower the volume further although no clear level is set, and to keep it

as such via a limiter. No acknowledgment is provided by Simmons.

#### 24th November 2022

Same loud music is audible again. FB reports noise on WCC website 20.22 (CAS-575147-G1Y4B2). MT also reports to WCC (CAS-575198-N5T6Z5) at 22:50pm.

#### 25th November 2022

Same loud music audible again.

FB reports noise on WCC website 22.56 (CAS-576330-C8K1V7). Two WCC officers visit at about 11.40pm but by the time they arrive the noise level has already faded (past closing time).

MT also reports (CAS-576349-G5B0Q3) at 0:01am.

#### 26th November 2022

Loud music audible.

FB reports noise on WCC website 21.23 (CAS-576686-J9S9L2). Two WCC officers visit and once again witness statutory noise (music so loud that an officer's smartphone placed in Flat 1 picks up the exact track being played by the business).

#### 28th November 2022

s80 noise abatement notice served by WCC.

#### 1st December 2022

Loud music audible again, issue stays unresolved.

FB reports noise on WCC website 8.22pm (CAS-581595-Z1D6Y9).

#### 8th-9th-10th-11th-12th December 2022

Despite not always being reported, nuisance keeps being observed in the evening, at times past 11pm.

#### Conclusion

We have willingly given our time to engage with the licence holder and to take part in noise testing to resolve an issue not of our making. We expected that once the nuisance had been identified and Council officers had impressed on the licence holder the extent of the situation, the matter would be swiftly resolved without the need for formal action. However, the nuisance has continued despite:

- i) the intervention of WCC officers;
- ii) the noise testing clearly demonstrating the level at which music must be played so as not to cause a nuisance; and
- iii) the service of the noise abatement notice,

has left us with no option but to apply to review the licence to add conditions to the licence to ensure that the nuisance ceases and does not reoccur. Under s177A, enforceable conditions can only be added to the licence by way of a licence review in any event.

As a starting point, we suggest that a resolution should include the following conditions. We feel that these conditions are necessary, appropriate and proportionate.

Proposed conditions:

- That the licensing authority removes the effect of the deregulation provided for by s177A Licensing Act 2003 (as amended) so that:
  - i) additional conditions are imposed as if the music was licensable (s177A(4));
  - ii) existing conditions have effect in accordance with s177A(3); and
  - iii) that a statement is included on the licence to the effect that s177A(3) and (4) Licensing Act 2003 (as amended) do not apply

If the licence holder has not demonstrated that they have resolved the issue, we see no option but to prevent the provision of regulated entertainment at the premises completely by condition, in addition to the conditions below.

If the licence holder has demonstrated that they have resolved the issue, we ask for the following conditions:

- Add MC11 as amended as follows:

A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:

(a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer in conjunction with affected residents, so as to ensure that no noise nuisance is caused to local residents or businesses,

(b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,

(c) The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team,

(d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and

(e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

- Amend condition 12 on the licence to be replaced by: MC12 '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.'
- Add MC13 'Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.'
- Add MC14 amended 'All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.'

Any other such conditions as may be proposed and as the Sub-Committee decides are appropriate and proportionate following consideration of this application, submissions from the licence holder, and any representations from responsible authorities and other persons.

*Late edit: we have been made aware of a minor variation application ref: 22/11866/LIPVM which seeks to add MC11 to the licence. We obviously do not object to this but as noted above, for the condition to have effect between 8am and 11pm the Licensing Authority needs to disapply the provisions of s177A and this can only be done by way of a licence review.*

Please tick ✓ yes

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

X

If yes please state the date of that application

Day	Month	Year

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

N/A/

Please tick ✓ yes

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

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

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

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

[Redacted signature]

Date **15/12/2022**

Capacity **Applicant (resident)**

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

[Redacted contact name and address]

Post town [Redacted]

Post Code [Redacted]

Telephone number (if any) [Redacted]

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

**Notes for Guidance**

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

## Appendix 1 – Full Premises Licence



**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: West End  
UPRN: 010033546437

Premises licence

Regulation 33, 34

Premises licence number:

22/11866/LIPVM

Original Reference:

15/00580/LIPN

### Part 1 – Premises details

#### Postal address of premises:

Simmons  
11 Woodstock Street  
London  
W1C 2AE

Telephone Number: 0207 724 1117

#### Where the licence is time limited, the dates:

Not applicable

#### Licensable activities authorised by the licence:

Late Night Refreshment  
Sale by Retail of Alcohol

#### The times the licence authorises the carrying out of licensable activities:

##### Late Night Refreshment

Monday to Sunday: 23:00 to 00:30  
Non-standard Timings: New Year's Eve until 01:30

##### Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 23:30  
Sundays before Bank Holidays: 12:00 to 00:00  
Non-standard Timings: New Year's Eve until 01:30

#### The opening hours of the premises:

Monday to Saturday: 10:00 to 00:30  
Sunday: 12:00 to 00:30

#### Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.



**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Simmons Covent Garden Limited  
Third Floor,  
120 Charing Cross Road  
London  
WC2H 0JR

**Registered number of holder, for example company number, charity number (where applicable)**

13811528

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Name:** Toni Aleksiev

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** LBWands/04708  
**Licensing Authority:** London Borough of Wandsworth

**Date:** 4<sup>th</sup> January 2023

**Signed:**



pp  
This licence has been authorised by Karyn Abbott on behalf of the Director - Public Protection and Licensing.

## Annex 1 – 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.

## **Annex 2 – Conditions consistent with the operating Schedule**

9. 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.
10. Waiter/waitress service shall be available throughout the premises.
11. The number of persons permitted in the premises at any one time (including staff) shall not exceed 60 persons, with no more than 35 persons in the basement.
12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. There shall be no sales of alcohol for consumption off the premises after 23.00
14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
15. People drinking and/or smoking outside the premises shall be restricted to the private forecourt as defined on the attached plans.
16. All outside tables and chairs shall be rendered unusable by 23.00 each day.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. 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.
19. A Challenge 25 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.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.
22. 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.
23. 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.
24. 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.
25. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
26. The ventilation system to the kitchen area shall be switched off at 23.00 hours.
27. No licensable activities shall take place in the outside area after 23.00 hours.

28. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**None.**









**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part B

WARD: West End  
UPRN: 010033546437

Premises licence  
summary

Regulation 33, 34

Premises licence number:

22/11866/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

Simmons  
11 Woodstock Street  
London  
W1C 2AE

**Telephone Number:** 0207 724 1117

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

**The times the licence authorises the carrying out of licensable activities:**

**Late Night Refreshment**

Monday to Sunday:	23:00 to 00:30
Non-standard Timings:	New Year's Eve until 01:30

**Sale by Retail of Alcohol**

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	New Year's Eve until 01:30

**The opening hours of the premises:**

Monday to Saturday:	10:00 to 00:30
Sunday:	12:00 to 00:30

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Simmons Covent Garden Limited  
Third Floor,  
120 Charing Cross Road  
London  
WC2H 0JR

**Registered number of holder, for example company number, charity number (where applicable)**

13811528

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

Name: Toni Aleksiev

**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 4<sup>th</sup> January 2023

**Signed:**



**pp**  
This licence has been authorised by Karyn Abbott on behalf of the Director - Public Protection and Licensing.

## Appendix 2 – 11-11-2022



Federico Bixio <federico.bixio@gmail.com>

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### Noise issue from 11 woodstock Street

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[REDACTED] Fri, Nov 11, 2022 at 3:49 PM

Good Afternoon Martin,

We spoke last night re: the nuisance from the new Simmons venue located at 11 Woodstock Street. I'm typing from my work email for convenience, copying my gmail address.

I appreciated your call after the visit of the first noise officer around 8pm (CAS-561026-D1Q2Y5).

To follow up on our conversation and what happened afterwards:

1. The noise continued in the night, two more officers (already well informed) came over to witness it just before midnight (CAS-561112-J7K8R8).
2. They stated a noise abatement notice will be issued: can you please confirm that's the case, and let me know when that will happen (or has happened).  
What does the notice ask the business to do, and within which timeframe?  
Is there a reference number I can have please?
3. Can the business be forced to install adequate, proved and tested soundproofing, and carry out specialist tests to demonstrate the solution is viable? I have commissioned several noise reports myself for my work, I have seen consultants measuring noise before and after works, I have seen specialist designs and surely much more can be done to the premises.  
In new premises, this would be a planning requirement.
4. Building works have been carried out to prepare the venue: is it possible to find out who is the building control officer who approved the works, and on what basis did they approve such works without checking the need for acoustic protection.
5. Just to be clear: the noise transmitted into our building is not acceptable, as is, at any time of the day. It is not just a problem after 11pm: we cannot have that music resonating in our building during the day either. It is not background noise (like traffic or people), this is commercial music within commercial premises and it must not be audible within our building. It affects the wellbeing of all residents, and the enjoyment of our properties. I have a vulnerable tenant who is on prescription medication, and sleep deprivation can severely affect his health.
6. Annex 12.2 of Simmons' license states very clearly: *"No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance"*.  
We have already witnessed that they are in breach of their license: will WCC take any action? Are you communicating to the Licensing office? Can the applications to extend the opening hours to 3am, for already almost 30 days until the end of the year, be withdrawn on the basis of the statutory noise already witnessed?  
You also mentioned this business is a known offender. A simple Google search confirms it.  
Is this not enough to at least not extend their opening hours until 3am?
7. We spoke to the people who directly live above the business: one has already left the premises yesterday, another is close to giving notice. We asked them to report the issue to the Noise Team.  
We were told they complained about the lack of soundproofing, and the business owner discarded their concerns.
8. Shall we keep reporting the noise on the website every time we hear it? Shall we report it, but tick the option to not be contacted? We obviously want to keep the Noise Team informed, but there is probably no point in having officers over every day. Please advise what is the best course of action for us.

Sorry for the long email but this is a serious situation, with serious consequences on businesses and people, so I would really appreciate your answer on the points raised, so I can inform my tenants, my Landlord and their solicitor.

Many thanks, kind regards

## Appendix 3 – 15-11-2022



Federico Bixio <federico.bixio@gmail.com>

### Urgent complaint on licensing - Simmons Bar, 11 Woodstock St, W1C 2AE

3 messages

Tue, Nov 15, 2022 at 2:46 PM

To: licensing@westminster.gov.uk, EHConsultationTeam@westminster.gov.uk

Dear Licensing Team,

I'm writing this on behalf of residents at [REDACTED]  
Full names of the signatories are below.

We are asking for an urgent and immediate review of the licence of Simmons Bar, 11 Woodstock Street, W1C 2AE (22/09392/LIPDPS) including the Temporary Event Licence extensions to 3am which were recently granted by WCC (22/10361/LITENP, 22/10362/LITENP, 22/10356/LITENP, 22/10357/LITENP, 22/10360/LITENP) and the yet pending Temporary Event License 22/10840/LITENP.

We live [REDACTED] Simmons Bar. Since its opening on Wed 9 November 2022, the business has been in breach of WCC statutory noise control. The music and resulting vibrations can be heard within neighbouring residential premises, [REDACTED] as ascertained by the WCC Noise Team (as discussed with the Team Manager, Mr Martin Tuohy), in clear violation of the License conditions (Annex 2.12).

The loud music is not only a disturbance during resting hours, but also during normal hours as it ruins the quiet enjoyment of properties by residents protected both by law and by WCC regulations. The situation is so severe that some of us had to leave our premises for the night. Our obvious concern is that during the Temporary Event Notices to 3am the nuisance will last even longer until the early hours and prevent us from getting any sleep.

On Wed 9th Nov we approached the bar manager and were told that they had the required soundproofing in place and the relevant licence to operate.

On Thu 10th Nov WCC Noise Officers visited our premises, witnessed and intervened twice to reduce the statutory noise, with no results. We were informed on that night that a noise abatement notice would be issued, after WCC Noise officers had witnessed statutory noise twice on the same night.

On Fri 11th and Sat 12th Nov, residents again logged complaints with WCC about the loud volume and nuisance caused.

The business have requested temporary licence extensions for every weekend from now to the end of the year until 3am, all of which have been granted, and they are already advertising a 4am opening time for New Year's Eve. This would aggravate the situation even further.

Moreover, this business seems to operate as a nightclub rather than a bar, thanks to the loud music, "disco" window advertisement, and hours of operation, which is a different type of business from the one previously occupying the premises (a pub/restaurant, which used to close at 11pm and only played incidental background music, from which the licence was transferred to Simmons Bar).

All of this is totally unacceptable to residents, due to the severe noise disturbance it creates, and requires swift and appropriate intervention from the local authority.

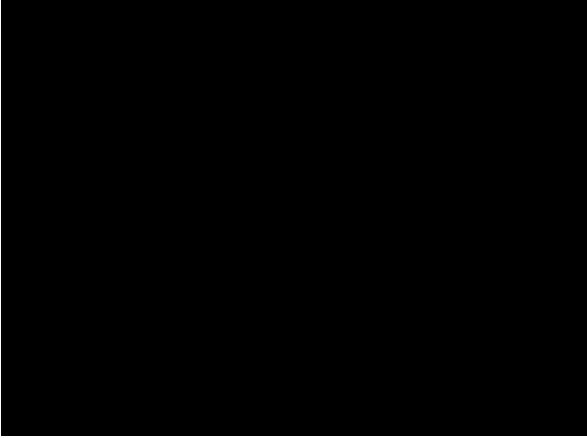
We are asking for immediate action to be taken to prevent the nuisance until the issues outlined above have been resolved fully and satisfactorily. The licence holder is clearly in breach of conditions of their licence (see condition 12) and possibly of an abatement notice. In addition, they do not have permission to provide recorded music after 11pm, so this also appears to be in breach of licensing law.

Can you please investigate these issues as a matter of urgency and confirm what action is being taken. We are aware that the Council can prosecute for breaches of conditions; serve a noise abatement notice and prosecute for a breach; and that bodies such as Environmental Health can apply to review the licence. We are aware of our right as residents to do so too, but obviously we would be reliant on evidence provided by Council officers.

Given that the nuisance has been witnessed and judged a statutory nuisance, we would expect that no further TENs will be granted to this premises. We are therefore copying this to the Environmental Health Consultation Team.

We trust in your cooperation on this matter.

Thanks,



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Watson, Ian: WCC <iwatson@westminster.gov.uk>

Wed, Nov 16, 2022 at 3:36 PM

<[redacted]> "Licensing: WCC" <Licensing@westminster.gov.uk>, "EH Consultation Team: WCC" <EHConsultationTeam@westminster.gov.uk>, "Fabbricatore, Sally: WCC" <sfabbricatore@westminster.gov.uk>

Hi [redacted]

Thank you for the e-mail below.

I have been made aware of the noise complaints from Martin Tuohy City Inspector Team Manager since the premises commenced trading as a Simmons Bar, but cannot find any details of a noise abatement notice being served following visits.

You are correct that a premises licence can be reviewed where the premises operator is not upholding the licensing objectives. Environmental Health will be guided by Mr Tuohy on this as we are aware that he is in conversation with the premises regarding breach of conditions and abating any further nuisance.

Residents can also apply for a review and in this respect can contact Richard Brown, Licensing Advice Project who can provide advice and represent residents on such matters. His contact details are,

[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)

You are correct that the premises can only play recorded music, as regulated entertainment, until 23.00 hours under the exemptions within the Live Music Act 2015. Any regulated entertainment provided after 23.00 hours would be unlawful unless supported by a Temporary Event notice. This would be an enforcement matter that could be addressed by Mr Tuohy.

Regards

**Ian Watson**

Senior Practitioner Environmental Health (Licensing)  
EH Consultation

Regulatory Support Team 2

Public Protection and Licensing



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**Noise issue from 11 woodstock Street**

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Tue, Nov 15, 2022 at 2:50 PM

To: "Tuohy, Martin: WCC" <mtuohy@westminster.gov.uk>, Federico Bixio <federico.bixio@gmail.com>

Good afternoon Martin,

Thanks for your email, Simmons contacted us as well.

Can I please ask you first of all - this is really important to us – to clarify as a matter of urgency whether a Noise Abatement Notice has been served, and if not why not.

Statutory noise was witnessed by Noise Officers last Thursday 10<sup>th</sup> November both at 8pm and 11.45pm, officers had to intervene asking to reduce the volume, and one of the Officers said to me that a Noise Abatement Notice would be issued.

Our Landlord and their solicitor are on the matter as well, and I need to give them confirmation that statutory noise has been witnessed and, if that's the case, a notice has been served.

Regarding the acoustic consultant: why did Simmons not arrange a survey before designing and opening their venue within sensitive premises?

Before we agree to letting them in, they should provide us with a written method statement of how they want to conduct their survey.

The noise must be measured against the quietest background noise, so a 9pm visit will not be effective: the music will become more audible later in the night when residents go to sleep and background noise has faded.

Will they leave measuring equipment in place for the night? Will they produce a written report? Where will measurements be taken? Will measurements be taken outside as well, at the back in front of our bedroom windows, in anticipation of the summer when people may want to keep their windows open (and the venue may open their window/skylight)?

The  should be surveyed as they are the nearest residential premises. We will cooperate, but this has to be done with method and science and we need some time to set dates that work for all tenants.

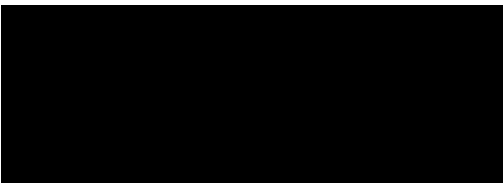
Furthermore, Simmons' License 22/09392/LIPDPS available on the Council's website only lists *Late night refreshments* and *Sale by retail of alcohol* as licensed activities.

Late night entertainment (including the playing of live or recorded music after 11pm) is not included and therefore should not take place at all.

They are not playing "incidental music" after 11pm: they advertise themselves on their front window as a "Disco" venue, their music is loud and continuous and it is used to attract and entertain customers and is therefore a licensable activity.

I'm looking forward to hearing from you – and most of all I need confirmation that statutory noise was witnessed (and hopefully a notice was served as well).

Kind regards



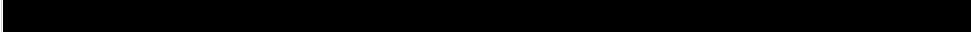


**11 Woodstock Street**

1 message

**Tuohy, Martin: WCC** <mtuohy@westminster.gov.uk>

Wed, Nov 16, 2022 at 12:22 AM



Dear

As per our conversation this evening I can confirm that officer have witnessed levels of noise that they believe would be a statutory nuisance on Thursday Night (10<sup>th</sup>) and Saturday Night (12<sup>th</sup>). We have not issued a Noise abatement notice. As you are aware we are engaging with the licence holder of the premises and hope that they will make the required changes so as to not cause further noise issues.

As discussed if you are disturbed again please report it to us and we will carry out an inspection/assessment.

Thanks

**Martin Tuohy**  
Team Manager – Central  
Public Protection and Licensing  
[City of Westminster](#)  
64 Victoria Street  
London  
SW1E 6QP  
Tel: 07790 980195



\*\*\*\*\*  
**COVID-19 VACCINATIONS**

The COVID-19 vaccine is our first line of defence against coronavirus. The vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit:  
[www.westminster.gov.uk/vaccinations](http://www.westminster.gov.uk/vaccinations)

\*\*\*\*\*  
**FREE EARLY EDUCATION AND CHILDCARE**

15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.





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## Noise issue from 11 woodstock Street

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Wed, Nov 23, 2022 at 2:54 PM

To: "Tuohy, Martin: WCC" <mtuohy@westminster.gov.uk>, [REDACTED]

Hello Martin,

Thanks for arranging last night's visit at [12 Woodstock Street W1C 2AF](#) + Simmons bar, your assistance in this is much appreciated by all the impacted residents.

My summary of the meeting:

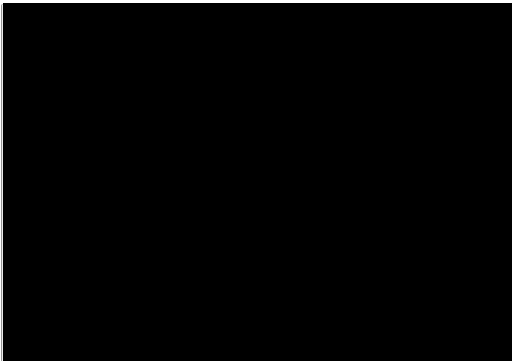
1. Nick Campbell (Simmons' CEO) and Richard Vivian (Big Sky Acoustics) were present for Simmons
  2. Richard Vivian was also the professional who advised Simmons on the (lack of) acoustic design of the premises. This put him in a conflict of interests position, as his measurements were biased towards Simmons (as also became apparent in some conversation with the WCC officers while in our premises)
  3. Francis Keegan and a second offices (apologies I didn't capture his name), and a resident [REDACTED] (also impacted) were also present.
  4. Measurements were taken in both the bedroom and living room of [REDACTED] starting with the lowest volume of music inside the Simmons bar, and gradually raising it until it become audible inside the residential premises.
  5. Even though already audible at that point (this went uncontested by all), the sound level was deemed to be "not commercially viable" by Simmons
  6. Simmons then increased the volume to a "commercially viable" level, which was very audible in the flat and deemed statutory noise by the WCC officer.
  7. Another measurement was attempted, bringing the volume down approx. 10%, but with the same result. The officers confirmed to all present that he still considered that statutory noise
  8. At this point, it was agreed the volume needed to be brought further down (no specifics) and set to a level, inaudible in the flats, with a noise limiter, but no further measurements were taken and Richard Vivian, Nick Campbell and your team left.
  9. It is pretty clear that the noise level deemed required by Simmons is not acceptable to the residents, and that it constitutes a statutory nuisance within our premises. Before leaving, the WCC officers advised us to raise further cases to the Noise team (indicating that there's no need to attend our premises again) if the music from Simmons was again audible in our flats
  10. Could we please have some clarity on what to expect going forward? It felt like there was no resolution or agreement last night, and we'd like to understand what happens next, and what's the best course of action on our end
- I should also highlight that when everybody left, the volume was left exactly as it was during the last measurement (statutory noise) and it stayed like that until just before midnight.
  - One more point: [REDACTED] was vacated this past weekend by the two tenants, allegedly as they couldn't cope with the disruption caused by Simmons Bar. Any further consideration on noise levels and licensing will have as great an impact, if not greater, as it does to us to whoever will occupy that flat going forward

I reinforce that, as experienced entrepreneurs in the sectors (there are many of their bars in central London) Simmons should have known better than to open a disco venue with no entertainment licence and with such poor soundproofing design and lack of insulation, nestled as it is within residential properties.

As discussed with your colleagues yesterday, we are not willing to accept any sacrifice to the quiet enjoyment of our properties caused by their lack of due diligence, skill and care (nor any "compromise" as they mentioned yesterday).

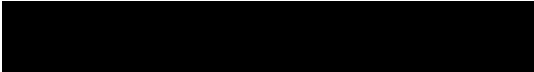
We would also like to thank again you and your colleagues for the prompt and professional intervention, availability and support so far.

Best,



[Quoted text hidden]

[Quoted text hidden]



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**Noise issue from 11 woodstock Street**

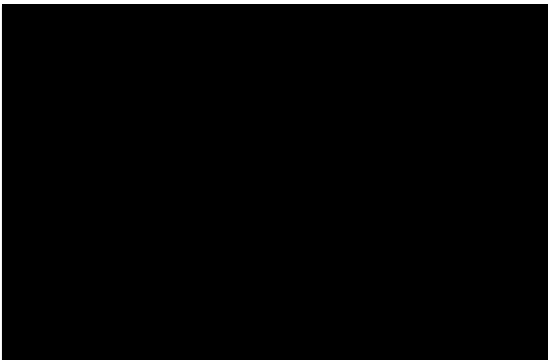
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[Redacted]  
Fri, Nov 25, 2022 at 10:47 AM  
To: "Tuohy, Martin: WCC" <mtuohy@westminster.gov.uk>, [Redacted]  
Cc: "Keegan, Francis: WCC" <fkeegan@westminster.gov.uk>

Martin (and Francis by copy),

Simmons (Woodstock street) was full on again last night, and they also used their TEN to stay open until late. I reported the loud music, and the tenant upstairs did the same. This is likely to happen again tonight and tomorrow. What happens next? Clearly the measurements and assessments and conversations had last Tuesday night were quickly discarded. Do I need more officers to come into the property to witness the noise, or can I just report online opting to not be contacted? I want this to stop, but also the idea of reporting, receiving a text, waiting, receiving a call and then waiting again for the officers, every night, is rather stressful. It will go on every night: can you please advise what will happen next and what is best to do from our side.

Thanks



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**From:** Tuohy, Martin: WCC <mtuohy@westminster.gov.uk>  
**Sent:** 22 November 2022 08:57

[Redacted]  
**Cc:** Keegan, Francis: WCC <fkeegan@westminster.gov.uk>

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]



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**Noise issue from 11 woodstock Street**

---

Tuohy, Martin: WCC <mtuohy@westminster.gov.uk>

Fri, Nov 25, 2022 at 1:01 PM

Cc: "Keegan, Francis: WCC" <fkeegan@westminster.gov.uk>

Hi 

Sorry to hear that you are still being disturbed.

As discussed previously, we wanted to give the premises an opportunity to take measures to ensure that you were not being disturbed.

From a going forward perspective it would be good if we could make a further assessment from within your property. I have made the manager and Noise officer working tonight (and over the weekend) aware of the issue and they will prioritise a visit to your property if you are being disturbed. So please log it in the same way but they will probably call you before the text message system kicks in.

I am aware that you have ben passed the details of Richard Brown, licensing Solicitor, from our licensing department. He will be able to help you with independent advice.

I have had correspondence from Simmons stating that they closed at midnight last night. Can you clarify if you were disturbed by the music after 2300hrs and if it continued after midnight?

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

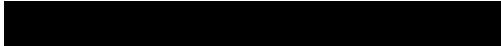
**Find out more at:** <https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fbit.ly%2fwccfis&umid=418559f4-e759-4030-b797-bd0af4616226&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-beb47d2653a38b1103c55c9a1a6404666d51f81a>

[Quoted text hidden]

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[Quoted text hidden]

[Quoted text hidden]



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**Noise issue from 11 woodstock Street**

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Fri, Nov 25, 2022 at 5:07 PM

To: "Tuohy, Martin: WCC" <mtuohy@westminster.gov.uk>, [REDACTED]  
Cc: "Keegan, Francis: WCC" <fkeegan@westminster.gov.uk>

Thanks Martin,

I'll do as you say.

I know for sure the music went on well after 11pm last night, then I went to sleep with earplugs on (and I now have to sleep in another bedroom to be further away from Simmons) so I can't tell whether they closed at midnight or not.

Hope this will be over at some point - I am furious that we even spent over 1 hour with them the other night, let them into the property, and they just discarded everything that was said and done.

Kind regards

[REDACTED]

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**From:** Tuohy, Martin: WCC <mtuohy@westminster.gov.uk>

**Sent:** Friday, November 25, 2022 1:01:12 PM

[Quoted text hidden]

[Quoted text hidden]



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**11 Woodstock street Simmons**

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Tue, Nov 29, 2022 at 2:04 PM

To: "Tuohy, Martin: WCC" <mtuohy@westminster.gov.uk>



Hi Martin,

We had another visit from your team on Saturday and statutory noise was witnessed again. We could clearly pick up the music that was being played inside Simmons.

Can you please confirm whether a Noise Abatement Notice has now been served, and if not why.

Thanks, kind regards



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11 Woodstock street Simmons

Tuohy, Martin: WCC <mtuohy@westminster.gov.uk>

Tue, Nov 29, 2022 at 6:31 PM



Yes I am aware that you had a visit on both Friday and Saturday night.

Due to GDPR I cannot give out information on any action taken against another person or premises through this channel. You will need to officially ask for this through a request via our Freedom of Information team.

Many Thanks

Martin

[Quoted text hidden]

\*\*\*\*\*

**COVID-19 VACCINATIONS**

The COVID-19 vaccine is our first line of defence against coronavirus. The vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: [www.westminster.gov.uk/vaccinations](http://www.westminster.gov.uk/vaccinations)

\*\*\*\*\*

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15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.

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Find out more at: <https://bit.ly/wccfis>

\*\*\*\*\*

Westminster City Council switchboard: +44 20 7641 6000.

[www.westminster.gov.uk](http://www.westminster.gov.uk)

\*\*\*\*\*

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If you are not the intended recipient of this E-mail or any part of it, please telephone Westminster City Council immediately on receipt.

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

\*\*\*\*\*

## Annex 2 Applicant Further Submissions

**From:** [REDACTED]  
**To:** [Meloyan, Emanuela: WCC](#)  
**Cc:** [Abbott, Karyn: WCC](#); [Donovan, Jessica: WCC](#); [Jackaman, Kevin: WCC](#); [Seaward, Angela: WCC](#);  
**Subject:** Re: LSC - 23rd February 2023 - 22/11955/LIREVP - Simmons, 11 Woodstock Street, London W1C 2AE  
**Date:** 14 February 2023 03:14:04  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image001.png](#)

Some people who received this message don't often get email from federico.bixio@gmail.com. [Learn why this is important](#)

Good Morning,

Thank you for the communication below.

I am currently abroad and with limited access to internet.

I have included in this email all the addressees copied in your previous communication.

I have written below an update of the case in chronological order, as a continuation of the list of events previously included in my application for a Premises Licence Review.

I currently have no access to a computer so I have to use screenshots to provide copies of relevant emails (7 screenshots in total). I apologise, but I trust this is acceptable anyway.

I will provide further information on who will attend the hearing before 20th February as indicated.

Many thanks, kind regards

[REDACTED]

13th December 2022

Martin Tuohy arranges a second noise assessment inside 12 Woodstock street for 12th January 2023 at 12 midday, with the aim of setting a noise limiter.

15th December 2022

FB agrees (emails attached as screenshots) expressing concerns about the time, since a daytime assessment would be affected by background noise. No reply from Martin Tuohy or the Noise Team.

7th January 2023

FB reports noise (loud music) at 8.49pm  
(CAS-613518-C1W4R2)

10th January 2023



FB emails Martin Tuohy again expressing concerns about the daytime assessment. MT responds on 11th Jan suggesting the concerns are raised directly during the assessment.

12th January 2024

The assessment takes place with John Crockford and Dave Nevitt (WCC), and Simmons sound engineer.

Concerns about the opportunity to do it at daytime are expressed by FB to Dave Nevitt who suggests to continue and see.

The noise from nearby construction sites (one directly across the street, with demolitions in progress) is extremely audible and demands that the assessment is paused at times.

Dave Nevitt confirms a noise limiter would be in place immediately after the assessment and nobody other than WCC assessors would have access to it.

The same evening the music is still clearly audible inside 12 Woodstock Street

12th January 2013

FB reports noise (loud music audible in the flat bedroom) at 11.06pm (CAS-618700-W9W9L4)

13th January 2023

FB reports noise (loud music audible in the flat bedroom) at 11.32pm (CAS-619945-D8W9V8)

FB also emails Martin Tuohy. The music is so loud the tracks being played (past the licensed time) is identifiable from 12 Woodstock street.

There is no reply nor follow up from either Martin Tuohy nor Dave Nevitt.

14th January 2023

FB reports noise (loud music) at 11.15pm (CAS-620330-P6L9F2)

1st February

FB reports noise (loud music) at 10.39pm (CAS-637413-Y1W2J4).

Additional late night events of loud music take place, even though they're not reported.

FB's concerns that noise levels are fluctuating and increasing at weekends appear to be confirmed by [REDACTED] who also have the same impression.

Antisocial behaviour has also been occurring frequently outside 12 Woodstock Street, consisting of loud chatting, altercations, and a couple of episodes of buzzers being rang as a prank in the middle of the night. Due to their short episodic nature, these events have not been reported to the noise team but had never happened in previous years.

23:48

◀ Search



Sound Limiter > Inbox



Tuohy, Martin: WCC 13 Dec 2022



to me ▾



As just discussed I have arranged with our Environmental Sciences and Environmental Health team to set the limiter at Simmons Bar on Thursday 12<sup>th</sup> at 12midday. I will share your number with them so they can have access to your property.

Many Thanks

**Martin Tuohy**

Team Manager – Central  
Public Protection and Licensing  
[City of Westminster](#)

[64 Victoria Street](#)  
[London](#)  
[SW1E 6QP](#)  
Tel: 07790 980195



City of Westminster

23:49

◀ Search



me 15 Dec 2022

to Martin



To Tuohy, Martin: WCC  
mtuohy@westminster.gov.uk

Date 15 Dec 2022,  
12:55

Thanks Martin,

We agree with the date, but I must reinforce that, as discussed on the phone, we don't think this should be done in the day.

The issue is more evident and most impactful at night, the previous measurements were taken at night and it is reasonable to ask that the new measurements are also taken at night as noise

Thanks Martin,

As per previous correspondence these measurements should be taken at night or they will misrepresent the issue we are facing.

At midday the extraction duct of the ground floor restaurant will be on, as the mechanical equipment of nearby buildings, so measurements of the music level will be less accurate and relevant.

When we did building works and I commissioned a noise report in 2019, surveyed sound levels near the bedroom windows were 70db during the day as opposed to 40db at night.

Kind regards

...



Tuohy, Martin: WCC 11 Jan



to me ▾



John Crockford and Dave Nevitt are our experts in acoustics and are experts in this field so it's best to raise any concerns or interfering factors directly with them tomorrow.

Can you please confirm that you will be available at ~~midday tomorrow?~~

VIEW MESSAGE 23:50

◀ Search



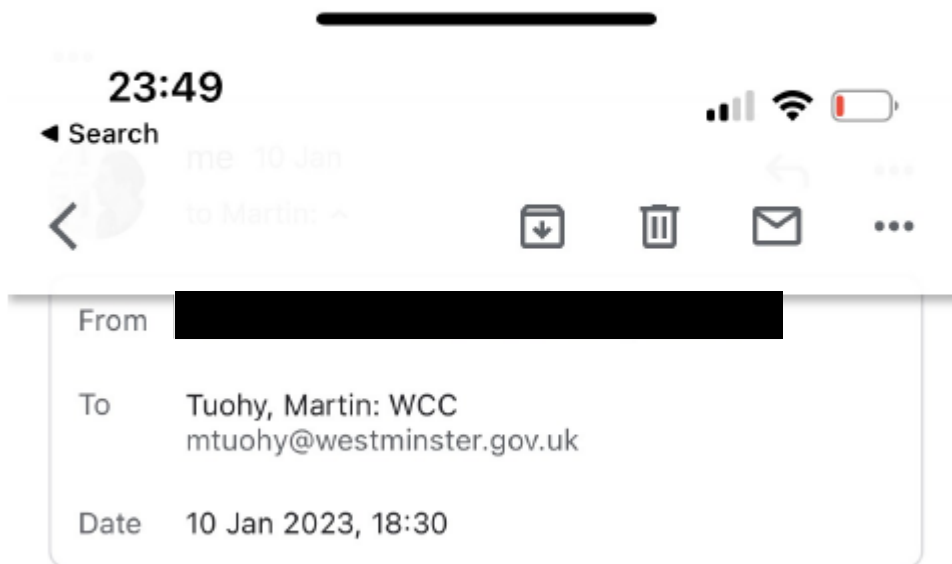
measurements are also taken at night, as noise levels at midday wouldn't be representative of the issue we are facing.

You explained the noise is likely transmitted through the structure and not airborne, but during the day there is also airborne noise from the street that would affect any measurements taken, so I am not confident that measurements taken at midday would be effective to resolve the issue.

As explained on the phone, I am concerned that we would then be left with residual noise still audible at night and we would have to repeat the whole operation, waiting weeks or months. Our preference would certainly be to do this at 10pm as done previously.

Kind regards

[Redacted signature]



Search



me 11 Jan  
to Martin: <



From

[REDACTED]

To

Tuohy, Martin: WCC  
mtuohy@westminster.gov.uk

Date

11 Jan 2023, 12:06

Hi Martin,

I will be available tomorrow if needed.  
I forgot to mention hard demolitions of Debenhams are currently in progress directly across the street, and construction works are taking place one block away (325 Oxford street).

Can the opportunity to do this survey at midday be discussed beforehand?

As I said I will be available if needed, but - forgive me if I say it bluntly - it's not like I have endless free time, I need to leave work and cross town to be at home and then return.

This is all time I am dedicating to our loud neighbour who has been continuing to do as they please in the meantime.

Lastly, we heard today from the new tenant of

[REDACTED] ([REDACTED])

Simmons). She made contact with me after finding my details on the license review documents, where they had not been blanked

out for some reason. She is also, obviously, impacted by the noise.

She might be available to have the measurements taken in her flat as well, but she is not available during daytime due to working full time. She also is concerned as we are about the efficacy of conducting these tests outside of the hours when the issue is more apparent and



across the street, and construction works are taking place one block away (325 Oxford street).

Can the opportunity to do this survey at midday be discussed beforehand?

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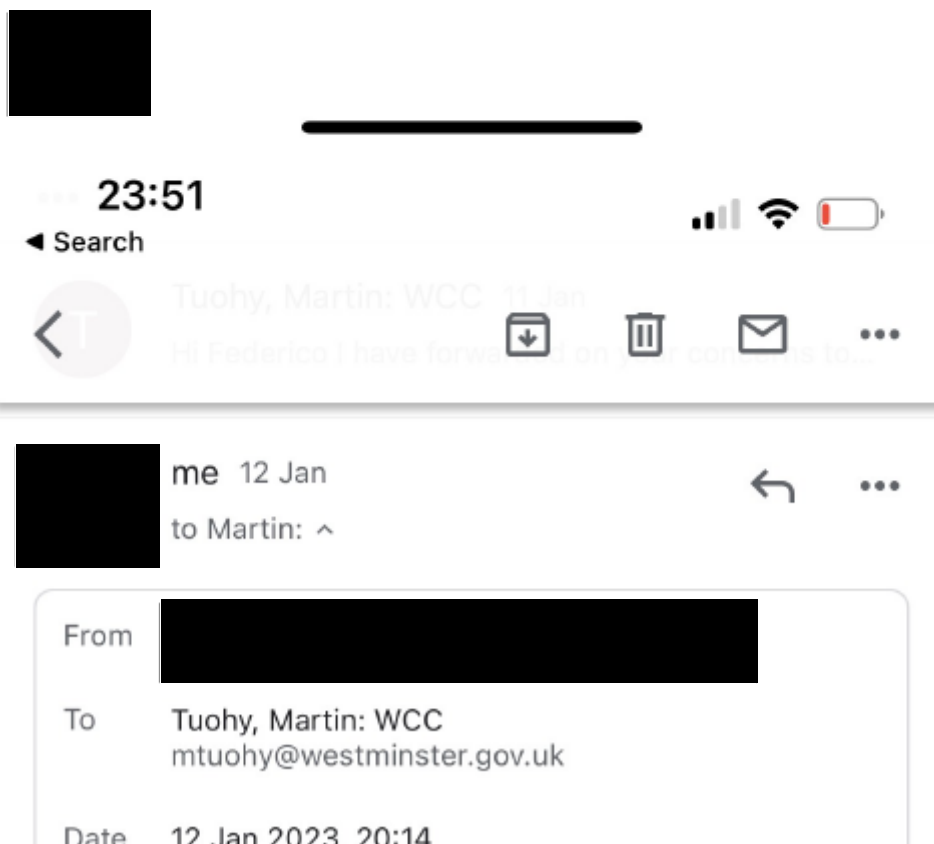
She made contact with me after finding my details on the license review documents, where they had not been blanked out for some reason. She is also, obviously, impacted by the noise.

She might be available to have the measurements taken in her flat as well, but she is not available during daytime due to working full time. She also is concerned as we are about the efficacy of conducting these tests outside of the hours when the issue is more apparent and impactful. I would suggest having the tests done at both flats one of these evenings.

Let me know how you wish to proceed.

If measurements will be taken during the day, we will have to bring it to the attention of the Committee during the license review hearing, to make sure our position is clear.

Kind regards





DATE 12 JUL 2020, 20:17

Hi Martin,

We did the noise "measurements" today. I explained again I did not trust results obtained at lunchtime due to background noise.

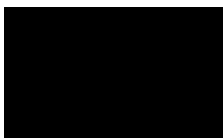
The demolitions from Debenhams were extremely audible despite closed doors of the living room and bedroom.

In a couple of occasions we had to ask the officer inside Simmons to let the music play for a couple of minutes for us to be able to assess it, because we could only hear hammers and drills and we had to wait for them to stop.

That is not the way to conduct a delicate assessment.

The result is that this evening, without drills and hammers, the music is still clearly audible from the bedroom, a exactly as I predicted and asked to avoid. It is not as bad as other times but this is not the result we were hoping for and I am really distressed right now.

Regards



23:51

◀ Search



ally distressed right now



Regards

---

—Fed

...

me 13 Jan

to Martin: ^



From

To

Tuohy, Martin: WCC  
mtuohy@westminster.gov.uk

Date

13 Jan 2023,  
20:40

Hi Martin,

Following up on yesterday's email, I can now (23.30 Saturday evening, past the 23.00 limit of the license) clearly identify the track currently being played at Simmons as "I can't get you out of my head" by Kylie Minogue, from the bedroom.

Can you confirm a limiter was put in place at all after yesterday's assessment.

It doesn't seem to be the case.

Kind regards

[Redacted signature]

...

← Reply

→ Forward

---

On Mon, 6 Feb 2023 at 11:26, Meloyan, Emanuela: WCC  
<[emeloyan@westminster.gov.uk](mailto:emeloyan@westminster.gov.uk)> wrote:

Good afternoon,

**Applicant:** [REDACTED]

**Application:** Premises Licence Review – Licensing Act 2003

**Location:** Simmons, [11 Woodstock Street, London W1C 2AE](#)

In accordance with regulation 6 of The Licensing Act 2003 (Hearings) Regulations 2005 (2005 Regs) Westminster City Council as the Licensing Authority under the Licensing Act 2003 (the Act) hereby gives notice of the need to hold a hearing to determine the above mentioned application.

The Licensing Authority has received representations relating to this application and has scheduled the following public hearing to consider and determine this application:

**Committee:** Licensing Sub-Committee

**Start time:** 10am

**Date:** Thursday, 23<sup>rd</sup> February 2023

**Location:** 18<sup>th</sup> Floor, Westminster City Hall, [64 Victoria Street, London SW1E 6QP](#) –

Room to be confirmed

**\*\*\* Please be aware members require all documents for applications to be part of the report. Please submit all documents by 12pm on Tuesday 14<sup>th</sup> February 2023. If you wish to submit any additional documents after this date members have the discretion to adjourn cases if they do not have adequate time to fully consider all additional documentation.\*\*\***

**PLEASE PROVIDE CONFIRMATION OF ATTENDANCE WITH FULL NAMES AND ACKNOWLEDGEMENT RECEIPT OF THIS EMAIL BY 12pm Monday 20<sup>th</sup> February 2023.**

Each party who has registered to speak, will be invited to make their representations and will be allowed a **maximum of 10 minutes each**.

If you have any special requirements for access to this building e.g. wheelchair access, please contact the case officer on the telephone number or email address listed above.

Subject to regulations 14(2) and 25 of the 2005 Regs, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

At the hearing a party shall be entitled to -

- a. in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1) (d), give further information in support of their application, representations or notice,
- b. if given permission by the authority, question any other party, and,
- c. address the authority.

Under the Act, you are required to give notice to the Authority no later than one week prior to the hearing stating:

- (i) Whether you intend to attend or be represented at the Hearing
- (ii) Whether you consider a hearing to be unnecessary

If you wish to request the attendance of any other person (other than the person you intend to represent you at the Hearing), you must submit, with your notice to

the Authority, a request for permission for such other person to appear at the hearing. You must also submit the details of the name of that person and a brief description of the point(s) on which that person may be able to assist the Authority in relation to your application / notice / representation or notice of the party making the request. Any such request will be considered by the Committee at the beginning of the Hearing.

If a party cannot attend the hearing at the proposed time or date then they can request an adjournment of the application to a later date. Any request for an adjournment must be sent to the Licensing Authority in writing and express the reasons for the adjournment request. The Licensing Authority will consider the adjournment request and any implications on other parties to the application. It will then inform the requester of its decision.

To view further information on the requirements relating to licence applications and hearings or view the Council's Rules of Procedure please visit the Council's website at [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing).

Confidential and impartial advice is available for local residents and businesses from a specialist licensing solicitor at the Citizens Advice Bureau. You can contact the Licensing Advice Project via telephone on 020 7706 6029 or alternatively you can email [licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk). Further information about this service can also be found at <https://cas5-0-urprotect.trendmicro.com:443/wis/clicktime/v1/query?url=www.licensingadvice.org&umid=6c1e4896-f9bf-47c9-a07b-ccf307c61b72&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-7dd2bb4c13705523128a582fb6be22f9635f9692>.

If you or any other party to this application does not attend the hearing, the application may proceed in your or their absence, or alternatively, the Sub-Committee could decide to adjourn the matter.

If you have any questions relating to this application or this notice please do not hesitate to contact me on 020 7641 6500 or email [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk).

*Thank you*

*Regards,*

*Emannuela Meloyan*  
*Senior Licensing Officer*

Licensing Service  
Public Protection and Licensing

Westminster City Council  
15<sup>th</sup> Floor City Hall

[64 Victoria Street](#)

[London, SW1E 6QP](#)

☎ 07814 986596

☎ 0114 551 3798 (Payment Enquiries)

☎ 0207 641 6500 (Call Centre)

✉ [emeloyan@westminster.gov.uk](mailto:emeloyan@westminster.gov.uk)

[Westminster.gov.uk](http://Westminster.gov.uk)



\*\*\*\*\*  
**COVID-19 VACCINATIONS**

The COVID-19 vaccine is our first line of defence against coronavirus. The vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: [www.westminster.gov.uk/vaccinations](http://www.westminster.gov.uk/vaccinations)



## Noise Limiter Setting Report

### Sound Limiter Data Sheet

<b>Premises</b>	Simmonds Bar	
<b>Address</b>	Basement And Ground Floor 11 Woodstock Street London W1C 2AE	
<b>Case Ref / UPRN</b>	22/49902/EE1NOL / 010033640557	
<b>Contact Name</b>	Nick Campbell - CEO & Founder	
<b>Email</b>	<a href="mailto:nick@simmondsbar.co.uk">nick@simmondsbar.co.uk</a>	
<b>Any previous complaints?</b>	Yes – s80 served 28 Nov 2022 (22/00679/EP80NC) together with significant number of complaints	
<b>Limiter &amp; sound system</b>	BSS Soundweb BLU50 3 x Citronic PLX amplifiers	
<b>Location of Limiter</b>	Manager's office in equipment rack	
<b>How is limiter locked?</b>	Laptop – property of Big Sky Acoustics Soundweb software password protected	
<b>Zones</b>	Basement	Ground Floor
<b>No. of speakers</b>	5 x Apart MASK6C, passive two-way loudspeakers	2 x DAP Xi-8 and 2 x Apart MASK6C passive two-way loudspeakers
<b>Bass Bins (y/n)</b>	No	No
<b>LAeq (1 min)</b>	80 dB	75 dB
<b>LCeq (1 min)</b>	87 dB	79 dB
<b>Leq 1min 63Hz</b>	74 dB	63 dB
<b>Leq 1 min 125Hz</b>	84 dB	73 dB
<b>Assessment</b>	For potential nuisance listening from 1 <sup>st</sup> floor flat in neighbouring building	
<b>Date set</b>	12 <sup>th</sup> January 2023	
<b>Set by</b>	John Crockford & Dave Nevitt (EHOs) Nick Campbell (Simmons - CEO), Kelsey Brennan (Simmons – Head of Operations), Richard Vivian (Big Sky Acoustics) & Niall McCann (Keystone Law - representing Simmons)	



### Notes / Recommendations:

It was arranged for Dave Nevitt to visit the resident in the [REDACTED] [REDACTED] to observe and assess the level of intrusion into the flat from the music whilst John Crockford remained in the premises. John Crockford agreed to rely upon the noise measurements taken by Richard Vivian (Big Sky Acoustics) and that these measurements would be used as the set and agreed music noise levels.

Initially when music was played on the ground floor only no music noise was audible in the flat. The music noise level was increased slightly and then music was added in from the basement system. At this point, it became noticeable and disturbing within the flat.

The overall music noise level was reduced in both the basement and ground floor zones and some reductions were also made in base music noise levels in both zones. The system was set to levels (as shown above) that were deemed to not cause nuisance within the flat.

It was agreed that this was a preliminary exercise as it was known that there was a resident [REDACTED] who was unable to provide access at the time.

## Abatement Notice

### Abatement Notice in respect of Noise Nuisance

**To: SIMMONS COVENT GARDEN LIMITED**  
**120 Charing Cross Road, 3rd Floor, London, WC2H 0JR**

**TAKE NOTICE** that under the provisions of the Environmental Protection Act 1990 the Westminster City Council being satisfied of the [existence] likely [recurrence] [occurrence] of noise amounting to a statutory nuisance under section [79(1)(g)] of that Act at premises in the vicinity of:

**Woodstock Street, London W1**

within the district of the said Council arising from playing loud music at;

**Simmons Bar, 11 Woodstock Street, London W1C 2AE**

**HEREBY REQUIRE YOU**, as ~~[[one of] the person(s) responsible for the said nuisance] the [owner][occupier] of the premises from which the noise is or would be emitted) [the person in whose name the vehicle is for the time being registered][the driver of the vehicle] [the operator of the machinery or equipment],~~ {forthwith from the service of the notice} {within.....[hours(s)][days]} to

**abate the nuisance**

**HEREBY PROHIBIT** the recurrence of the same

**THIS** is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall **NOT** be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council,

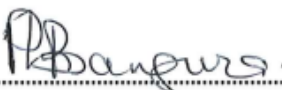
{the nuisance to which this notice relates is [likely to be a limited duration such that suspension would render the notice of no practical effect]} [the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance]

**IF WITHOUT REASONABLE EXCUSE YOU** contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (£5000) together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

**Dated: 28<sup>th</sup> November 2022**

This matter is being dealt by: Mr. Patrick Bangura

Signed:  .....  
Environmental Health Officer  
(The officer appointed for this purpose)  
*For and on behalf of Kevin Goad*  
Executive Director of Environment & City Management

Noise Service  
Public Protection & Licensing Department  
15th floor, City Hall  
Westminster City Hall,  
64 Victoria Street  
London SW1E 6QP

**Ref:** 22/45169/ENC45, 22/45484/ENC45,  
22/46318/ENC45 & 22/47575/ENC45

**Tel: 020-7641 2000**

**NB:** A person served with this notice may appeal against the notice to a magistrates' court within twenty-one days beginning with the date of service of the notice. (see notes on the reverse of this form).

## Statutory Nuisance (Appeals) Regulations 1995

1. (1) In these Regulations  
"the 1974 Act" means the Control of Pollution Act 1974;  
"the 1990 Act" means the Environmental Protection Act 1990; and  
"the 1993 Act" means the Noise and Statutory Nuisance Act 1993.

### Appeals under section 80(3) of the 1990 Act

2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case.
- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
- (b) that there has been some informality, defect or error in, or in connection with, the abatement notice; or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
- (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
- (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
- (e) where the nuisance to which the notice relates –
- (i) is a nuisance falling within section 79(1)(a), (d), (e), (f), or (g) of the 1990 Act and arises on industrial, trade, or business premises, or
- (ii) is a nuisance falling within section 79(1)(b) of the 1990 Act and the smoke is emitted from a chimney, or
- (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes, that the best practicable means were used to prevent, or to counteract the effects of, the nuisances;
- (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of that Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of –
- (i) any notice served under section 80 or 66 of the 1974 Act (control of noise on construction sites and from certain premises), or
- (ii) any consent given under section 61 or 65 of the 1974 Act or (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
- (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
- (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the 1993 Act (loudspeakers in streets or roads);
- (h) that the abatement notice should have been served on some person instead of the appellant, being –
- (i) the person responsible for the nuisance, or
- (ii) the person responsible for the vehicle, machinery or equipment, or
- (iii) in the case of a nuisance arising from any defect or a structural character, the owner of the premises, or
- (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
- (i) that the abatement notice might lawfully have been served on some person instead of the appellant being –
- (i) in the case where the appellant is the owner of the premises, the occupier of the premises, or
- (ii) in the case where the appellant is the occupier of the premises, the owner of the premises, and that it would have been equitable for it to have been so served;
- (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being –
- (i) a person also responsible for the nuisance, or
- (ii) a person who is also owner of the premises, or
- (iii) a person who is also an occupier of the premises, or
- (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, machinery or equipment in question.
- (5) On the hearing of the appeal the court may –
- (a) quash the abatement notice to which the appeal relates, or
- (b) vary the abatement notice in favour of the appellant in such manner as it thinks fit, or
- (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit –
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
- (b) as to the proportions in which any expenses which may become recoverable by the authority under Part 111 of the 1990 Act are to be borne by the appellant and by any other person.
- (7) In exercising its powers under paragraph (6) above, the court –
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
- (b) shall be satisfied before it imposes any requirement thereunder on any person other than the appellant, that the person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

### Suspension of notices

3. - (1) Where –
- (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and –
- (b) either –
- (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of works before the hearing of the appeal, or
- (ii) in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
- (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where –
- (a) the nuisance to which the abatement notice relates –
- (i) is injurious to health, or
- (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
- (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice –
- (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
- (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

## Statement of Witness – Paul Green

### STATEMENT OF WITNESS

(C.J. Act 1967,s,9; M.C. Act 1980, ss5A(3)(a) and 5B, Criminal Procedure Rules 2005, r27.1(1))

Statement of: Paul Green  
Age of witness: Over 18  
Occupation of Witness: Environmental Health Officer  
Address: Public Protection and Licensing  
Westminster City Hall, 15<sup>th</sup> Floor  
64 Victoria Street  
LONDON SW1E 6QP  
Telephone Number: 0207 641 3385

This statement, consisting of two page's each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signed: 

Dated: 27 November 2022

I am employed by Westminster City Council in the Public Protection and Licensing Department as a Noise Officer. I have held enforcement roles with the City Council since 1994 and am authorised under the Environmental Protection Act 1990. I am a qualified Environmental Health Officer and was registered by the Environmental Health Officers Registration Board on 20 November 1986. I also hold a postgraduate Diploma in Acoustics and Noise Control.

On Saturday 26<sup>th</sup> November 2022, I was responding to noise complaints, accompanied by my manager David Sycamore, when I received a noise complaint at 21:23hrs, of loud music emanating from Simmons Bar, 11 Woodstock Street, London W1C 2AE. I confirmed that Simmons Bar was open by walking past the premises and then proceeded to the complainant's premises. On entering the complainant's bedroom at 21:40 hours, I clearly heard loud amplified music of a

Signed: 

Dated: 27 November 2022

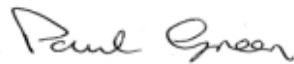
**STATEMENT OF WITNESS**

(C.J. Act 1967,s,9; M.C. Act 1980, ss5A(3)(a) and 5B, Criminal Procedure Rules 2005, r27.1(1))

**Continuation Statement of Paul Green**

a song with a distinct female vocalist. I then listened to a few tracks of music noticing the gaps in between tracks until 21:56 hours, when I identified an Afrobeats song called 'Best OldSkool' by DJ Lawy. I continued to listen to amplified music from Simmons Bar until 22:05 hours, when I left the complainant's premises. During my time in the complainant's bedroom, I was of the view that the volume of amplified music emanating from Simmons Bar amounted to a statutory nuisance because the unreasonable volume of music was more than an annoyance or irritation as the loud music would have caused noise induced sleep disturbance i.e., prevented sleep and / or interrupted sleep.

**Signed:**



**Dated: 27 November 2022**

## Environmental Health – Cover Letter

Westminster City Council

Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

020 7641 6000  
westminster.gov.uk



City of Westminster

Public Protection & Licensing  
Environmental Health Service

Simmons Covent Garden Limited  
120 Charing Cross Road  
3rd Floor  
London  
WC2H 0JR

Interim Director: Nicky Crouch

This matter is being dealt with by P. Bangura  
Direct line: 02076412000  
Email: [pbangura@westminster.gov.uk](mailto:pbangura@westminster.gov.uk)  
Ref: 22/45169/ENC45, 22/45484/ENC45,  
22/46318/ENC45 & 22/47575/ENC45  
Date: 28<sup>th</sup> November 2022

Dear Sir/Madam,

**RE: ENVIRONMENTAL PROTECTION ACT 1990, SECTION 80  
NOISE NUISANCE FROM SIMMONS BAR, 11 WOODSTOCK STREET, LONDON W1C 2AE**

I am writing further to Council officers visits to complainants premises on Thursday 10/11/2022, Saturday 12/11/2022, Thursday 17/11/2022 and Saturday 26/11/2022 at approximately 1950, 2341, and 2345 and 2240 hours respectively due to complaints of excessive noise from the above mentioned premises.

I can confirm that on each occasion, statutory nuisance was witnessed caused by playing loud music at this premises and on each occasion the staff in charge was advised about the issue.

Please therefore, find enclosed an abatement notice that is served in relation to the nuisance from the premises and requires you to prevent its reoccurrence.

Please be advised that should further statutory nuisance due to noise being witnessed from this premises, the Council may commence legal proceedings for failing to comply with the requirements of the notice.

The Council may also exercise its powers under the above legislation and apply for a warrant to enter the premises to seize and remove any equipment which appears is being or has been used in the emission of noise.

If you need further information or have queries regarding this matter, please do not hesitate to contact me on the telephone number given above.

Yours sincerely,

Patrick Bangura  
Environmental Health Officer  
Noise Service  
Westminster City Council

1. Enclosed: Abatement notice dated 28/11/2022
2. Copy hand delivered: Simmons bar, 11 Woodstock Street, London W1C 2AE
3. Copy emailed to Director, Nicholas Campbell

## Environmental Health to Mr Campbell

Westminster City Council

Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

020 7641 6000  
westminster.gov.uk



City of Westminster

Public Protection & Licensing  
Environmental Health Service

Simmons Covent Garden Limited  
120 Charing Cross Road  
3<sup>rd</sup> Floor  
London  
WC2H 0JR

Interim Director: Nicky Crouch

This matter is being dealt with by P. Bangura  
Direct line: 02076412000  
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Ref: 22/45169/ENC45, 22/45484/ENC45,  
22/46318/ENC45 & 22/47575/ENC45

Date: 28th November 2022

Dear Mr. Campbell,

**RE: ENVIRONMENTAL PROTECTION ACT 1990, SECTION 80  
NOISE NUISANCE FROM SIMMONS BAR, 11 WOODSTOCK STREET, LONDON W1C 2AE**

Please see enclosed, a copy of the noise abatement notice that has been served on the company and posted to the registered address.

It relates to the ongoing nuisance caused by playing loud music at the above mentioned premises and be advised that the Notice remains in force until such time when the nuisance is abated.

Please read its contents carefully and ensure that its requirements are complied with. Legal action may be taken for non-compliance of this notice.

If you need further information or have queries regarding this matter, please do not hesitate to contact me on the telephone number given above.

Yours sincerely,

Patrick Bangura  
Environmental Health Officer  
Noise Service  
Westminster City Council

1. Enclosed: Copy of the abatement notice dated 28/11/2022
2. Copy hand delivered to Simmons Bar, 11 Woodstock Street, London W1C 2AE

## Annex 4

### Interested Parties representation in support of the review plus supplementary documentation

#### Comments received electronically via PublicAccess:

• [REDACTED]  
**Received: 11 Jan 2023 by  
SUPPORT**

I support the licence review application and the imposition of additional conditions as appropriate to mitigate the noise disturbance emanating from the bar operations at the premises, on the grounds that the premises are located within a residential building.

#### **Further submissions received: 11 Jan 2023**

Good afternoon.

I refer to the above licence review application. I am a resident at [REDACTED], [REDACTED] in question. I have been a resident since 22 November 2022. To my knowledge, other than Simmons Bar, the rest of the premises within the building are residential in nature.

I have read the related application and supporting documents and would like to lend my full support to it. The introduction section on page 6 of the application form sums up perfectly the character of the neighbourhood and the negative impact that the noise emission from Simmons Bar has had on the living conditions of affected residents. The disturbance comes not just from the audible emission of music which can be heard within my premises (including my bedroom) to the extent that I could, on occasion, distinctly identify the songs being played, but also from antisocial behaviour of their patrons during busy hours, including smoking and disposal of cigarette butts at the building entrance. This obviously has adverse health consequences for the residents.

I note from the application materials that sound measurements were taken on 22 November 2022 and the noise levels which were deemed acceptable by the [REDACTED] and the WCC, were considered to be “not commercially viable” by Simmons Bar. I was not present at that occasion, and so cannot speak to the events and conversations that had transpired, but I would like to add that the “commercial viability” of Simmons Bar (which in any case appears to be their unilateral and subjective assessment not backed up by any evidence as to loss of business revenue) should not take precedence over the rights of the residents to quiet enjoyment of their homes. After all, Simmons Bar would have known, or ought to have known, that the premises are situated directly [REDACTED], and it is regrettable that they appear not to have taken any measures to mitigate the negative externalities of their business activities suffered by the residents. In any case, the “commercial viability” of Simmons Bar should definitely not trump the law, and if it is indeed the case that the noise levels emanating from their premises have breached any statutory limit (which the attached email correspondence seems to suggest was the view of the attending officers), swift enforcement action should be taken to prevent a recurrence of the issue.

I would implore the WCC to review the application materials and submissions carefully and take our concerns seriously. In my opinion, the proposed conditions are necessary, appropriate and proportionate to all affected parties. I am sure an amicable resolution would have been the preference of the applicants, and it is unfortunate that the affected residents have had to expend precious time and resources to compel the bar operators to behave in a more considerate and neighbourly manner.

Best regards,





[REDACTED]

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## Noise issue from 11 woodstock Street

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Federico Bixio [REDACTED]

Wed, Nov 23, 2022 at 2:54 PM

To: "Tuohy, Martin: WCC" <mtuohy@westminster.gov.uk>, [REDACTED]

Hello Martin,

Thanks for arranging last night's visit at [REDACTED] + Simmons bar, your assistance in this is much appreciated by all the impacted residents.

My summary of the meeting:

1. Nick Campbell (Simmons' CEO) and Richard Vivian (Big Sky Acoustics) were present for Simmons
  2. Richard Vivian was also the professional who advised Simmons on the (lack of) acoustic design of the premises. This put him in a conflict of interests position, as his measurements were biased towards Simmons (as also became apparent in some conversation with the WCC officers while in our premises)
  3. Francis Keegan and a second offices (apologies I didn't capture his name), and a resident from [REDACTED] [REDACTED] (also impacted) were also present.
  4. Measurements were taken in both the bedroom and living room of [REDACTED], starting with the lowest volume of music inside the Simmons bar, and gradually raising it until it become audible inside the residential premises.
  5. Even though already audible at that point (this went uncontested by all), the sound level was deemed to be "not commercially viable" by Simmons
  6. Simmons then increased the volume to a "commercially viable" level, which was very audible in the flat and deemed statutory noise by the WCC officer.
  7. Another measurement was attempted, bringing the volume down approx. 10%, but with the same result. The officers confirmed to all present that he still considered that statutory noise
  8. At this point, it was agreed the volume needed to be brought further down (no specifics) and set to a level, inaudible in the flats, with a noise limiter, but no further measurements were taken and Richard Vivian, Nick Campbell and your team left.
  9. It is pretty clear that the noise level deemed required by Simmons is not acceptable to the residents, and that it constitutes a statutory nuisance within our premises. Before leaving, the WCC officers advised us to raise further cases to the Noise team (indicating that there's no need to attend our premises again) if the music from Simmons was again audible in our flats
  10. Could we please have some clarity on what to expect going forward? It felt like there was no resolution or agreement last night, and we'd like to understand what happens next, and what's the best course of action on our end
- I should also highlight that when everybody left, the volume was left exactly as it was during the last measurement (statutory noise) and it stayed like that until just before midnight.
  - One more point: [REDACTED] was vacated this past weekend by the two tenants, allegedly as they couldn't cope with the disruption caused by Simmons Bar. Any further consideration on noise levels and licensing will have as great an impact, if not greater, as it does to us to whoever will occupy that flat going forward

I reinforce that, as experienced entrepreneurs in the sectors (there are many of their bars in central London) Simmons should have known better than to open a disco venue with no entertainment licence and with such poor soundproofing design and lack of insulation, nestled as it is within residential properties.

As discussed with your colleagues yesterday, we are not willing to accept any sacrifice to the quiet enjoyment of our properties caused by their lack of due diligence, skill and care (nor any "compromise" as they mentioned yesterday).

We would also like to thank again you and your colleagues for the prompt and professional intervention, availability and support so far.

Best,



Comments received via other means:

• [REDACTED]  
**Received: 12 Jan 2023 - SUPPORT**

I am the current [REDACTED]. I support the demands of my neighbours as expressed in their licence review request regarding Simmons Bar, 11 Woodstock Street.

Since its opening, the bar has attracted large crowds late into the night, affecting the character and safety of our street. The loud music from the venue can be distinctly heard within our building in the stairwell and, although less loudly, within my flat at the top of the building.

I support the demands of the licence review to limit any current and future nuisance caused by said business.

• [REDACTED]  
**Received: 10 Jan 2023 - SUPPORT**

Dear Licencing Officers,

My name [REDACTED], I am one of the directors of [REDACTED] the company owning the [REDACTED]

I am writing in support of the demands of the residents as expressed in their licence review request against Simmons Bar, 11 Woodstock Street.

The residents of the building have contacted us about the nuisance caused by the disco bar since its very opening in November. The noise generated within the commercial premises (loud music) and disturbance created (including antisocial behaviour, and late night disturbance) affects the enjoyment of the flats by the residents.

A member of our company also personally witnessed the nuisance, and we completely endorse the residents' concerns and complaints.

The premises at 11 Woodstock St, previously a pub (more recently a bistro) never caused any similar issues. The business has now been converted into a cocktail bar which advertise themselves as a venue for drinks, music and dance, with the front windows displaying a neon sign with the word "disco". It was reported to us that statutory nuisance (loud music) was witnessed by the Noise Team of Westminster City Council even outside deregulated entertainment hours, and we also witnessed the same.

The nuisance created, if further protracted, will have a direct impact on the value of our property and our rental income. Having carried out works in our own building in the past few years, and being very much aware of the required permits, accurate noise measurements and reports for all mechanical equipment, compliance with regulations and so on, I am personally very surprised a disco bar managed to open within a context of residential terraced buildings within the existing licence and without carrying out accurate studies and site measurements to assess the impact and ensure no disturbance would be generated, for the respect of all neighbours (residents and businesses) and as required by their licence.

Based on the above considerations, we ask the Council to proceed with the licence restrictions as outlined in the residents review request.

Best regards,

**Annex 5  
Licence & Appeal History**

**Licensing Act 2003 History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
15/00580/LIPN	New premises licence application	24.02.2015	Granted Under Delegated Authority
15/05723/LIPDPS	Premises Licence - Vary DPS	29.07.2015	Granted Under Delegated Authority
16/00518/LIPDPS	Premises Licence - Vary DPS	31.01.2016	Granted Under Delegated Authority
16/04060/LIPVM	Minor Variation - To alter the layout of the premises and to amend condition 11 with respect to capacity	16.05.2016	Granted Under Delegated Authority
16/07937/LIPDPS	Premises Licence - Vary DPS	11.08.2016	Granted Under Delegated Authority
17/01145/LIPDPS	Premises Licence - Vary DPS	17.02.2017	Granted Under Delegated Authority
17/08015/LIPDPS	Premises Licence - Vary DPS	02.08.2017	Granted Under Delegated Authority
20/11692/LIPCH	Change of Details - name and registered address of the premise licence holder Gastranome Limited	15.12.2020	Granted Under Delegated Authority
21/00436/LIPDPS	Premises Licence - Vary DPS	03.02.2021	Granted Under Delegated Authority
22/08769/LIPT	Transfer of premises licence from Gastranome Limited to Simmons Covent Garden Limited	30.09.2022	Granted Under Delegated Authority
22/09392/LIPDPS	Premises Licence - Vary DPS	18.10.2022	Granted Under Delegated Authority
22/11866/LIPVM	Minor Variation - To add conditions with respect to noise limiter agreed with Environmental Health Team	05.01.2023	Granted Under Delegated Authority
23/00367/LIPDPS	Premises Licence - Vary DPS	06.02.2023	Granted Under Delegated Authority

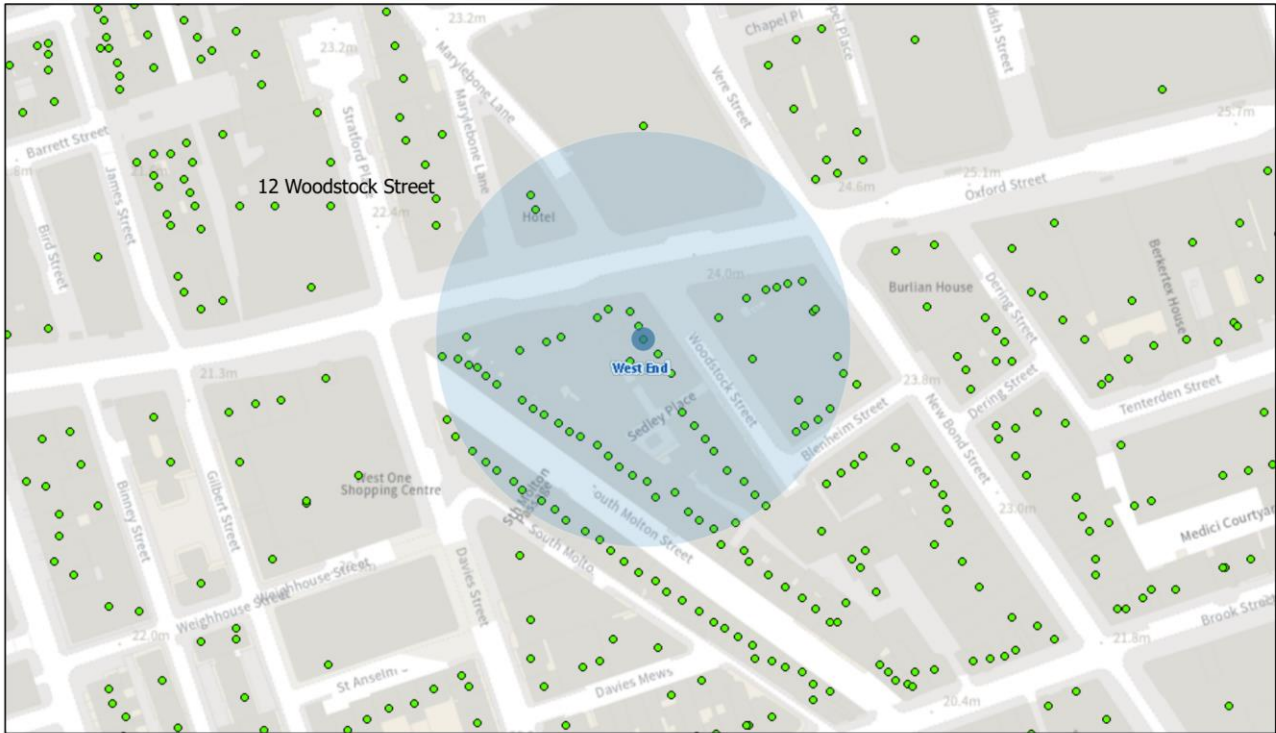
**There is no appeal history**

**Temporary Event Notice history for premises:**

<b>TENS Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
22/10361/LITENP	Temporary Event Notice	04.11.2022	Notice Granted
22/10362/LITENP	Temporary Event Notice	04.11.2022	Notice Granted
22/10356/LITENP	Temporary Event Notice	04.11.2022	Notice Granted
22/10357/LITENP	Temporary Event Notice	04.11.2022	Notice Granted
22/10360/LITENP	Temporary Event Notice	04.11.2022	Notice Granted
22/10840/LITENP	Temporary Event Notice	15.11.2022	Notice Granted

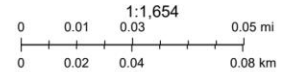
## Annex 6 Residential Map and List of Premises in the Vicinity

### 11 Woodstock Street London



10/02/2023, 09:31:10

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Ward Labels
- Borough Boundary - Detailed



Resident Count = 21

<b>Licensed premises within 75 metres of 11 Woodstock Street, London</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
20/07487/LIPCH	Angus Steak House	Woodstock House 10 Woodstock Street London W1C 2AJ	Restaurant	Monday- Saturday – 10:00 – 01:00 Sunday 10:00 – 00:00
18/02542/LIPDPS	Spaghetti House	12 Woodstock Street London W1C 2AF	Restaurant	Monday- Saturday – 10:00 – 00:30 Sunday 12:00 – 00:00
19/11719/LIPN	Eat Tokyo	14 Woodstock Street London W1C 2AG	Restaurant	Monday – Sunday – 11:00 – 23:30
19/04359/LIPVM	Spread Eagle Public House	Spread Eagle 8 Woodstock Street London W1C 2AD	Restaurant	Monday – Thursday – 09:00 – 00:30 Friday – Saturday – 09:00 – 01:30
22/10265/LIPDPS	Yo! Sushi @ Riverside	15 Woodstock Street London W1C 2AQ	Restaurant	Monday- Saturday – 12:00 – 23:00 Sunday 12:00 – 22:30

06/05976/WCCMAP	Cafe Zeynah	341 Oxford Street London W1C 2JD	Cafe	Monday – Sunday – 23:00 – 05:00
21/14515/LIPV	Jaks	43 South Molton Street London W1K 5RS	Restaurant	Monday – Sunday – 07:00 – 03:30
21/00575/LIPDPS	Spook Space	Basement And Ground Floor 42 South Molton Street London W1K 5RR	Park/Open Space	Monday – Sunday – 07:00 – 22:00
21/05430/LIPRW	Caffe Concerto	Basement And Ground Floor 38 - 39 South Molton Street London W1K 5RL	Cafe	Monday – Thursday – 07:00 – 23:30 Friday – Saturday – 07:00 – 00:00 – Sunday – 07:00 – 23:30
16/09029/LIPDPS	Radisson Blu Edwardian Berkshire Hotel	Ground Floor Right 350 Oxford Street London W1C 1BY	Hotel	Monday – Sunday – 00:00 – 00:00
16/14245/LIPDPS	Chisou	Ground Floor 22 Woodstock Street London W1C 2AP	Restaurant	Monday- Saturday – 10:00 – 01:30 Sunday 10:00 – 00:00
21/13910/LIPCH	Cube	4 Blenheim Street London W1S 1LB	Restaurant	Monday- Saturday – 12:00 – 00:30 Sunday 12:00 – 23:00
06/05911/WCCMAP	Il Pizzaiolo Restaurant	3 Blenheim Street London W1S 1LA	Restaurant	Monday- Saturday – 10:00 – 00:30 Sunday 12:00 – 00:00